



Dogs (Protection of Livestock) Act 1953

1953 CHAPTER 28 1 and 2 Eliz 2

An Act to provide for the punishment of persons whose dogs worry livestock on agricultural land; and for purposes connected with the matter aforesaid. [14th July 1953.]

Annotations:

Modifications etc. (not altering text)

- C1 Act: Functions transferred (W.) (1.7.1999) by S.I. 1999/672, art. 2, Sch. 1
C2 Words of enactment omitted under authority of Statute Law Revision Act 1948 (c. 62), s. 3

1 Penalty where dog worries livestock on agricultural land. **E+W**

(1) Subject to the provisions of this section, if a dog worries livestock on any agricultural land, the owner of the dog, and, if it is in the charge of a person other than its owner, that person also, shall be guilty of an offence under this Act.

(2) For the purposes of this Act worrying livestock means—

- (a) attacking livestock, or
- (b) chasing livestock in such a way as may reasonably be expected to cause injury or suffering to the livestock or, in the case of females, abortion, or loss of or diminution in their produce.

[^{F1}or

- (c) being at large (that is to say not on a lead or otherwise under close control) in a field or enclosure in which there are sheep]

[^{F2}(2A) Subsection (2)(c) of this section shall not apply in relation to—

- (a) a dog owned by, or in the charge of, the occupier of the field or enclosure or the owner of the sheep or a person authorised by either of those persons; or
- (b) a police dog, a guide dog, trained sheep dog, a working gun dog or a pack of hounds.]

(3) A person shall not be guilty of an offence under this Act by reason of anything done by a dog, if at the material time the livestock are trespassing on the land in question and

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the dog is owned by, or in the charge of, the occupier of that land or a person authorised by him, except in a case where the said person causes the dog to attack the livestock.

- (4) The owner of a dog shall not be convicted of an offence under this Act in respect of the worrying of livestock by the dog if he proves that at the time when the dog worried the livestock it was in the charge of some other person, whom he reasonably believed to be a fit and proper person to be in charge of the dog.
- (5) Where the Minister is satisfied that it is inexpedient that subsection (1) of this section should apply to land in any particular area, being an area appearing to him to consist wholly or mainly of mountain, hill, moor, heath or down land, he may by order direct that that subsection shall not apply to land in that area.
- (6) A person guilty of an offence under this Act shall be liable on summary conviction—
- (a) except in a case falling within the succeeding paragraph, to a fine not exceeding [^{X1}ten pounds];
 - (b) in a case where the person in question has previously been convicted of an offence under this Act in respect of the same dog, to a fine not exceeding [^{X1}fifty pounds].

Annotations:

Extent Information

- E1** This version of this provision extends to England and Wales only; a separate version has been created for Scotland only

Editorial Information

- X1** Note: for subsequent variation of penalties see the relevant annotations under "Modifications etc. (not altering text)".

Amendments (Textual)

- F1** Word “or” and paragraph (c) added by [Wildlife and Countryside Act 1981 \(c. 69, SIF 4:5\)](#), [Sch. 7 para. 3\(1\)](#)
- F2** [S. 1\(2A\)](#) added by [Wildlife and Countryside Act 1981 \(c. 69, SIF 4:5\)](#), [Sch. 7 para. 3\(2\)](#)

Modifications etc. (not altering text)

- C3** [S. 1\(5\)](#) certain functions of Minister of Agriculture, Fisheries and Food transferred by [S.I. 1978/272, art. 2](#)
- C4** [S. 1\(6\)](#) has effect (E.W.) by virtue of [Criminal Law Act 1977 \(c. 45, SIF 39:1\)](#), s. 31, [Sch. 6](#) and [Criminal Justice Act 1982 \(c. 48, SIF 39:1\)](#), s. 46 and (S.) by virtue of [Criminal Procedure \(Scotland\) Act 1975 \(c. 21, SIF 39:1\)](#), ss. 289C, 289G, [Sch. 7C](#) as if the maximum fine that may be imposed on summary conviction were level 3 on the standard scale.

1 Penalty where dog worries livestock on agricultural land. **S**

- (1) Subject to the provisions of this section, if a dog worries livestock on any agricultural land, the owner of the dog, and, if it is in the charge of a person other than its owner, that person also, shall be guilty of an offence under this Act.
- (2) For the purposes of this Act worrying livestock means—
- (a) attacking livestock, or

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- (b) chasing livestock in such a way as may reasonably be expected to cause injury or suffering to the livestock or, in the case of females, abortion, or loss of or diminution in their produce.

[^{F4}or

- (c) being at large (that is to say not on a lead or otherwise under close control) in a field or enclosure in which there are sheep]

[^{F5}(2A) Subsection (2)(c) of this section shall not apply in relation to—

- (a) a dog owned by, or in the charge of, the occupier of the field or enclosure or the owner of the sheep or a person authorised by either of those persons; or
 - (b) a police dog, a guide dog, trained sheep dog, a working gun dog or a [^{F6}dog lawfully used to hunt].]
- (3) A person shall not be guilty of an offence under this Act by reason of anything done by a dog, if at the material time the livestock are trespassing on the land in question and the dog is owned by, or in the charge of, the occupier of that land or a person authorised by him, except in a case where the said person causes the dog to attack the livestock.
- (4) The owner of a dog shall not be convicted of an offence under this Act in respect of the worrying of livestock by the dog if he proves that at the time when the dog worried the livestock it was in the charge of some other person, whom he reasonably believed to be a fit and proper person to be in charge of the dog.
- (5) Where the Minister is satisfied that it is inexpedient that subsection (1) of this section should apply to land in any particular area, being an area appearing to him to consist wholly or mainly of mountain, hill, moor, heath or down land, he may by order direct that that subsection shall not apply to land in that area.
- (6) A person guilty of an offence under this Act shall be liable on summary conviction—
- (a) except in a case falling within the succeeding paragraph, to a fine not exceeding [^{X2}ten pounds];
 - (b) in a case where the person in question has previously been convicted of an offence under this Act in respect of the same dog, to a fine not exceeding [^{X2}fifty pounds].

