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3rd Session Third Parliament Trinidad and Tobago  
23 Elizabeth II

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TRINIDAD AND TOBAGO

**Act No. 3 of 1974**

[L.S.]

AN ACT to amend the Dogs Ordinance, Ch. 25. No. 4.

*[Assented to 14th March, 1974]*

BE IT ENACTED by the Queen's Most Excellent Majesty, <sup>Enactment</sup>  
by and with the advice and consent of the Senate and  
House of Representatives of Trinidad and Tobago, and by  
the authority of the same, as follows:—

1. This Act may be cited as the Dogs (Amendment) <sup>Short title</sup>  
Act, 1974.

Section 2 of  
the Ordinance  
repealed and  
replaced

2. Section 2 of the Dogs Ordinance (hereinafter referred to as "the Ordinance") is repealed and replaced as follows:—

Ch. 25. No. 4

"Interpre-  
tation

2. (1) In this Ordinance—

"highway" means the whole or part of any road, thoroughfare, street, trail, trace or way maintainable at the public expense and dedicated to the public use whether by way of express or implied grant or by Proclamation of the Governor-General or by a declaration made by a local authority, and includes a bridge, culvert, footway, sidewalk and the adjoining reserves accessory or adjacent to a highway;

Ch. 39.  
No. 1

"local authority" means the Port-of-Spain Corporation established under the Port-of-Spain Corporation Ordinance, the San Fernando Corporation established under the San Fernando Corporation Ordinance, and the Arima Corporation established under the Arima Corporation Ordinance and includes a County Council established under the County Councils Act, 1967, and includes any person to whom a local authority has delegated any of its powers, functions or duties under subsection (4);

Ch. 39.  
No. 7

Ch. 39.  
No. 11

No. 22.  
of 1967

"Minister" means the member of Cabinet to whom responsibility for Local Government is assigned;

"owner" includes the head of a family occupying any house or premises in which a dog is kept or permitted to live or remain; and in case there are more occupiers than one in any house or premises let in separate apartments or lodgings or otherwise, the occupier of that particular part of the premises in which such dog

is kept or permitted to live or remain shall be deemed to be the owner of such dog;

“ownerless dog” means a dog found at large in any highway, or public place or premises of a person or authority who is not the owner that, by reason of its condition, appears not to have any owner;

“public place” means any place to which the public are entitled or permitted to have access, whether on payment of a fee or otherwise;

“stray dog” means a dog found at large in any highway or public place (other than a public place where a dog is by virtue of a licence granted under the Conservation of Wild Life Ordinance, 1958, permitted to be at large) or premises of a person or authority other than the owner but does not include an ownerless dog.

(2) For the purpose of the definition of “ownerless dog”, the opinion of the local authority shall be conclusive for all purposes.

(3) Where under this Ordinance a local authority is authorised to do any act or thing it may *inter alia* employ another local authority to act on its behalf.

(4) A local authority may authorise any of its officers or any other person to perform or exercise any of the duties, powers and functions that may be required or authorised to be performed or exercised by the local authority under this Ordinance or the regulations, and any such duty, power or function performed or exercised by any such officer or other person under the authority of the local authority, shall be deemed to have been performed or exercised by the local authority.”.

3. Section 4 of the Ordinance is amended by substituting the word “twenty” for the word “five” occurring in line two thereof.

Section 4 of  
the Ordinance  
amended

Section 5 of  
the Ordinance  
amended

4. Section 5 of the Ordinance is amended as follows:—

- (a) by substituting the words “Minister of Finance” for the words “Commissioner of Police” appearing in subsection (1) thereof;
- (b) by substituting the words “Minister of Finance” for the words “Commissioner of Police” appearing in subsection (2) thereof.

Section 6 of  
the Ordinance  
repealed and  
replaced

5. Section 6 of the Ordinance is repealed and replaced as follows:—

“Power of  
local  
authority  
to seize  
and control  
stray dogs

6. (1) Where a local authority has reason to believe that any dog found in or upon any highway, or public place, within its jurisdiction is a stray dog, the local authority may seize the dog and, subject to subsections (5) and (6), detain it in a place of detention until the owner has claimed it and paid the prescribed fee in respect of all expenses incurred by reason of its detention.

(2) Where any stray dog seized in accordance with this section wears a collar having inscribed thereon or attached thereto the name and address of any person, or where the owner of the dog is known, (whether by reason of some identification mark on the dog or otherwise) the local authority shall serve on the person whose name and address are inscribed on or attached to the collar, or on the owner, as the case may be, a notice stating that the dog has been seized and is liable to be sold or destroyed if not claimed within five clear days after the service of the notice.

(3) A notice under this section may be served either—

- (a) by delivering the notice in writing to the person on whom it is to be served;
- (b) by leaving the notice in writing at that person’s usual or last known place of abode, or at the address inscribed on or attached to the collar or ascertainable as a result of some identification mark on the dog;
- (c) by forwarding the notice in writing by post to that person at his usual or last known place of abode or at

the address inscribed on or attached to the collar or ascertainable as a result of some identification mark on the dog; or

- (d) by conveying the substance thereof by a telephone call to any person at the telephone number, if any, inscribed on the collar or at any telephone number corresponding to the name and address so inscribed or ascertainable as a result of some identification mark on the dog.

(4) A notice sent by post shall be deemed to have been served not later than the seventh day succeeding the day when posted, and in proving such service it shall be sufficient to prove that the letter containing the notice was properly addressed and posted.

(5) Where any stray dog seized in accordance with this section—

(a) has been detained—

- (i) for five clear days after the seizure; or
- (ii) in a case where a notice under subsection (2) was served with respect to the dog for five clear days after the service of the notice; and

(b) the owner has not claimed the dog and paid all expenses incurred in respect of its detention,

the local authority may cause the dog to be sold, destroyed or otherwise disposed of.

