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WELSH STATUTORY INSTRUMENTS

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**2007 No. 701 (W.58)**

**DOGS, WALES**

**CONTROL OF DOGS**

**The Controls on Dogs (Non-application  
to Designated Land) (Wales) Order 2007**

*Made* - - - - 6 March 2007

*Coming into force* - - 15 March 2007

The National Assembly for Wales is, in relation to Wales, the appropriate person as defined in section 66(b) of the Clean Neighbourhoods and Environment Act 2005<sup>(1)</sup>, for the purpose of exercising the powers conferred by section 57(3) and (4) of that Act, and makes the following Order in exercise of those powers:

**Title, commencement and application**

1.—(1) The title of this Order is the Controls on Dogs (Non-application to Designated Land) (Wales) Order 2007.

(2) This Order comes into force on 15 March 2007.

(3) This Order applies in relation to Wales.

**Interpretation**

2. In this Order—

“the Act” means the Clean Neighbourhoods and Environment Act 2005;

“land” means any land which is open to the air and to which the public are entitled or permitted to have access (with or without payment), and any land which is covered is to be treated as “open to the air” if it is open on at least one side;

“road” means any length of highway or of any other road to which the public have access, and includes bridges over which a road passes.

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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**Land to which Chapter 1 of Part 6 of the Act does not apply**

3. Any land that falls within a description in the first column of the table in the Schedule is designated as land to which Chapter 1 (controls on dogs) of Part 6 (dogs) of the Act does not apply, for the purposes specified in relation to the particular description in the second column of that table.

Signed on behalf of the National Assembly for Wales under section 66(1) of the Government of Wales Act 1998(2)

6 March 2007

*D. Elis-Thomas*  
The Presiding Officer of the National Assembly

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(2) 1998 c. 38.

## SCHEDULE

Article 3

### LAND TO WHICH CHAPTER 1 OF PART 6 OF THE ACT DOES NOT APPLY

<i>Description of Land</i>	<i>Purposes for which Chapter 1 of Part 6 of the Act does not apply</i>
Land that is placed at the disposal of the Forestry Commissioners under section 39(1) of the Forestry Act 1967 <sup>(3)</sup>	For the purpose of making a dog control order under section 55(1) of the Act
Land which is, or forms part of, a road	For the purpose of making a dog control order under section 55(1) of the Act which provides for an offence relating to the matter described in section 55(3)(c) (exclusion of dogs from land)

### EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order designates descriptions of land which are exempted from the application of Chapter 1 (controls on dogs) of Part 6 (dogs) of the Clean Neighbourhoods and Environment Act 2005 (“the Act”) (article 3), for the purposes specified in relation to each description.

Two descriptions of land are designated in this Order. They are—

- (i) land placed at the disposal of the Forestry Commissioners under section 39(1) of the Forestry Act 1967; and
- (ii) land which is, or forms part of, a road.

The effects of the exemptions made by this Order are:

- (i) in relation to the former description of land, to prevent a dog control order being made which provides for an offence or offences relating to the control of dogs in respect of that land; and
- (ii) in relation to latter description of land, to prevent a dog control order being made which provides for an offence or offences relating to the exclusion of dogs from that land.

(3) 1967 c. 10; section 39(1) was amended by S.I.1999/1747, article 3 and Schedule 12, Part II, paragraph 4(1) and (28).