

**THIRD SUPPLEMENT TO THE GIBRALTAR  
GAZETTE**

No. 4,276 of 30th June, 2016

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**B. 19/16**

**BILL**

**FOR**

**AN ACT** to amend the Animals and Birds Act.

**ENACTED** by the Legislature of Gibraltar.

**Title and commencement.**

1. This Act may be cited as the Animals and Birds (Amendment) (No.2) Act 2016 and comes into operation on the day appointed by the Minister by notice in the Gazette.

**Amendment of the Animals and Birds Act.**

2.(1) The Animals and Birds Act is amended in accordance with this section.

(2) In section 2(1) for “Nature Conservation (Designation of Gibraltar Nature Reserve) Order 2013” substitute “Nature Conservation (Designation of Gibraltar Nature Reserve) Order 2016”.

(3) In section 10 for subsection (2) substitute the following—

“(2) A person who keeps a dog in contravention of the provisions of subsection (1) is guilty of an offence and is liable on summary conviction to a fine at level 3 on the standard scale.”.

(4) In section 10(6)—

(a) for the full stop at the end of paragraph (c) substitute “; and”;  
and

(b) insert the following paragraph after paragraph (c)–

“(d) it has had a blood sample taken by a competent person authorised by the Minister for the purposes of this section.”.

(5) In section 10 insert the following subsections after subsection (6C)–

“(7A) For the purposes of subsection (6)(d), a competent person means–

- (a) a veterinary surgeon;
- (b) a veterinary nurse acting under the direction of a veterinary surgeon; or
- (c) a person who has received instruction on how to take a blood sample from a veterinary surgeon and is acting under the direction of a veterinary surgeon.

(7B) The dog’s DNA profile shall be derived from the blood sample taken for the purposes of subsection (6)(d) and shall be entered in the dog register.

(7C) For the purposes of this section “DNA profile” means the genetic information derived from a blood sample.”.

(6) In section 26–

(a) insert the following paragraph after paragraph (j)–

“(ja) providing for the issue of fixed penalty notices for specified offences in such circumstances and subject to such conditions as may be prescribed;” and

(b) in paragraph (k) insert “or database” after “register”.

(7) In the Schedule replace the full stop at the end of paragraph (c) with a semi-colon and insert the following–

“(d) the Chief Executive Officer of the Department of the Environment and Climate Change or such person as he shall appoint.”.

**Transitional provisions.**

3. In respect of a dog registered prior to the coming into force of this Act, section 2(4) and (5) of this Act shall apply upon the renewal of the licence under rule 16 of the Animals and Birds Rules 2004.

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**EXPLANATORY MEMORANDUM**

This Bill amends the Animals and Birds Act so as to make provision for the taking of a blood sample from a dog upon registration or licensing.

The Schedule is amended to expand on the definition of authorised officer under section 2 of the Act.

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Unit 3, New Harbours  
Government Printers for Gibraltar,  
Copies may be purchased at 6, Convent Place, Price £0.40**