

# **SECOND SUPPLEMENT TO THE GIBRALTAR GAZETTE**

**No. 3566 of 16 November, 2006**

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LEGAL NOTICE NO. 129 OF 2006.

## **ANIMALS AND BIRDS ORDINANCE**

### **ANIMALS AND BIRDS (AMENDMENT) RULES 2006**

In exercise of his powers under section 26 of the Animals and Birds Ordinance, and all other enabling powers, the Minister has made the following Rules—

#### **Title.**

1. These rules may be cited as the Animals and Birds (Amendment) Rules 2006.

#### **Amendments to the Animals and Birds Rules 2004.**

2. The Animals and Birds Rules 2004 are amended by inserting after rule 23 the following—

#### **“Fixed Penalty Offences.**

23A.(1) An authorised officer who has reason to believe that an offence has been committed under section 10(1)(a)(b) or (9) of the Ordinance may issue a notice to the person in control of the dog requiring him or the owner of the dog to pay a penalty of £25 to the clerk of the Magistrates’ Court within 14 days of the date of issue of the notice.

(2) If the penalty is paid, no further proceedings shall be taken in respect of that offence on that day but further notices may be issued in respect of other days an offence is committed.

(3) The person to whom the notice was issued (or the owner of the dog in respect of which the notice was issued) may, within 7 days of the date of its issue, request the Commissioner of Police to withdraw the notice on production of the copy of the register or the licence disc and if the Commissioner is satisfied that the dog is validly registered and licensed he shall withdraw the notice.

(4) If the penalty is not paid and the notice is not withdrawn, proceedings in respect of the offence may be instituted.”.

Dated this 16th day of November, 2006.

J NETTO,

Minister for the Environment.

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**EXPLANATORY MEMORANDUM**

These rules introduce a ‘fixed penalty’ in respect of unregistered or unlicensed dogs.

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