

Island of Guernsey

Ordinance of the States **XXVIII** 1986

Made 29th October, 1986.
Came into Operation ... 29th October, 1986.

The Protection of Animals (Amendment) Ordinance, 1986

THE STATES, in pursuance of their Resolution of the 30th day of July, 1986, hereby order:—

1. After section 1 of the Protection of Animals Ordinance, 1976(a), insert—

Amend-
ment to
Ordinance
of 1976.

“Powers in
respect of
injured
and ill
treated
animals.

1A.(1) If an officer of police has reasonable grounds to suspect that—

- (a) an animal is so severely injured or diseased, or is in such physical condition, whether or not as the result of an offence of cruelty within the meaning of this Ordinance, that it would be cruel to keep it alive; or

- (b) an offence of cruelty within the meaning of this Ordinance has been committed in respect of an animal, and the owner is not present,

he may, without prejudice to the powers conferred by section 8 of this Ordinance—

- (i) take charge of the animal;
- (ii) summon the States Veterinary Officer;
- (iii) cause any necessary veterinary treatment to be administered to the animal;
- (iv) cause it to be fed and watered;
- (v) remove it to any place;
- (vi) detain it or place it in the keeping of any person;
- (vii) enter any land for the purpose of exercising the powers conferred by paragraphs (i) to (vi) of this subsection.

(2) If the States Veterinary Officer is satisfied in respect of an animal to which he is summoned under subsection (1) (ii) of this section that it would be cruel to keep the animal alive, he may—

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- (a) destroy it;
- (b) remove its carcass for disposal.

(3) When an officer of police removes an animal under subsection (1) (v) of this section, he shall take all reasonable steps to notify the owner of the animal of the place to which it has been removed.

(4) When an animal has been detained or placed in the keeping of any person by an officer of police under subsection (1) (vi) of this section for a period of 7 days, and the owner of the animal has not claimed it, ownership of the animal vests in the States.

(5) Any costs reasonably incurred by virtue of the exercise of any power conferred by subsection (1) or (2) of this section are recoverable by the States from the owner of the animal in question as a civil debt.

(6) No compensation is payable by the States Veterinary Officer or the States in respect of—

- (a) the destruction of an animal under subsection (2) (a) of this section;
- (b) the vesting of the ownership of an animal in the States under subsection (4) of this section.

(7) No liability is incurred by, and no civil action lies against, any officer of police, the States Veterinary Officer or the States in respect of anything done or omitted to be done in the discharge or purported discharge of any function under this section, unless the thing is done or omitted to be done maliciously or in bad faith.

(8) In this section—

(a) “officer of police” means an officer of police of or above the rank of inspector; and

(b) “States Veterinary Officer” means the States Veterinary Officer or, if he is not available, any authorised veterinary surgeon.”

Extent. 2. This Ordinance has effect in the Islands of Guernsey, Herm and Jethou.

Citation. 3. This Ordinance may be cited as the Protection of Animals (Amendment) Ordinance, 1986.

Collective title. 4. This Ordinance and the Protection of Animals Ordinance, 1976, may be cited together as the Protection of Animals Ordinances, 1976 and 1986.

A. G. LE CHEMINANT,

Her Majesty's Deputy Greffier.

Copies may be purchased from
Her Majesty's Greffier, Royal Court House, Guernsey.

PRICE 20p