

Low om viltet

1981
Mai
29
n.38

Legislation

Act

No. 38 of 29 May 1981

Relating to wildlife and wildlife habitats (The Wildlife Act)

Act Relating to wildlife and wildlife habitats (The Wildlife Act)

Act No 38 of 29 May 1981,

Chapter purpose and scope

I

Section 1 The purpose of the Act

Wildlife and the habitats of wildlife shall be managed in such a way that the productivity of nature and the diversity of species be preserved.

Within this framework, wildlife may be harvested for the benefit of agriculture and outdoor recreation.

Section 2 The scope of the Act

In this Act, wildlife means all wild terrestrial mammals and birds, amphibians and reptiles.

The Act also applies in Norway's economic zone.

Section 3 The principle of protection

All wildlife, including eggs, nests and habitats are protected unless otherwise prescribed by statutory law or by administrative decision issued in pursuance thereof. When taking a decision on what can be hunted and on hunting seasons pursuant to section 9, particular emphasis shall be placed on whether the species produces a surplus worth harvesting and whether it is of value as a resource. Emphasis shall also be placed on the hunting and trapping tradition in the area in question, and the damage caused by the wildlife. Nobody shall be permitted to hold wildlife in captivity unless otherwise prescribed by statutory law or by administrative decision issued in pursuance thereof.

It is prohibited to catch, hunt, kill or injure protected

wildlife. If necessary in order to prevent damage to persons or property, it is permitted to kill small rodents and reptiles. The prohibition pursuant to section 24 and section 25 does not apply to killing of this kind.

In all activities, consideration shall be shown for wildlife, and to eggs, nests and habitats, so that they are caused no unnecessary suffering injury.

Chapter II

Wildlife agencies

Section 4 Wildlife agencies

The following agencies are involved in wildlife management:

1. Ministry of Environment
2. Directorate for Nature Management
3. County governor
4. The municipality.

The King may issue specific rules concerning the establishment of special cooperative agencies within wildlife management.

The decisions of the municipality may be appealed to the county governor. The rules governing complaints about administrative decisions laid down in the Administration Act shall apply correspondingly

Section 5 (Repealed by Act No. 95 of 3 July 1992.)

Section 6 The task of the wildlife agencies

The wildlife agencies shall work to promote the objectives of the Act and shall assist, advise and give guidance to authorities and organizations, enterprises and individual persons, in matters concerning the management of wildlife.

The King may issue specific rules concerning the organization and activity of the wildlife agencies.

Section 6a (Repealed by Act No. 106 of 11 June 1993.)

Chapter III

Protection of wildlife habitats

(Protection of biotopes)

Section 7 Regulation of development and other activities in areas of importance to wildlife

Due consideration shall be given to wildlife in the general planning of land use in municipalities and counties pursuant to the Planning and Building Act.

In areas of major value to wildlife, the King may prohibit installations, construction work and other activities, including traffic, when this is necessary in order to preserve the natural environment of wildlife. A decision to protect a habitat shall be considered under the provisions in Act No. 63 of 19 June 1970 relating to nature conservation, section 18. Prior to this the Ministry may decide on temporary protection as specified, until the issue in question is settled.

Section 8 Regulation of traffic on uncultivated land

In order to prevent damage or inconvenience the King may issue regulations for the carrying out of large-scale arrangements on uncultivated land and for nature studies, photography etc., and for forms of traffic which may be particularly harmful to wildlife.

Chapter IV

Game species and hunting seasons.

Killing regardless of protection

Section 9 Game Species and Hunting Seasons

The King decides which species of wildlife may be hunted (game species) and during which periods of time hunting may take place.

The Directorate prescribes the hunting season for the

individual species and in which areas the hunting may occur. Different hunting seasons may be prescribed for different parts of the country. The hunting season may be defined as a specific time of the day or the week, and the stipulated time for hunting may vary for males and females and for older and younger individuals of the species concerned. The Directorate may also fix quotas for the number of wildlife killed. The rules regarding a hunting permit laid down in and pursuant to Chapter V will apply correspondingly. The hunting seasons should not be fixed during the nesting or breeding season of the species in question.

Section 10 Days when hunting is prohibited

Hunting and trapping are not permitted in the period from 24 December to 31 December, both dates inclusive, or on Good Friday, Easter Saturday and Easter Sunday.

Section 11 Killing of wildlife in defence of persons, cattle or domesticated reindeer

Wildlife may be killed irrespective of protection when the killing is deemed necessary in order to remove an existing and serious threat of injury to a person.

Similarly, the landowner or a person acting on the landowner's behalf may kill wildlife that is directly attacking cattle or domesticated reindeer.

The King may determine that the provision in the second paragraph above shall not apply to severely threatened species or severely threatened populations of certain species.

Killing or attempted killing pursuant to the first or second paragraphs shall be notified immediately to the municipality.

