



PLEASE NOTE

This document, prepared by the [Legislative Counsel Office](#), is an office consolidation of this regulation, current to August 27, 2005. It is intended for information and reference purposes only.

This document is *not* the official version of these regulations. The regulations and the amendments printed in the [Royal Gazette](#) should be consulted to determine the authoritative text of these regulations.

For more information concerning the history of these regulations, please see the [Table of Regulations](#).

If you find any errors or omissions in this consolidation, please notify the Legislative Counsel Office at (902) 368-4291 or by email to rmmacintyre@gov.pe.ca.

CHAPTER D-13

DOG ACT

COMMENCEMENT OF PROCEEDING FORM REGULATIONS

Pursuant to section 19 of the *Dog Act* R.S.P.E.I. 1988, Cap. D-13, Council made the following regulations:

- 1.** The Commencement of Proceeding Form, as set out in the Schedule to ^{Form} these regulations, is prescribed for the purposes of section 16 of the *Dog Act*. (EC352/05)

SCHEDULE

COMMENCEMENT OF PROCEEDING

	Court File Number:
PROVINCE OF PRINCE EDWARD ISLAND PROVINCIAL COURT	Form: To Commence a Proceeding pursuant to the <i>Dog Act</i> R.S.P.E.I. 1988, Cap. D-13. Date:
_____ at: _____ <div style="text-align: center;">Court office address</div>	

Applicant – Peace Officer

Full legal name & address for service—street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any)

Owner(s) of Dog(s)

Full legal name & address for service—street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any)

Applicant: My name is (full legal name)

I live in (municipality & province)

I am employed by
and I swear/affirm that the following is true:

1. I am the Applicant in this proceeding.
2. I attest, on reasonable grounds, to the existence of facts that would justify the order sought:
 - the dog(s) has bitten or attacked a person or a domestic animal; or
 - the dog(s) has behaved in a manner that poses a menace to the safety of persons or domestic animals.

3. Description of dog(s):
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.....

4. Description of activity committed by dog(s):
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.....

Date & Time of alleged activity:

Court File Number:

5. I am asking for the following order:

- that the dog(s) be destroyed in the manner specified in the order;
- that the dog(s) be neutered or spayed, as the case may be;
- that the owner of the dog take the measures specified in the order for the more effective control of the dog(s) for the purposes of public safety;
- that the dog(s) be confined to its owner's property;
- that the dog(s) be restrained by means of a leash;
- that the dog(s) be restrained by means of a muzzle;
- that warning signs be posted by the owner(s) of the dog(s);
- other

(Applicant may indicate requested or suggested order)

OTHER ISSUES

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Sworn/Affirmed before me at: _____ municipality	Signature of Applicant (This form is to be signed in the presence of a lawyer, justice of the peace, notary public or commissioner for taking affidavits)
In: _____ province	
On: _____ date _____ Commissioner for taking affidavits (Type or print name below if signature is illegible.)	
NOTE: This document must be filed with the Clerk of the Court and a copy provided by the Applicant to other parties and any owner(s) of the dog(s) (EC352/05; 444/05)	

FORM 2
NOTICE OF COMMENCEMENT OF PROCEEDING

C A N A D A
PROVINCE OF PRINCE EDWARD ISLAND
IN THE PROVINCIAL COURT

TO: _____

A proceeding is being commenced by a peace officer for an Order pursuant to sections 16 and 16.1 of the *Dog Act* R.S.P.E.I. 1988, Cap. D-13.

A copy of the Commencement of Proceeding Form and peace officer's statement are attached to this Notice.

TAKE NOTICE that this Proceeding shall be heard by the Provincial Court located at _____ in _____ County, Prince Edward Island, on _____, the _____ day of _____, 200__ at _____ o'clock in the _____.

If you do not appear at the Hearing of this matter, the Court may proceed in your absence, and may make an Order pursuant to sections 16 and 16.1 of the *Dog Act*.

At the Proceeding, all relevant evidence may be presented by both parties. You may represent yourself or you may have a lawyer represent you.

DATED at _____, Prince Edward Island this _____ day of _____, A.D., 200__.

Provincial Court Judge

(EC444/05)