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**CHAPTER 378**  
**DOG LICENCE**

**ARRANGEMENT OF SECTIONS**

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**CHAPTER 378****DOG LICENCE****An Act to amend and re-enact the Dog Licence Act.**

[Commencement 21st May, 1942]

8 of 1942  
 10 of 1947  
 39 of 1958  
 4 of 1959  
 36 of 1964  
 43 of 1964  
 81 of 1965  
 32 of 1968  
 E.L.A.O., 1974  
 5 of 1987

1. This Act may be cited as the Dog Licence Act. Short title.
2. In this Act, unless the context otherwise requires — Interpretation.

“competent authority” means — E.L.A.O., 1974.

  - (a) in New Providence, such person, society or organisation as may be appointed by the Minister; and
  - (b) in an Out Island, the commissioner or other person appointed by the Minister;

“Minister” means the Minister responsible for Agriculture; E.L.A.O., 1974.

“owner” shall include any person on whose premises a dog is found or whose premises a dog is known to frequent, unless such person can show that the dog is not his dog, and was on his premises without his consent.
3. The owner of any dog above the age of three months shall take out a licence in respect of such dog: Dog above the age of three months to be licensed.

Provided that a consular officer or employee who is — 39 of 1958, s. 5.

  - (a) not a British subject;
  - (b) not engaged in The Bahamas in private occupation for gain; and
  - (c) a permanent employee of the State in whose service he or she is in, or if not a permanent employee, who was not resident in The Bahamas at the commencement of his or her employment at the consulate,

shall not require any such licence in respect of any such dog.

Penalty for keeping unlicensed dog.  
*4 of 1959, s. 2; 5 of 1987, s. 2.*

4. Any owner keeping a dog without having a licence for so doing shall be liable to a penalty of forty dollars. A dog shall be deemed to be unlicensed and above the age of three months, unless the contrary is proved by the owner.

Nature and expiration of licence.

5. Every licence issued under this Act shall be for one dog only, and shall expire on the last day of December next following the date of the issue of such licence.

Fee for licence.  
*4 of 1959, s. 3; 36 of 1964, s. 2; 5 of 1987, s. 2.*

6. (1) In the Island of New Providence every such licence shall be issued by the Treasurer and there shall be paid to him at the Treasury in respect thereof —

- (a) if such licence permits the keeping of a dog, a fee of two dollars per annum;
- (b) if such licence permits the keeping of a bitch, a fee of six dollars per annum;

Provided, that where the person applying for the licence produces a certificate from a veterinarian showing that the bitch has been spayed, a fee of two dollars per annum.

*5 of 1987, Sch.*

(2) In the Out Islands every such licence shall be issued by the commissioner of the district and there shall be paid to him in respect thereof —

- (a) if such licence permits the keeping of a dog, a fee of twenty five cents per annum;
- (b) if such licence permits the keeping of a bitch, a fee of fifty cents per annum:

Provided, that where the person applying for the licence produces a certificate from a veterinarian showing that the bitch has been spayed, a fee of twenty five cents per annum.

(3) If any such licence is issued after the first day of July in any year, only one-half of the foregoing fee shall be paid.

Nature of badge.

7. A badge stamped with a number and with the year of issue shall be given to every person taking out a licence, and such badge shall, during the year of issue, be deemed a valid badge, and shall be constantly worn by the dog in respect of which the licence has been issued.

Establishment of pound.

8. (1) The competent authority shall establish some convenient place (in this Act referred to as the “dog pound”) where dogs seized under the provisions of this Act may be detained.

(2) The competent authority shall appoint a suitable person to be the keeper of the dog pound.

**9.** (1) It shall be lawful for every person authorised in that behalf by the competent authority to seize any dog not bearing a valid badge, and for such purpose to enter any private premises with the prior consent of the owner or occupier thereof if such person has reasonable cause to believe such dog to be trespassing or straying on such premises and every dog so seized shall be carefully conveyed to the dog pound within twelve hours of the seizure thereof and there be detained for a period of four days unless such dog shall be sooner claimed.

