



# Animals Act 1971

## 1971 CHAPTER 22

### *Supplemental*

#### **10 Application of certain enactments to liability under sections 2 to [F14A].**

For the purposes of the Fatal Accidents Acts 1846 to 1959, the <sup>M1</sup>Law Reform (Contributory Negligence) Act 1945 and [F2the Limitation Act 1980] any damage for which a person is liable under sections 2 to [F34A] of this Act shall be treated as due to his fault.

#### **Textual Amendments**

- F1** Word in s. 10 heading substituted (26.5.2015) by [Control of Horses Act 2015 \(c. 23\), ss. 4\(4\), 5\(1\)](#)  
**F2** Words substituted by [Limitation Act 1980 \(c. 58, SIF 79\), Sch. 3 para. 10](#)  
**F3** Word in s. 10 substituted (26.5.2015) by [Control of Horses Act 2015 \(c. 23\), ss. 4\(4\), 5\(1\)](#)

#### **Modifications etc. (not altering text)**

- C1** S. 10 amended by [Fatal Accidents Act 1976 \(c. 30, SIF 122:3\), Sch. 1 para. 2\(2\)](#)

#### **Marginal Citations**

- M1** [1945 c. 28.](#)

#### **11 General interpretation.**

In this Act—

[F4 “common land” means—

- (a) land registered as common land in a register of common land kept under Part 1 of the Commons Act 2006;
- (b) land to which Part 1 of that Act does not apply and which is subject to rights of common within the meaning of that Act;

“town or village green” means land registered as a town or village green in a register of town or village greens kept under Part 1 of the Commons Act 2006; ]

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*Changes to legislation: There are currently no known outstanding effects for the Animals Act 1971, Cross Heading: Supplemental. (See end of Document for details)*

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“damage” includes the death of, or injury to, any person (including any disease and any impairment of physical or mental condition);

“fault” has the same meaning as in the Law Reform (Contributory Negligence) Act 1945;

“fencing” includes the construction of any obstacle designed to prevent animals from straying;

[<sup>F5</sup> “ horse ” includes an ass, mule or hinny; ]

“livestock” means cattle, horses, <sup>F6</sup>... sheep, pigs, goats and poultry, and also deer not in the wild state and, in sections 3 and 9, also, while in captivity, pheasants, partridges and grouse;

“poultry” means the domestic varieties of the following, that is to say, fowls, turkeys, geese, ducks, guinea-fowls, pigeons, peacocks and quails; and

[<sup>F7</sup> “ public place ” includes—

(a) any common land or town or village green;

(b) any highway (and the verges of any highway);]

“species” includes sub-species and variety.

#### Textual Amendments

- F4** Words in s. 11 substituted (31.10.2011 for E.) by [Commons Act 2006 \(c. 26\)](#), s. 56, [Sch. 5 para. 2](#) (with s. 60); [S.I. 2011/2460](#), art. 2(a)(i) (with art. 3)
- F5** Words in s. 11 inserted (26.5.2015) by [Control of Horses Act 2015 \(c. 23\)](#), [ss. 1\(3\)\(a\)](#), 5(1)
- F6** Words in s. 11 omitted (26.5.2015) by virtue of [Control of Horses Act 2015 \(c. 23\)](#), [ss. 1\(3\)\(b\)](#), 5(1)
- F7** Words in s. 11 inserted (26.5.2015) by [Control of Horses Act 2015 \(c. 23\)](#), [ss. 1\(3\)\(c\)](#), 5(1)

## 12 Application to Crown.

- (1) This Act binds the Crown, but nothing in this section shall authorise proceedings to be brought against Her Majesty in her private capacity.
- (2) Section 38(3) of the <sup>M2</sup>Crown Proceedings Act 1947 (interpretation of references to Her Majesty in her private capacity) shall apply as if this section were contained in that Act.

#### Marginal Citations

- M2** 1947 c. 44.

## 13 Short title, repeal, commencement and extent.

- (1) This Act may be cited as the Animals Act 1971.
- (2) The following are hereby repealed, that is to say—
  - (a) in the Dogs Act 1906, subsections (1) to (3) of section 1; and
  - (b) in section 1(1) of the <sup>M3</sup>Dogs (Amendment) Act 1928 the words “in both places where that word occurs”.
- (3) This Act shall come into operation on 1st October 1971.
- (4) This Act does not extend to Scotland or to Northern Ireland.

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**Changes to legislation:** *There are currently no known outstanding effects for the Animals Act 1971, Cross Heading: Supplemental. (See end of Document for details)*

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**Modifications etc. (not altering text)**

**C2** The text of S. 13(2) is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

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**Marginal Citations**

**M3** [1928 c. 21.](#)

**Changes to legislation:**

There are currently no known outstanding effects for the Animals Act 1971, Cross Heading: Supplemental.