

Dogs (Amendment) Bill 2011
Third Reading approved

4.1. Mr Gawne to move:

That the Dogs (Amendment) Bill 2011 be read a third time.

The Deputy Speaker: We move on to Item 4, Hon. Members, Bill for Third Reading, the Dogs (Amendment) Bill 2011.

I call this time on Mr Gawne.

Mr Gawne: Gura mie eu, Lhiass-loayreyder.

This Bill makes various amendments to current provisions governing dog licensing and the control of dogs in respect of dog fouling. The Hon. Member for Onchan raised a point concerning dogs being under control when considering clause 6 of the Bill. While clause 6 does not concern the control of dogs, other than in relation to fouling in churchyards, car parks and other areas to which the public have access, my Department has looked into the matter raised by the Hon. Member. I can advise that the issue of dog control was raised during the consultation and that legal advice received at that time was that the concept of the control of a dog is that of reasonableness and clearly requires the application of commonsense. For this reason, the definition of control is not contained within the Act itself, even though the term is used throughout the Act, examples of which include control of guard dogs, proper control and effective control.

Should this question be put before a court, then no doubt that court would apply similar commonsense as to the determination of the use of the word 'control'. I hope this answers the Hon. Member's question. As previously advised, the changes brought about by this Bill were the subject of extensive consultation and were generally supported.

Loayreyder, I beg to move this Bill be read a third time.

The Deputy Speaker: Hon. Member for Douglas East.

Mrs Cannell: Thank you, Mr Deputy Speaker.

I beg to second and reserve my remarks.

The Deputy Speaker: The question is, then, Hon. Members, that the Dogs (Amendment) Bill 2011 be read a third time. All those in favour, please say aye; those against. Thank you, Hon. Members.

Hon. Members, that concludes the business of the House today. The House shall now stand adjourned until the next sitting, which will take place at 10.00 a.m. on 7th February in this Chamber.