Annotations:

Extent Information

- E2** This version of this provision extends to Scotland only; a separate version has been created for England and Wales only

Editorial Information

- X2** Note: for subsequent variation of penalties see the relevant annotations under "Modifications etc. (not altering text)".

Amendments (Textual)

- F4** Word “or” and paragraph (c) added by [Wildlife and Countryside Act 1981 \(c. 69, SIF 4:5\)](#), [Sch. 7 para. 3\(1\)](#)
- F5** [S. 1\(2A\)](#) added by [Wildlife and Countryside Act 1981 \(c. 69, SIF 4:5\)](#), [Sch. 7 para. 3\(2\)](#)
- F6** Words in [s. 1\(2A\)\(b\)](#) substituted (S.) (1.8.2002) by [2002 asp 6, s. 11](#), [Sch. para. 4](#); SSI 2002/181, art. 2

Changes to legislation: There are currently no known outstanding effects for the Dogs (Protection of Livestock) Act 1953. (See end of Document for details)

Modifications etc. (not altering text)

- C6** S. 1(1) amended (S.) (1.4.1996) by 1995 c. 40, ss. 3, 7(2), Sch. 1 para. 3(1), **Sch. 2 Pt. II**
- C7** S. 1(5) certain functions of Minister of Agriculture, Fisheries and Food transferred by S.I. 1978/272, art. 2, **Sch.**
- C8** S. 1(6) has effect (E.W.) by virtue of Criminal Law Act 1977 (c. 45, SIF 39:1), s. 31, **Sch. 6** and Criminal Justice Act 1982 (c. 48, SIF 39:1), s. 46 and (S.) by virtue of Criminal Procedure (Scotland) Act 1975 (c. 21, SIF 39:1), ss. 289C, 289G, **Sch. 7C** as if the maximum fine that may be imposed on summary conviction were level 3 on the standard scale.

2 Enforcement.

- (1) As respects an offence under this Act alleged to have been committed in respect of a dog on any agricultural land in England or Wales, no proceedings shall be brought except—
- by or with the consent of the chief officer of police for the police area in which the land is situated, or
 - by the occupier of the land, or
 - by the owner of any of the livestock in question.
- (2) Where in the case of a dog found on any land—
- a police officer has reasonably cause to believe that the dog has been worrying livestock on that land, and the land appears to him to be agricultural land, and
 - no person is present who admits to being the owner of the dog or in charge of it,
- then for the purpose of ascertaining who is the owner of the dog the police officer may seize it and may detain it until the owner has claimed it and paid all expenses incurred by reason of its detention.
- (3) Subsections (4) to (10) of section three of the ^{M1}Dogs Act, 1906 (which provide for the disposal of dogs seized under subsection (1) of that section if unclaimed after seven days) shall apply in relation to dogs seized under the last preceding subsection as they apply in relation to dogs seized under subsection (1) of that section (which provides for the seizure and detention of dogs found in highways and places of public resort and believed to be stray dogs).

Annotations:

Marginal Citations

M1 1906 c. 32.

[^{F3}2A Power of justice of the peace to authorise entry and search.

If on an application made by a constable a justice of the peace is satisfied that there are reasonable grounds for believing—

- that an offence under this Act has been committed: and
- that the dog in respect of which the offence has been committed is on premises specified in the application,

he may issue a warrant authorising a constable to enter and search the premises in order to identify the dog.]

Changes to legislation: There are currently no known outstanding effects for the Dogs (Protection of Livestock) Act 1953. (See end of Document for details)

Annotations:

Amendments (Textual)

F3 S. 2A inserted (E.W.) by [Police and Criminal Evidence Act 1984 \(c. 60, SIF 95\)](#), [Sch. 6 para 7](#)

3 Interpretation and supplementary provisions.

(1) In this Act—

“agricultural land” means land used as arable, meadow or grazing land, or for the purpose of poultry farming, pig farming, market gardens, allotments, nursery grounds or orchards; and

“livestock” means cattle, sheep, goats, swine, horses, or poultry, and for the purposes of this definition “cattle” means bulls, cows, oxen, heifers or calves, “horses” includes asses and mules, and “poultry” means domestic fowls, turkeys, geese or ducks.

(2) In this Act the expression “the Minister” as respects England and Wales means the Minister of Agriculture and Fisheries and as respects Scotland means the Secretary of State.

(3) The power of the Minister to make orders under subsection (5) of section one of this Act shall be exercisable by statutory instrument and shall include power, exercisable in the like manner, to vary or revoke any such order.

Annotations:

Modifications etc. (not altering text)

C5 Style and title of Minister of Agriculture and Fisheries now changed to Minister of Agriculture, Fisheries and Food: [S.I. 1955/554](#) (1955 I, p. 1200)

4 Short title and extent.

(1) This Act may be cited as the Dogs (Protection of Livestock) Act, 1953.

(2) This Act shall not extend to Northern Ireland.

Changes to legislation:

There are currently no known outstanding effects for the Dogs (Protection of Livestock) Act 1953.