

- Proceedings under Section 1 & 4B Dangerous Dogs Act 1991 -

- Procedure to get a dog registered after a Court Order has been made –

You need to take urgent steps to make sure you comply with the Court Order. It is **entirely your responsibility** to ensure that all of these procedures are complied with. If you fail to do everything that is required of you within the time stipulated then your dog will be put to sleep.

The Court Order (called a Contingent Destruction Order) would have stated something along the following lines:-

Unless the dog is exempted from the prohibition within the requisite period, the dog shall be destroyed.

This means that you have **TWO MONTHS** from the date of the hearing to get your dog onto the Index of Exempted Dogs and fully compliant with the legislation.

The Court will send a copy of this Order to the Police and to the Index of Exempted Dogs so they are aware of this deadline. You should receive a copy from the Court, but if not, ask them for a copy so you can check that the details are accurate.

Application form:

You will be sent an 'Application for a Certificate of Exemption for a dog' by the Index of Exempted Dogs which you need to immediately complete and return to The Dogs Index, PO Box 68250, London, SW1P 9XG, together with payment of their fee of £92.40 by **postal order** payable to 'DEFRA'.

If you have any problem with completing the form call the Index on 0207 238 1506 or email on dogsindex@defra.gsi.gov.uk. Keep a copy of this application form before you send it off just in case of any future queries.

This form will also state the Index number for your dog. Keep a note of this as you may need to quote it in the future.



Insurance:

You must obtain third party liability insurance for your dog. **Do not leave it to the last minute otherwise you may find that you are too late to get it organised before the deadline.** The only broker that can arrange this is Brooks Braithwaite and they can be reached on 01444 412 118 or enquiries@brooksbraithwaite.com.

Alternatively if you become a member of Dogs Trust, amongst other benefits, you get third party liability insurance – however, Dogs Trust is not an insurer nor do we specifically sell insurance. Dogs Trust can be reached on 0207 837 0006 or customer.services@dogstrust.org.uk. You will need to send the Index of Exempted Dogs a copy of your membership letter, which they accept as proof of insurance.

N.B. terms and conditions apply to insurance and you must check with your chosen provider what terms are applicable.

Vets procedures:

Your dog must be neutered and microchipped. The Police will be in touch with you regarding this and you will probably be asked to sign a consent form. You will normally be required to pay for some of this although the cost varies depending on the Police force dealing with your case.

Exemption:

Once all the above has been complied with the Index of Exempted Dogs will send you a Certificate of Exemption and you will be able to make arrangements with the Police to collect your dog.

What to do if time is short:

If despite your best efforts it looks as though you aren't going to be compliant within the 2 month deadline, you must apply to the Court for an extension of time under Section 4A(2) of the Dangerous Dogs Act 1991 (as amended) **before the expiry of the time limit.** If you fail to do so, your dog will be put to sleep.

When you collect your dog:

Ensure that you have with you a muzzle and a lead as you will need to use these. You should also take with you identification (such as a passport, driving licence or recent utility bill) and the Certificate of Exemption. Alternatively some Police forces may return the dog to you.

Conditions:

You must ensure that your home and garden are sufficiently secure to prevent your dog's escape.

You are not able to do any of the following:-

- breed or breed from it,
- sell or exchange it,
- advertise or expose it for sale, give or offer it as a gift to anyone,
- abandon it or allow it to stray

When in a public place (which includes the inside of a motor vehicle if it is in a public place) the dog must be:-

- muzzled i.e. securely fitted with a muzzle sufficient to prevent it biting any person, **AND**
- on a lead which is securely held by a person who is not less than sixteen years old

The dog must be kept at your address (apart from up to 30 days in 12 months)

The third party liability insurance must be renewed each year. The Index of Exempted Dogs monitors insurance renewals and defaulters are reported to the Police.

You must notify the Index of Exempted Dogs if you change the address at which the dog resides for more than 30 days.

If you (or anyone else who has charge of the dog) fail to comply with the conditions it will be a breach of the exemption so your dog will be regarded as unlawful. Your dog could therefore be seized, criminal proceedings could be issued and the dog may be put to sleep. It is also likely to invalidate the third party liability insurance.

This factsheet applies to proceedings in England, Wales & Scotland and was updated on 5th May 2015.

