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The Happy Dog Training Academy

The Law That Dog Owners and Trainers Should

 Know

The British People love our dogs. Around a 25% of UK households have at least one dog that’s a lot of dogs, So it will come as no surprise that there are over 20 pieces of legislation that apply to dog ownership in Britain.

This small guide is designed to help pet owners understand their responsibilities, but it should **NOT** be considered legal advice. None is implied or given, also Please note, the information below applies to England and Wales. The rules may be different in Scotland and Northern Ireland.

Animal Welfare

**Keeping your dog happy and healthy**

Did you know that all pet owners have a **legal** duty to provide for their pet’s welfare needs?

All domestic animals have the legal right to.

* live in a suitable environment
* eat a suitable diet
* exhibit normal behaviour patterns
* be housed with, or apart from, other animals
* be protected from pain, suffering, injury, pest free and disease free.

You may hear people referring to these five welfares needs as the ‘five freedoms.

Dog owners who fail to ensure their pet’s welfare needs are met face prosecution, but importantly, they run the risk of causing suffering to an animal who they have taken into their home and have a responsibility to care for. Failing to meet a pet’s welfare needs could cause them to become sick, hurt, upset, or stressed.

Owners can be taken to court if they do not look after their pets properly and face a prison sentence of up to six months, and a fine of up to £50,000. They may also have their pet taken away from them or be banned from having a pet for up to 10 years.

Animal Welfare Act 2006

It is against the law to dock a pet dog’s tail, in whole or in part.

Tail Docking

**Exemptions** to the rule are if tail removal is needed for medical reasons, or, if the dog is destined to become a working dog, a puppy’s tail can be docked if they are less than five days old. This exemption only applied to certain breed types, and these defined types are different in [**England**](http://www.legislation.gov.uk/uksi/2007/1120/schedule/1/made) and [**Wales**](http://www.legislation.gov.uk/wsi/2007/1028/made). Under the Docking of Working Dogs Tails (England) Regulations 2007, Docking of Working Dogs Tails (Wales) Regulations 2007

Cruelty

Animal cruelty is a criminal offence. Allowing a dog to suffer unnecessarily could land you in prison for a turm of 5 years, a £20,000 fine, and a ban on keeping animals for life.

**Law:** Animal Welfare Act 2006, section 4

Controlling your dog in your home or on someone else’s property

Allowing your dog to be out of control is now against the law on private property, as well as in public areas. This means owners can be prosecuted if their dog attacks someone in their home, including in their front and back gardens, or in private property such as a public house.

An exemption is in place if a dog bites someone who has no legal right to be in your home, for example a burglar. There are even exemptions to this Law such as if the intruder is leaving or if you set the dog onto them This would be then classed as an attack dog. You will need to make sure your dog is not a threat to delivery drivers, postal workers, health workers and other professionals who may visit your property.

A dog does not have to have bitten or physically injured someone for an offence to take place**. If a person feels your dog may hurt them, they may still be considered ‘dangerously out of control’**. This applies to all dogs of all sizes, breeds and types.

We strongly recommend reading up on canine body language so you can tell when your dog is uncomfortable in a situation at home, such as a delivery driver knocking on the door or if you have visitors, particularly children. This means you can try training your dog to cope or move them to a place where you know they will be safe while you deal with visitors.

**Law:** Anti-social Behaviour, Crime and Policing Act 2014 amends the Dangerous Dogs Act 1991

Dog Barking to Excess

All dogs bark sometimes, it is perfectly natural. But when they bark a lot over a long period of time, they can become a noisy nuisance to your neighbours.

If the problem has gone on for too long and has caused a lot of upset, your local authority’s environmental health department can formally ask you to stop your dog from continuing the behaviour, and if you do not, they can take your dog away from you. This Falls under the Environmental Protection Act 1990.

Usually, when dogs bark persistently over a long period of time, it is because they are distressed. Common reasons include being left home alone for too long, because they want attention, or because they are worried by something. We recommend contacting a[**qualified behaviourist**](http://www.apdt.co.uk/) to help you resolve the underlying issue.

Out and About in Public

We recommend checking your local authority’s **website** to find out about any laws or restrictions on dogs in your area. As the Local Authority Laws vary from area to area.

Dog Fouling

Dog fouling consistently ranks as the number one thing local councils receive complaints about, and it is easy to understand why. It smells, it gets stuck to your shoes, and it causes a hazard to the environment, and is generally unpleasant.

