SUBSIDIARY LEGISLATION 439.21

KEEPING OF DOGS REGULATIONS

5th October, 2018

LEGAL NOTICE 318 of 2018, as amended by Legal Notice 98 of 2023.

Citation.

1. The title of these regulations is the Keeping of Dogs Regulations.

Definitions and interpretation. *Amended by: L.N. 98 of 2023.*

2. (1) In these regulations unless the context otherwise requires:

"Act" shall mean the Animal Welfare Act; Cap. 439.

"collar" means any collar which is specifically designed to be used around a dog's neck and which does not in any way endanger the dog's health and well-being;

"Director" means the Director for Animal Welfare;

"dog" means an animal species which belongs to the species *Canis Lupus Familiaris*;

"tether" means to restrain an animal by tying it to any stationary object or structure, by any means, including but not limited to, a chain, rope, cord, leash, pulley or cable run, but shall not include the use of a leash when walking a dog in a public place.

(2) Unless the context otherwise requires, words and phrases used in these regulations which are not defined herein shall have the same meaning as assigned to them in the Act.

Provisions for the tethering or restraining of a dog.

3. (1) No person shall tether, fasten, chain or restrain a dog, or cause a dog to be tethered, fastened, or chained, tied to any stationary object as permanent means of housing of a dog or as a primary method of confinement of the dog:

Provided that the ban on tethering or restraining a dog shall not apply during veterinary procedures and during transport of dogs.

(2) Notwithstanding the provisions of sub-regulation (1), any veterinary surgeon and animal welfare officer may, during an inspection, instruct the owner or keeper of a dog to temporarily tether or restrain an aggressive dog which may pose danger to the public, animals, or cause damage to property.

(3) Collars can only be used in accordance with the provisions of these regulations, provided that the collar used, is an adequate collar.

Provisions for confinement of a dog.

4. Confinement shall only be permissible:

(a) in an adequate enclosure in line with the Schedule within a secure fencing;

(b) on solid and impermeable flooring;

(c) in good hygienic conditions; and

(d) without tethering or restraint:

Provided that in the event of the existence of any condition or situation which is such that may pose a danger to the health and safety of the dog, humans or other animals, other means of confinement, including tethering shall be permitted for a limited amount of time.

Provisions for leashed dogs

5. (1) It shall be unlawful for any person to allow a dog:

(a) to roam freely in public roads; and

(b) to induce harm to humans or other animals.

(2) Nothing in these regulations shall be construed to prohibit or prevent a person from:

(a) walking a dog which is restrained by an adequate collar while on a suitable leash held by the person walking it;

(b) having a dog beside the person on a sidewalk or in any other open space while restrained by an adequate collar and leash:

Provided that the person in charge of the dog is at all times sitting or standing next to the dog which is so restrained.

Provided further that the ban on tethering or restraining a dog shall not apply to guide dogs, dogs that are specifically trained to carry out particular tasks, or any other dog during veterinary visits or procedures and during training of dogs in designated training facilities or sites including but not limited to military basis and police depots subject to the restraint being limited to the reasonable amount of time required for completion of the temporary task.

Transportation of dogs.

6. (1) Transportation of dogs in any vehicle shall ensure proper protective and safety measures so that, if a dog cannot sit inside the vehicle properly and safely, it is only to be carried in the back of a vehicle which:

(a) has adequate flooring for the dog to sit, stand or lie down comfortably;

(b) prevents the dog from leaping or falling off the vehicle's side,

such measures shall apply throughout the duration of the voyage.

(2) No form of suffering shall be allowed to be inflicted on any dog including using inadequate collars or the restraint of the dog in or about an enclosure.

Applicability of other laws.

7. The provisions of these regulations shall in no way limit, substitute or exclude the applicability and enforceability of any other laws or regulations in force including provisions of the Act and subsidiary legislation thereto.

Offences and penalties. *Amended by: L.N. 98 of 2023.*

8. (1) Any person who contravenes these regulations shall, on conviction, be guilty of an offence and shall be liable to the penalties established in the Act.

(2) Where the Director has reasonable cause to believe that an offence against these regulations has been committed and that it would be appropriate to impose an administrative penalty in accordance with article 47 of the Act, the Director shall proceed in accordance with the provisions of the said article.

Amended by:
L.N. 98 of 2023.

SCHEDULE
(Regulation 4)

Dog Enclosure Specifications

Enclosure general

1. No dog may be restricted at any time as to cause it unnecessary suffering or injury. Every animal must be given the space appropriate to its physiological and ethological needs as in accordance with established experience and scientific knowledge.

2. The minimum space per dog must never be less than the following:

Each enclosure shall be provided with a sleeping area and an exercise area of not less than the following:

Withers height of dog	Minimum floor area	Minimum length of shortest side
<30cm	(1+N) x 2sq.m.	1.5m
30-50cm	(1+N) x 2.4sq.m.	1.8m
>50cm	(1+N) x 3sq.m.	1.8m

Provided that the minimum space for dogs in the table as stipulated in this item, shall not apply to sanctuaries, pet shops and, or boarding establishments for cats and dogs.

N is referring to the number of dogs in same enclosure which shall not be more than ten (10) dogs.

3. Materials to be used for the construction of accommodation, especially which does come in direct contact, must not be harmful to the animals and must be capable of being thoroughly cleaned and disinfected.

4. Floors the dogs are kept must be designed, constructed and

maintained as not to cause injury or suffering to the dogs.

5. Air circulation, dust levels, temperature, relative air humidity and gas concentrations must be kept within limits which are not harmful to the animals.

6. Dogs must not be kept either in permanent darkness or without an appropriate period of rest from artificial lighting. Where the natural light is insufficient to meet the physiological and ethological needs of the dogs, appropriate artificial lighting must be provided.

7. In buildings were dogs are being kept noise levels as loud as 85dBA must be avoided.