(6) A local authority may cause a stray dog to be destroyed immediately it is seized under subsection (1) if in its opinion or in the opinion of a veterinary surgeon the dog is in such condition that it ought to be destroyed forthwith.

(7) Every local authority shall keep a register of all stray dogs seized by it under this section and shall record therein a brief description of the dog, the date of seizure, action, if any,

taken to notify the owner and particulars as to the manner in which the dog was disposed of; and every such register shall be open to inspection by the public at all reasonable times.

(8) The local authority having charge of any stray dog detained under this section shall cause the dog to be properly fed and maintained.

(9) All expenses incurred in respect of the detention of any dog, by a local authority in whose municipality or county the place of detention is located under this section shall be defrayed out of the funds of that local authority, and all monies received under this section shall be paid to the credit of such local authority, except that all expenses incurred and all monies received in Tobago shall be defrayed from and paid into the general revenue.

(10) Where the destruction of any dog is to be carried out under this section or under section 6A, the local authority shall employ a system that is calculated to cause the dog as little pain as possible.

(11) The Minister shall by Notice designate suitable places of detention for the purposes of this Ordinance, and he may designate one place of detention for one or more local authorities.

(12) Where the owner of any stray dog seized under this section claims such dog he shall—

- (a) produce any licence due in respect of such dog;
- (b) pay all such expenses incurred by a local authority, in respect thereof as are prescribed; and
- (c) pay a special charge to the local authority referred to in subsection (9), in the sum of ten dollars in respect of the seizure of such dog.

Power of  
local  
authority  
to seize  
and destroy  
ownerless  
dogs

6A. Where a local authority has reason to believe that any dog found in or upon any highway, or public place within its jurisdiction is ownerless, the local authority may seize the dog and destroy it forthwith.

Finder may  
take dog  
either to  
owner or  
to place of  
detention

6B. (1) Any person (in this section referred to as "the finder") who takes possession of any stray dog or ownerless dog shall as soon as may be either—

- (a) return the stray dog to its owner; or
- (b) take the stray dog or ownerless dog to the place of detention nearest the place where the dog was found and inform the local authority, in whose municipality or county the place of detention is located, of the place where the dog was found.

(2) Subject to subsection (3), where a dog has been so taken to a place of detention the local authority shall treat it as if it had been seized by it in pursuance of section 6 or 6A.

(3) Where a dog has been so taken to a place of detention, then—

- (a) if the finder desires to keep the dog he shall inform the local authority referred to in subsection (1), of his name and address; and the local authority shall make out in duplicate a certificate in such form stating the description of the dog, the place where it was found, the date on which it was brought to the local authority, the name and address of the finder, and shall give one copy of the certificate to the finder; and
- (b) the local authority shall—
  - (i) in the case of an ownerless dog or a stray dog whose owner is unknown, keep the dog for two weeks; and
  - (ii) in the case where the owner is known, keep the dog for five clear days after service of the notice required by section 6(2) to (4) inclusive; and the provisions of subsection (2) of that section shall apply with the

necessary modifications including the substitution of the words "is liable to be taken possession of and kept by the finder, if not claimed within two weeks of the service of the notice" for the words "is liable to be sold or destroyed if not claimed within five clear days after the service of the notice."

(4) Where the dog remains unclaimed by its owner during the period referred to in subsection (3) (b), then upon the expiration thereof, the finder may on payment of the prescribed fee in respect of expenses incurred take possession of the dog and keep it as his own, so however that if the dog remains unclaimed during the period of three days after the expiration of the period referred to in subsection (3) (b), the local authority shall dispose of the dog in accordance with section 6(2) or 6A.

(5) Where a finder fails to comply with subsection (1), he is liable on summary conviction to a fine of one hundred dollars.

**Indemnity** 6c. No person shall be liable to any action, suit or other cause in respect of any act done or omitted under lawful authority pursuant to the provisions of this Ordinance."

6. Section 8 of the Ordinance is repealed.

7. Section 9 of the Ordinance is repealed and replaced as follows:—

"Order for the muzzling of dogs 9. (1) It shall be lawful for the Governor-General, by Order, to direct that all dogs being in or upon any highway or public place shall be muzzled.

(2) Such Order may relate either to the whole of Trinidad and Tobago or to any part or parts thereof therein named."

Section 8 of the Ordinance repealed

Section 9 of the Ordinance repealed and replaced

8. Section 11 of the Ordinance is repealed and replaced as follows:—

Section 11 of the Ordinance repealed and replaced

“Unmuzzled dogs may be destroyed” 11. Any dog found in or upon any highway or public place without being muzzled in the prescribed manner may be destroyed by the local authority in such manner and by such means as may from time to time be prescribed.”

9. Section 18 of the Ordinance is amended as follows:—

(a) by repealing and replacing paragraph (d) as follows:—

“(d) the wearing by every dog, while in or upon a highway, or public place, of a collar with the name and address of the owner inscribed on the collar or on a plate or badge attached thereto;”;

(b) by inserting immediately after paragraph (j) the following:—

“(k) the form of certificate to be used and stipulating the fee payable pursuant to section 6B;”;

(c) by renumbering paragraph (k) as paragraph (l).

10. This Act shall come into operation on a day or date to be fixed by the Governor-General by Proclamation published in the *Gazette*.

Passed in the House of Representatives this 15th day of February, 1974.

G. R. LATOUR  
*Clerk of the House*

Passed in the Senate this 12th day of February, 1974.

J. E. CARTER  
*Clerk of the Senate*