You have scoop that poop in all public places, it is a legal requirement.

Your local authority also has the power to introduce Public Space Protection Orders (PSPOs) to curb dog fouling, including requiring dog owners to pick up after and require owners to always carry poo bags on them. Owners can be issued with a fixed penalty notice of up to £100 for not complying with regulations. Areas with a PSPO on them should be indicated by signs.

Even if you walk in areas with no legal requirement to pick up poo, it is important to get into the routine doing so. It might seem like not much harm has been done, but canine faeces can contain parasites that, if not cleaned up, can spread to grass and, if eaten, can cause blindness in people and pregnant cattle to abort their young**. (So, Pick It Up).**

Owners of assistance dogs who have a disability that prevents them from picking up poo, for example a Guide Dog walked by a registered blind person, are exempt from these rules. Environmental Protection Act (1990), Litter (Animal Droppings) Order 1991; Anti-social Behaviour, Crime and Policing Act 2014

Dogs On Leads

There is no blanket law requiring dogs to be kept on a lead in all public spaces, however there are a series of orders that mean you must have your dog on a lead in certain places in your local area, for example children’s play areas, sports pitches, roads, parks, and beaches **Unless Marked otherwise.**

Local authorities have the power to introduce these orders under several different **Laws and can issue fines or fixed penalty notices for those who do not comply.** Many local authorities have introduced Public Spaces Protection Orders over the last few years to restrict dogs to being walked on lead (or excluded from entirely) in certain public spaces. Look out for signage detailing restrictions. We also recommend checking your local council’s website for details of any restricted areas. Some Council’s have introduced Dag Park Area’s for exercising your dog, but fouling laws still apply.

Out of Control in a Public Place

Dogs must not be allowed to be ‘dangerously out of control’, which means injuring someone or making someone fear they may be injured. This applies to any breed or type of dog. **Owners (or the person in charge of the dog at the time)** who allow their pets to hurt a person face punishment of up to three years in prison for injury, or 14 years for death, an unlimited fine, disqualification from owning pets, and having their dog destroyed**. It is also an offence to allow a dog to injure a registered assistance dog.**

In cases where no injury is caused, owners can still go to prison for six months, be fined up to £5,000, be banned from owning pets and have their dog destroyed. We highly recommend taking your dog to positive reinforcement training classes and making sure they are well behaved members of society. Dangerous Dogs Act 1991, section 3

Dogs and Livestock

Dogs should not be allowed to ‘worry’ livestock. This means owners must prevent dogs from attacking livestock, chasing livestock, or not being on a lead or under close control in a field containing sheep. Even if your dog does not bite livestock, chasing or barking at them can cause pregnant animals to abort their young through stress.

When walking in the countryside or other areas where you are likely to come across cattle, sheep, horses, and other animals, we recommend keeping your dog on a lead. Be particularly wary of farm animals with their young. If you feel threatened or are chased by livestock, then let go of the lead for your own safety.  It is usually the dog they see as a threat rather than you and most dogs can easily outrun a cow.

If you are walking across farmland where you can see livestock, or even if you think sheep, cattle, goats, or other animals maybe nearby, it’s really important to put your dog on a lead.

Even if your pet does not usually chase, they may become excited by unusual smells, sounds or movements, and it is better to be safe than sorry. Farm workers have a legal right to shoot Dogs they feel are worrying livestock. If you live in an area where there are livestock, we advise you to Read more about [**dogs and livestock**](https://www.bluecross.org.uk/node/156081). Also, you might feel that Reading more about [**keeping dogs and horses safe around each other**](https://www.bluecross.org.uk/node/4517).

**Dogs (Protection of Livestock) Act 1953, Animals Act 1971, section 3**

Dogs in Public Restaurants and Cafes

There is no law or any health and safety regulations that ban dogs from being in premises where food and drink is served or sold; however, they must not enter areas where food is prepared, handled, or stored, for example the kitchen. It is up to the owner of establishments that serve food and drink whether they would like to welcome dogs to join in the fun or not. There are mose and more Dog friendly Café’s and Restaurants cropping up, but you need to be aware laws still apply, such as The lead law’s dangerously out of control’, Dog fouling consistently ranks as the number one thing local councils receive complaints about, and it is easy to understand why.

Food Hygiene Regulations 2013.