Section 12 Permission to kill predatory wildlife which causes injury

In accordance with specific rules laid down by the King, the Ministry may, regardless of the regulations which otherwise apply, grant permission to kill a specific number of individuals of a predatory wildlife species that is causing serious damage to cattle or domesticated reindeer. The permission to kill shall be restricted to a specific area and a specific period of time.

Section 13 Killing of deer species and beaver which cause damage

The municipality may grant permission to kill deer (*Cervidae*) and beaver which cause serious damage to property, crops, fruit trees or berry bushes, or which cause significant damage to forest. The municipality may decide that the killed animal shall become the property of the person possessing the hunting rights against an equivalent reduction in his catch quota. Otherwise, the killed animal, or the value of the same, goes to the Wildlife Fund.

The municipality may give special permission to remove a beaver lodge or dam in order to prevent serious damage from flooding.

Section 14 Killing of other wildlife species which cause damage

The Ministry may issue regulations stating that particular species of wildlife which cause damage in specifically defined cases may be killed regardless of protection and hunting seasons. The regulations may apply to killing all year round or during a specific period, and for the whole country or specific areas. The regulations may stipulate that the wildlife killed pursuant to this first paragraph shall become the property of the Wildlife Fund.

A condition for killing pursuant to the preceding paragraph is that the owner, user or possessor of the rights has to a reasonable extent tried other ways of preventing damage.

Section 14a Killing of wildlife that severely disrupts breeding of other species

The Ministry may issue regulations permitting the killing outside the hunting season of particular wildlife species that severely disrupt the breeding of other species. The rules in section 14, first paragraph, shall apply correspondingly.

Section 15 Killing of wildlife in particular areas

Regardless of the rules concerning protection and hunting seasons, the Directorate may grant permission to kill:

1. Wildlife placed in fenced-in areas or on islands.
2. Seabirds and ducks for use as food for human consumption where this is the usual practice.

Chapter V

Hunting of deer species and beaver, rules concerning area and selective shooting

Section 16 Permit to kill deer species and beaver - minimum areas

The Directorate decides in which areas hunting of moose, deer, wild reindeer, roe deer, fallow deer and beaver is permitted.

The Directorate stipulates minimum areas or quotas for the killing of members of the species mentioned in the first paragraph. The municipality issues a hunting permit in accordance with the stipulated areas or quotas.

In special cases the Directorate may grant exemption from the rules in the second paragraph.

Section 17 Selective shooting and other conditions for killing

The hunting permit issued pursuant to section 16 may contain the condition that the animals killed shall be males or females, and older or younger individuals of the species concerned.

The Ministry may issue specific rules concerning the issue of hunting permits and hereunder make it a condition for the hunting of larger species of game that real estate properties are grouped together in accordance with the provisions in chapter VIII.

Section 18 The basis for minimum areas

When stipulating minimum areas and hunting quotas, account

shall be taken of the size of the population, the living conditions of the species in the particular district, and the damage caused by the species concerned.

Chapter VI

Hunting and trapping methods

Section 19 Humane hunting

Hunting and trapping shall be practised in such a way that wildlife is not exposed to unnecessary suffering, and so that no danger occurs to human beings or domestic animals, and no damage is done to property.

Section 20 Use of weapons during hunting

Only weapons loaded with gunpowder may be used to kill wildlife during hunting.

The use of shot guns with more than two shots and of completely automatic rifles for hunting is prohibited.

The use of spring guns for killing wildlife is prohibited. The same applies to the use of artificial lights for hunting purposes, with the exception of hunting foxes with bait when the source of light is permanently fixed to the wall of a house.

The Ministry shall issue specific regulations concerning the fire-arms and ammunition to be permitted for hunting, and how arms and ammunition shall be stored and carried during hunting.

Section 21 Use of motorized transport during hunting

It is prohibited during hunting:

- a. To fire a shot on or over a public highway or railway line
- b. To use aircraft or motorized vehicles to pursue game, or to distract the attention of the game from the hunter
- c. To use aircraft or motorized vehicles off roads for the purpose of locating game
- d. To fire a shot from an aircraft or a motorized vehicle.

Within a distance of two kilometres from land, including

islets and skerries, it is prohibited to hunt from a motor boat, hovercraft, or other floating engine-propelled vessel. The county governor may increase or decrease the stipulated distance in specific areas, and in specific periods.

The Ministry may prescribe regulations concerning maximum speed limits during hunting from vessels outside the area defined in the second paragraph.

Section 22 Swimming Animals

Swimming deer shall not be chased or killed unless they are being pursued because they are wounded.

Section 23 Use of dogs during hunting

The use of a loose, chasing, barking dog in hunting is prohibited, except when hunting for hares, red foxes and lynx. For other species, the Directorate may give its consent for a specific area.

