

CONTROL OF DOGS (SCOTLAND) ACT 2010

EXPLANATORY NOTES

SUMMARY AND BACKGROUND TO THE ACT

3. The Act modernises the law on control of dogs. It enables local authorities to impose measures on the owner, or the person in charge, of a dog where that person has failed to keep the dog under control. It also extends the liability of a person where a dog is dangerously out of control under the Dangerous Dogs Act 1991 to all places, not only public places.
4. The Act repeals the Dogs Act 1871 (“the 1871 Act”). Section 2 of that Act enables a court to make an order that a dog has to be kept under control by the owner or destroyed following a complaint that it is dangerous and not kept under proper control. The Act replaces requirements under the 1871 Act with a new regime of dog control notices which can be issued by local authorities without application to the courts. The Dangerous Dogs Act 1989, which extends and supplements the 1871 Act, is also repealed.
5. The Act also amends the Dangerous Dogs Act 1991 (“the 1991 Act”) to make it an offence to allow a dog to be dangerously out of control in any place, whether public or private.