Dogs and the Road

**Walking your dog by a road**

Your local authority has the power to ask you to keep your dog on a lead when walking along ‘designated’ roads. A designated road is one your local authority has chosen as such, and the designated section of road to which the law applies should be marked with signs. While there is no countrywide blanket ban on walking dogs off-lead along roads, we recommend keeping your dog on a lead or under very close control when walking by any road to prevent accidents. You are responsible for any accidents your Dog my course on the public highway. Road Traffic Act 1988, section 27.

Dogs and Road Traffic Accidents

Drivers who injure dogs with their car, motorbike, or other vehicle. Road Traffic Act 1988 Must by Law have a legally required to inform the police. If the animal is not wearing a tag you must report the incident with 24hrs. The Driver has no blame attached to him/her of there insurance if the dog is not on a lead. But should make every effort to contact the owner.

If Your Dog Injures Someone On The Road

Claims can be brought against dog owners who are proven liable if their dog causes a road incident that causes injury, illness, or death. We strongly recommend that dog owners’ take-out **third-party liability insurance** to protect against any costs or compensation you may need to pay if your dog does cause an accident. Legal costs are expensive and can run into tens of thousands of pounds without insurance. **Animals Act 1971, section 2**

The Highway Code requires dogs (and other animals) to be ‘suitably restrained so they cannot distract you while you are driving or injure you, or themselves, if you quickly stop **Highway code 57,** While breaking the Highway Code is not an offence, allowing a dog to distract you could be considered in the event of an accident. However, there are Laws for Animal Related offences, these would come under the offence of driving without care or attention, or Reckless Driving and even Dangerous Driving

Bear in mind that in a crash, an unsecured dog will be thrown forward with significant force. This could result in your pet’s death, and depending on the size of your dog, could also injure or kill the driver or passengers.

Microchipping

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**Identification**

Dogs need to have two forms of identification when in a public place.

All dogs must be **microchipped,** and the owner’s detail must be registered on one of the authorised databases.

The law, which came into force in April 2016, applies to dogs and puppies over the age of eight weeks. Exemptions are available if a vet believes there is a valid health reason not to microchip a dog. The vet must issue the owner with a certificate of exemption in this instance.

Owners are required to keep their pets’ details up to date, for example if they move to a new house. If you rehome your dog to someone else, you must give the new owner the correct microchip registration paperwork so that they can contact the database and register as the dog’s new owner. Owners who do not get their dog microchipped and registered with an approved database may face a fine of up to £500 if caught.

**Microchipping puppies** must be microchipped before they go to their new homes under the new law coming into effect on 6 April 2016.this means Breeders are responsible for microchipping there puppies before selling them to new homes.

**The breeder** should be the first registered keeper of the puppy, they are breaking the law if they do not register the puppy by the time, he or she is eight weeks old. Breeders should also pass on correct microchip paperwork to the new owner when the puppy goes home.

Read more about [**microchipping your dog**](https://www.bluecross.org.uk/node/77411). Microchipping of Dogs (England) Regulations 2015, Microchipping of Dogs (Wales) Regulations 2015

Collar and Tag

All pet dogs must wear a collar with the owner’s name and address on it when in a public place. The owner's details can be inscribed on the collar itself or on a tag attached to the collar. Even if your dog is microchipped, they still need to wear a collar or tag. Exemptions apply for some working dogs.

It is up to you whether you put your telephone number on the collar or tag as well, but we recommend you add your mobile number so you can be contacted at any time should your dog go missing.  Control of Dogs Order 1992

Lost and Found or Stray Dogs

Local authorities have a statutory duty to hold stray dogs for seven days so missing pets can be reunited with their owners. They do not have to contact you through the microchip. It is your responsibility to contact them. You may have to pay a boarding fee or fine or both for straying pets. If the dog is not claimed after seven days, the authority has the right find the dog a new home (usually through a rehoming organisation) or euthanise the animal.

Anyone who finds a stray dog must try to reunite them with their owner if they know who they are or report them to the dog warden if they do not. The police are not responsible for stray dogs in England and Wales.

If you find a stray dog and wish to keep them, you must still contact the dog warden first. If you do not, you could be accused of theft.  Environmental Protection Act 1990

Illegal Breeds of Dog

Some types of dog are illegal to **Own, Breed, Sell, Abandon, or Give Away**. The four banned types are

* Pit bull terrier
* Japanese tosa
* Dogo Argentino
* Fila Braziliero

**These four types are defined by what they look like: not by the dog’s breed, the dog’s parents’ breeds, DNA testing or behaviour.** Allowing your dog to be out of control is now against the law on private property, as well as in public areas. This means owners can be prosecuted if their dog attacks someone in their home, including in their front and back gardens, or in private property such as a public house.

