



2011 CHAPTER 23

PART 5

DOGS

Supplementary

Byelaws

46.—(1) Where, apart from this subsection, a district council has at any time power to make a byelaw in relation to any matter specified in any of paragraphs (a) to (d) of section 40(3) as respects any land, it may not make such a byelaw if at that time it has power under this Part to make a dog control order as respects that land in relation to the matter specified in that paragraph.

(2) Subsection (1) does not affect any byelaw which the district council had power to make at the time it was made.

(3) Where a dog control order is made in relation to any matter specified in any of paragraphs (a) to (d) of section 40(3) as respects any land, any byelaw previously made by a district council which has the effect of making a person guilty of any offence in relation to the matter specified in that paragraph as respects that land shall cease to have that effect.

(4) Where any act or omission would, apart from this subsection, constitute an offence under a dog control order and any byelaw, the act or omission shall not constitute an offence under the byelaw.