



Animal Welfare Act 2006

2006 CHAPTER 45

Prevention of harm

6 Docking of dogs' tails

- (1) A person commits an offence if—
 - (a) he removes the whole or any part of a dog's tail, otherwise than for the purpose of its medical treatment;
 - (b) he causes the whole or any part of a dog's tail to be removed by another person, otherwise than for the purpose of its medical treatment.
- (2) A person commits an offence if—
 - (a) he is responsible for a dog,
 - (b) another person removes the whole or any part of the dog's tail, otherwise than for the purpose of its medical treatment, and
 - (c) he permitted that to happen or failed to take such steps (whether by way of supervising the other person or otherwise) as were reasonable in all the circumstances to prevent that happening.
- (3) Subsections (1) and (2) do not apply if the dog is a certified working dog that is not more than 5 days old.
- (4) For the purposes of subsection (3), a dog is a certified working dog if a veterinary surgeon has certified, in accordance with regulations made by the appropriate national authority, that the first and second conditions mentioned below are met.
- (5) The first condition referred to in subsection (4) is that there has been produced to the veterinary surgeon such evidence as the appropriate national authority may by regulations require for the purpose of showing that the dog is likely to be used for work in connection with—
 - (a) law enforcement,
 - (b) activities of Her Majesty's armed forces,
 - (c) emergency rescue,
 - (d) lawful pest control, or

Status: This is the original version (as it was originally enacted).

- (e) the lawful shooting of animals.
- (6) The second condition referred to in subsection (4) is that the dog is of a type specified for the purposes of this subsection by regulations made by the appropriate national authority.
- (7) It is a defence for a person accused of an offence under subsection (1) or (2) to show that he reasonably believed that the dog was one in relation to which subsection (3) applies.
- (8) A person commits an offence if—
 - (a) he owns a subsection (3) dog, and
 - (b) fails to take reasonable steps to secure that, before the dog is 3 months old, it is identified as a subsection (3) dog in accordance with regulations made by the appropriate national authority.
- (9) A person commits an offence if—
 - (a) he shows a dog at an event to which members of the public are admitted on payment of a fee,
 - (b) the dog's tail has been wholly or partly removed (in England and Wales or elsewhere), and
 - (c) removal took place on or after the commencement day.
- (10) Where a dog is shown only for the purpose of demonstrating its working ability, subsection (9) does not apply if the dog is a subsection (3) dog.
- (11) It is a defence for a person accused of an offence under subsection (9) to show that he reasonably believed—
 - (a) that the event was not one to which members of the public were admitted on payment of an entrance fee,
 - (b) that the removal took place before the commencement day, or
 - (c) that the dog was one in relation to which subsection (10) applies.
- (12) A person commits an offence if he knowingly gives false information to a veterinary surgeon in connection with the giving of a certificate for the purposes of this section.
- (13) The appropriate national authority may by regulations make provision about the functions of inspectors in relation to—
 - (a) certificates for the purposes of this section, and
 - (b) the identification of dogs as subsection (3) dogs.
- (14) Power to make regulations under this section includes power—
 - (a) to make different provision for different cases, and
 - (b) to make incidental, supplementary, consequential or transitional provision or savings.
- (15) Before making regulations under this section, the appropriate national authority shall consult such persons appearing to the authority to represent any interests concerned as the authority considers appropriate.
- (16) In this section—
 - “commencement day” means the day on which this section comes into force;

“subsection (3) dog” means a dog whose tail has, on or after the commencement day, been wholly or partly removed without contravening subsection (1), because of the application of subsection (3).