An exemption is in place if a dog bites someone who has no legal right to be in your home, for example a burglar. There are even exemptions to this Law such as if the intruder is leaving or if you set the dog onto them This would be then classed as an attack dog. You will need to make sure your dog is not a threat to delivery drivers, postal workers, health workers and other professionals who may visit your property.

A dog does not have to have bitten or physically injured someone for an offence to take place**. If a person feels your dog may hurt them, they may still be considered ‘dangerously out of control’**. This applies to all dogs of all sizes, breeds and types

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Since 1997, owners who have been told their dog is one of these types can apply to the court for an exemption order. This means that dogs that look illegal can undergo a behavioural assessment which, if they pass, proves they are no danger to society. This Behavioural test can be called upon to be reassessed at any time. If a dog fails this test, they will be euthanised. The Test can be performed by a Canine Behaviour Specialist Canine Psychologist or Veterinary Surgeon.

Dogs who pass the exemption process must be **always muzzled and kept on a lead in public**. Owners must also **take-out third-party liability insurance** for their pet.

**Dangerous Dogs Act 1991, section 1**

Dog Breeding and Selling

Anyone breeding three or more litters in a 12-month period and selling one or more of the puppies, must be licensed by the local council in England. Licences are not necessary for so called ‘hobby breeders, breeders of one litter per year. Licensed breeders must meet a series of minimum welfare standards. The Licence although issued by the local council will require veterinary visit, welfare and other agency visits to cheque breeders conform to a standard. The License last for 1 year. Breeders may be asked to undertake cheques upon renewal.

In Wales, additional conditions apply including licensing being a requirement for anyone keeping three or more breeding females.
**In both England and Wales, it is illegal to sell a puppy under the age of eight weeks.**

Pet shops cannot sell puppies after, June 2019 the government introduced legislation to ban sales of puppies by anyone other than the puppy’s breeder, Pet shop owners even if they are the breeder will not be allowed to sell puppies after June 2019 which will come into effect in April 2020. This gives anyone with pregnant females and litters time. People who have concerns about animal welfare in a pet shop should report these to the local council that has issued any licenses. It is against the law to sell pets in the street, at markets or in public places.

Unfortunately, there is no specific legislation governing the sale of pets online, though this is something the Blue Cross is campaigning hard to change.

Buying a puppy is a minefield due to inadequate and out of date laws that do not sufficiently protect animal welfare or consumers. If you want to buy a puppy, [**please take professional advice**](https://www.bluecross.org.uk/node/140936)**, from Veterinary clinics, canine behaviour specialist or dog** trainers **first**

**Pet Animals Act 1951; Breeding and Sale of Dogs (Welfare) Act 1999, Animal Welfare (Breeding of Dogs) (Wales) Regulations 2014, Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018**

Dog Kennels and Home Boarding

***In October 2018, Westminster updated regulations applying to animal businesses for England only. This update does not apply to Wales.***

Establishments that board dogs using kennels either overnight or during the day must be licensed by the local authority. Animal Boarding Establishments Act 1963 (as of October 2018, applies to Wales only)

**The following applies to England only.**

**Dog kennels**

Establishments that board dogs using kennels either overnight or during the day must be licensed by the local authority. Individuals who board dogs in kennels on their own property are also subject to these kennelling licensing requirements, however individuals who board dogs inside their own domestic homes must follow home boarding requirements (see below).

We have advice about what to look out for when searching for a kennel to look after your dog, [**here**](https://www.bluecross.org.uk/pet-advice/boarding-kennel-advice-and-alternatives). Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018

**Home boarding**

Since October 2018, people who run a business looking after dogs in the person’s own home have needed a licence to do so from their local authority. **(Dog sitters are people who look after dogs in the dog’s home, and these regulations do not apply to them**). Home dog boarders need a licence if they aim to make a profit, or if they earn any commission or fee. A licence is needed for home boarders whether they keep dogs in their home during the daytime only or overnight.

Home boarders must keep dogs within their home. Anyone who keeps dogs in a kennel must follow the dog kennel regulations (see above).

