

THE CONTROL OF STRAY DOGS (AMENDMENT) BILL

(No. XLV of 2003)

Explanatory Memorandum

The main object of this Bill is to amend the Control of Stray Dogs Act 2000 to make better provision for the control and disposal of stray dogs.

31 October 2003

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*Minister of Agriculture,
Food Technology and Natural Resources*

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ARRANGEMENT OF CLAUSES

Clause

1. Short title
2. Interpretation
3. Section 2 of principal Act amended
4. Section 4 of principal Act amended
5. Section 5 of principal Act amended
6. Section 6 of principal Act amended
7. Section 7 of principal Act amended
8. Schedule added to principal Act

A BILL

To amend the Control of Stray Dogs Act

ENACTED by the Parliament of Mauritius, as follows -

1. Short title

This Act may be cited as the Control of Stray Dogs (Amendment) Act 2003.

2. Interpretation

In this Act –

"principal Act" means the Control of Stray Dogs Act 2000.

3. Section 2 of principal Act amended

Section 2 of the principal Act is amended –

(a) by deleting the following words –

"dog control officer" means a person designated as such in writing by the Permanent Secretary;

and replacing them by the words –

"dog controller" means a person, or organisation, designated as such by the Permanent Secretary;

(b) in the definition of "stray dog", by deleting the words "in a public place";

(c) by inserting in its appropriate alphabetical place, the following new definition –

"humane" means in such a manner as to inflict minimum pain and discomfort during and after intervention;

4. Section 4 of principal Act amended

Section 4 of the principal Act is amended –

(a) in subsection (2) –

(i) by deleting the words "7 days" and replacing them by the words "3 days";

(ii) by deleting the words "subsection (3)" and replacing them by the words "subsections (3), (4) and (5)";

- (b) in subsection (3)(b), by deleting the words “prescribed poundage fee” and replacing them by the words “reclamation fee specified in the Schedule”;
- (c) by inserting immediately after subsection (3), the following new subsections, the existing subsection (4) being renumbered (6) accordingly –
 - (4) No dog shall be returned to its owner unless it has been sterilised and tattooed.
 - (5) Any stray dog which is seized for the second time shall be returned to its owner –
 - (a) upon payment of the reclamation fee specified in the Schedule; and
 - (b) subject to such other conditions as may be specified by the officer in charge of the dog pound.

5. Section 5 of principal Act amended

Section 5 of the principal Act is amended –

- (a) by inserting immediately after subsection (2), the following new subsection, the existing subsections (3) and (4) being renumbered (4) and (5) accordingly -
 - (3) Where a stray dog has been caught for the third time, it shall be disposed of forthwith in a humane manner.
- (b) in the new subsection (5)(a), by deleting the words “prescribed poundage fee” and replacing them by the words “poundage fee specified in the Schedule”.

6. Section 6 of principal Act amended

Section 6 of the principal Act is amended in subsection (2), by deleting the word “who” and replacing it by the word “which”.

7. Section 7 of principal Act amended

Section 7 of the principal Act is amended by repealing subsection (2) and replacing it by the following subsection –

- (2) Any regulations made under subsection (1) may provide –
 - (a) for the amendment of the Schedule;
 - (b) for the levying of charges and the taking of fees.

8. Schedule added to principal Act

The principal Act is amended by adding the following new Schedule -

SCHEDULE
(section 4)

Reclamation fee -	Rs
(a) for a registered dog	400
(b) for a registered dog which is not wearing a disc/collar	450
(c) for a registered dog which is wearing a disc/collar not belonging to it	500
(d) for a dog which is not registered	550
(e) for a registered dog caught for the second time	600
Poundage fee	600