Seizure of  
unlicensed dogs.  
*32 of 1968, s. 2.*

(2) Every person so seizing a dog shall, within twelve hours of the seizure, notify the fact to the keeper of the dog pound.

(3) The owner of any dog so seized shall be entitled to have such dog restored to him on production of a licence therefor, and upon payment of a fee of eight dollars if the date of such licence be prior to the capture of the dog, and upon payment of a fee of twenty dollars if the date of such licence be subsequent to the capture of such dog.

*36 of 1964, s. 3; 5  
of 1987, s. 2.*

(4) All fees received under this section shall be paid into the Consolidated Fund.

**10.** (1) It shall be lawful for every peace officer and for every person authorised in that behalf by the competent authority to seize any dog whether wearing a valid badge or not, if such dog shall be found in any highway or other place of public resort between the hours of ten o'clock in the night and six o'clock in the morning unattended by the owner or his servant or agent, and every dog so seized shall be carefully conveyed to the dog pound within twelve hours of the seizure thereof and there be detained for a period of four days unless such dog shall be sooner claimed.

Seizure of  
licensed and  
unlicensed dogs  
between 10.00  
p.m. and 6.00  
a.m.  
*4 of 1959, s. 4.*

(2) Every peace officer or person so authorised so seizing a dog shall, within twelve hours of the seizure, notify the fact to the keeper of the dog pound.

(3) The owner of any dog so seized shall be entitled to have such dog restored to him upon the production of the licence therefor and upon payment of a fee of four dollars in the case of a dog and sixteen dollars in the case of a bitch:

*4 of 1959, s. 5; 5  
of 1987, s. 2.*

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Provided, that where the owner of a bitch produces a certificate from a veterinarian showing that the bitch has been spayed a fee of four dollars shall be paid.

(4) All fees received under this section shall be paid into the Consolidated Fund.

Destruction of unclaimed dogs.

**11.** (1) When no application is made for the delivery up of any dog seized under the provisions of section 9 or 10 of this Act, or when the licence for such dog has not been produced, or when the expenses of its capture have not been paid within four days from the time of its seizure, it shall be the duty of the keeper of the dog pound to report such matter to the competent authority, who may, by order in writing, direct that such dog be destroyed.

*32 of 1968, s. 3.*

(2) Where any dog not wearing a valid badge seized under the provisions of section 9 or 10 of this Act appears to the keeper of the dog pound to be suffering from a serious disease, he shall report that fact without delay to a veterinary surgeon, and such surgeon may, if the condition of the dog constitutes a danger to the public health, in his discretion by order in writing direct that such dog be destroyed.

No civil action in certain cases.

**12.** No action shall lie for any injury inflicted on, or for the destruction of a dog committing or about to commit any trespass or depredation on the property of the person against whom the action is brought, or that of his master or employer, nor shall any action lie for any injury inflicted on, or for the destruction of a dog, unless it shall be proved at the trial of such action that, at the time the injury was inflicted on such dog or the dog destroyed, there was no arrears of tax under this Act due and payable in respect of such dog, and further, that the dog had on, at the time of receiving such injury, or being destroyed, a valid badge.

Control of bitch.  
*81 of 1965, s. 2*

**13.** The owner or any other person having control and custody thereof shall confine any bitch during such period as she is in season, in such manner as to prevent such bitch from leaving the premises on which she is so confined, and any person who contravenes the provisions of this section, shall be guilty of an offence and shall be liable on summary conviction to a fine of one hundred dollars.

*5 of 1987, s. 2.*

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**14.** The provisions of this Act shall apply to the whole of The Bahamas.

Application of Act.  
*4 of 1959, s. 6.*

**15.** All moneys received for licences shall be paid into the Consolidated Fund.

Licence fees to Consolidated Fund.