If you are searching for a home boarder to look after your dog, you can check with the local council that their licence is up to date. You should also check that their insurance is up to date. Every business should carry public liability and specialist insurance.

Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018

Day Care For Dogs

Establishments that provide day care for dogs at a business premises must be licensed by the local authority. (People who take dogs into their own homes during the day are considered ‘home boarders’ under the law and should be licensed under home boarding regulations – see above).

If you are looking for day care for your dog, you can check with your local authority for a list of licensed doggy day care providers. The day care centre should also clearly and prominently display its licence at the day care premises. Also have adequate insurance for business. A home insurance policy will not cover the doggy day care centre business. This applies to anyone charging for the care of your dog wither it is for profit or not.

Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018

Professional Dog Walking

Some local authorities require people who run dog walking businesses to be licensed. There is no UK-wide legislation covering professional dog walking, so if you are looking for a dog walker for your pet, we recommend speaking to your local council to find out if relevant byelaws exist in your area. You must see their insurance that covers their business, should cover both 3rd party and clients pet cover. Remember your pet insurance may not cover your pet when in the care of a professional pet walker, you should also see there pet first aid certificate.

Travelling Abroad With Your Dog

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The Pet Travel Scheme allows you to take your dog on holiday with you to other countries within the European Union as well as some additional countries that are also members of the scheme. To do this, your dog will need a pet passport proving that they have been microchipped and vaccinated, including against rabies.

Your dog will also need to visit a vet in the country you are visiting for tapeworm treatment before returning to the UK.

[**Check the latest requirements**](https://www.gov.uk/take-pet-abroad) on the government’s website.

**Law:** European regulation (EC) 998/2003

**New pet travel rules for 2021 - you need to act now if planning a holiday**

**Here is how to prepare for travel with your pet to any EU country from 1 January 2021**

If you are planning to visit the E.U with your Dog after January 2021.This is to

include assistance dogs - you need to prepare for the new rules coming in.

We have left the EU and that means from 1 January 2021 you will not be able to use your existing pet passport to enter the EU.

To make sure your pet can travel from Great Britain to the EU from 1 January 2021, you should contact your vet at least **FOUR** months before travelling to get the latest advice.

During the transition period, pet owners have been able to continue to travel with their pets using a [**Pet Passport**](https://www.gov.uk/guidance/pet-travel-to-europe-after-brexit?utm_campaign=transition_p2&utm_medium=cpc&utm_source=prt_rch&utm_content=ala_act75). The UK Government is working with the European Commission to ensure a similar arrangement for pet travel next year.

Christine Middlemiss, UK Chief Veterinary Officer, said: "We continue to be in contact with vets to highlight this issue and they are expecting pet owners to consult with them and plan ahead. Pet owners can also stay up to date with the latest advice on gov.uk or by searching 'pet travel'."

As things stand, you may NOT be able to travel with your pet to the EU after 1 January 2021 if you have not completed the following steps:

1. You must have your dog, **microchipped**.
2. **Vaccinate** your dog, against rabies - your pet must be at least 12 weeks old before it can be vaccinated.
3. Your pet must have a **blood sample** taken at least 30 days after its primary rabies vaccination (from a current series of vaccinations). Your vet may recommend a booster rabies vaccination before this test.
4. Your pet’s blood sample will be sent to an EU-approved blood testing laboratory.
5. **Wait three months** from the date the successful blood sample was taken before you can travel.
6. The vet must give you a copy of the test results and enter the day the blood sample was taken in an **animal health certificate** (AHC).

There will be no change to the current health preparations for pets entering Great Britain from the EU from 1 January 2021.

Your pet’s documents and microchip will be checked when entering Great Britain from the EU. For further information on Pet Travel to Northern Ireland, refer to the Department of Agriculture, Environment and Rural Affairs in Northern Ireland.

Travel to the EU, Switzerland, Norway, Iceland, or Liechtenstein will also change from January 1 2021.

We have attempted to give you some of the relevant Laws in the U.K, however there are laws that carry to Scotland, but Scotland have other l laws are in place on animal welfare, please cheque the relevant details in Scottish Law. The details given are here are only presented as a guide and not a representation of law and should not be taken as the law. If you should contact the relevant authority, or law provider.

Legal status, The Happy Dog Training Academy accepts, no responsibility for information given here. It is designed as a guide only as the animal laws in the United Kingdom.