

DRAFT DOGS (AMENDMENT No. 2) (JERSEY) LAW 200

**Lodged au Greffe on 8th October 2002
by the Legislation Committee**



STATES OF JERSEY

STATES GREFFE

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European Convention on Human Rights

The President of the Legislation Committee has made the following statement -

In the view of the Legislation Committee the provisions of the Draft Dogs (Amendment No. 2) (Jersey) Law 200 are compatible with the Convention Rights.

(Signed) **Senator W. Kinnard**

REPORT

This draft Law has been prepared in response to representations received by the Legislation Committee to the effect that 'hearing dogs for the deaf' should be exempt from the necessity for a dog licence under the Dogs (Jersey) Law 1961 in the same way as guide dogs for the blind.

The amending Law will also enable future exemptions from this requirement to be contained in regulations.

Under article 3 of the principal Law, as presently drafted, certain dog owners are exempt from the requirement to pay duty on a licence, but technically the requirement to obtain a licence remains. The amending law removes this anomaly.

The draft Law has no implications for the financial or manpower resources of the States.

European Convention on Human Rights

Article 16 of the Human Rights (Jersey) Law 2000 will, when brought into force by Act of the States, require the Committee in charge of a Projet de Loi to make a statement about the compatibility of the provisions of the Projet with the Convention rights (as defined by Article 1 of the Law). Although the Human Rights (Jersey) Law 2000 is not yet in force, on 4th October 2002 the Legislation Committee made the following statement before Second Reading of this projet in the States Assembly -

In the view of the Legislation Committee the provisions of the Draft Dogs (Amendment No. 2) (Jersey) Law 200 are compatible with the Convention Rights.

Explanatory Note

This Law would remove the requirement for a dog licence to be held for a 'hearing dog for the deaf', and enable future exemptions from the licensing requirement to be specified by Regulations.

DOGS (AMENDMENT No. 2) (JERSEY) LAW 200-

A LAW to amend further the Dogs (Jersey) Law 1961; sanctioned by Order of Her Majesty in Council of the

(Registered on the _____ day of _____ 200-)

STATES OF JERSEY

The _____ day of _____ 200-

THE STATES, subject to the sanction of Her Most Excellent Majesty in Council, have adopted the following Law -

ARTICLE 1

For Article 3 of the Dogs (Jersey) Law 1961,^[1] as amended, there shall be substituted the following Article -

“ARTICLE 3

Exemptions from licensing requirement

No licence shall be required under this Part of the Law in respect of -

- (a) a dog under the age of six months;
- (b) a dog kept and used solely by a blind person for his guidance;
- (c) a dog, kept and used by a deaf person, which has been trained by an organization which exists to train dogs for that purpose, to assist that person to overcome disabilities caused by his deafness; or
- (d) a dog kept and used for such purposes as the States may specify in Regulations made under this Article.”.

ARTICLE 2

This Law may be cited as the Dogs (Amendment No. 2) (Jersey) Law 200 and shall come into force on the seventh day following its registration.

^[1] Volume 1961-1962, page 352.