The Directorate shall determine at which times hunting with dogs in accordance with the first paragraph may take place. The stipulated times may vary for different parts of the country, and may apply to specific breeds of dogs.

It may be stipulated as a condition for the use of dogs that hunting takes place in areas of a fixed minimum size.

Section 24 Trapping

Use of trapping devices is prohibited unless otherwise prescribed by statutory law or by administrative decision issued in pursuance thereof.

The Ministry issues regulations concerning trapping where this may be of economic importance and in other cases where it is necessary to limit damage caused by wildlife. Accordingly it may be determined that trapping devices shall be type-approved and that a fee shall be payable to obtain type-approval for a type of device.

Section 25 Use of poison

The use of poison or chemicals for killing is prohibited. In special cases, the Ministry may make exceptions to this prohibition.

Section 26 Authorization for the King to Issue Regulations

The King may lay down specific rules:

1. In order to prevent injury and accident during hunting and trapping, for example concerning age-limits and concerning the obligation to produce a health certificate in order to be allowed to hunt
2. Concerning insurance for hunters and trappers, including third party, accident and disability insurance, and the obligation to participate in collective insurance
3. Concerning the hunting of big game, including shooting proficiency tests, hunting methods, organization of hunting parties, and use of tracking dogs
4. Concerning the collection of eggs and parts of wildlife, and concerning killing, marking and trapping of wildlife for scientific or other special purposes regardless of the regulations which otherwise apply
5. Concerning catching wildlife for transfer alive to another area
6. Concerning the obligation to report wounded or injured wildlife and to report killing of wildlife for humanitarian reasons irrespective of who possesses the hunting rights to the land
7. Concerning the establishment of a central register of hunters
8. Concerning the keeping of wildlife in captivity, and the rearing, farming and placing of wildlife into fenced-in areas. Requirements may be issued whereby applicants must pay a fee for permission to engage in such activity, and enforcement provisions may be issued to put a stop to illegal activity
9. Concerning the import and export of dead and live wildlife and eggs
10. Concerning big and small game hunting and forms and methods of hunting.

Section 27 The sole right of the landowner to hunt and trap

Subject to the limitations laid down in this Act and in the regulations issued in pursuance hereof, the landowner has the sole right to hunting and trapping.

Section 28 Hunting rights for users, lease of hunting rights

If the landowner allows his property to be used by another person, the user shall have the hunting rights unless otherwise agreed upon. If the landowner reserves the hunting rights for himself, no hunting may take place on the user's tilled land and meadows during the period from 1 March to 30 September, both dates inclusive.

The hunting rights may not be detached from the property for a period of more than 10 years at a time, except when the hunting rights follow the user rights to the property. However, in the case of land re-allocation proceedings it may be decided that the hunting rights shall be held jointly, either in whole or in part.

Any agreement concerning special leasing of hunting rights shall be made in writing. If the agreement applies for more than five years, the lessor and the lessee shall ensure that notification of the lease agreement, including information on the conditions, shall be sent immediately to the municipality.

Sub-leasing of the hunting rights may not take place without the permission of the person possessing the hunting rights in accordance with section 27.

The King may issue rules that prohibit the sub-leasing of hunting rights. If the landowner allows a person other than the user of the property to practise hunting, the landowner is also responsible for any economic damage which the hunting causes the user.

The rules in this section concerning hunting rights shall apply correspondingly to trapping rights.

Section 29 The right to hunt on land subject to joint ownership

Under joint ownership, all persons with ownership or user rights in respect of forest, pastures, meadows or land, shall have the right to practise hunting and trapping unless otherwise determined by agreement or other legal basis.

Holders of rights pursuant to the first paragraph may, with one month's notice, summon the others to a meeting to elect a steering committee of up to five members who shall manage the hunting and trapping on the land subject to joint ownership. In collaboration with the municipality, the committee shall draw up a proposal for rules for such management. The proposal shall be submitted to all the holders of rights for comment before the rules are laid down by the Directorate.

If the size of the property subject to joint ownership and the number of persons holding rights so justify, the Directorate may, after obtaining the opinion of the municipality, impose a prohibition on hunting and trapping until rules have been laid down pursuant to the second paragraph. The prohibition, together with information on when it enters into force, shall be announced in the manner usually employed in the district.

The rules in the second and third paragraphs apply correspondingly if three or more properties have joint hunting and trapping rights.

If rules for hunting are not laid down pursuant to this provision, or as part of land re-allocation proceedings, hunting and trapping may be carried out on the property subject to joint ownership by only one person at a time for each holder of such rights in accordance with the first paragraph.

Section 30 The right to hunt on rural common land

For hunting and trapping on rural common land the provisions in Act No. 59 of 19 June 1992 relating to rural common land, chapter 7, shall apply.

Section 31 The right to hunt and trap on state lands

On state-owned lands not regulated by the Act of 6 June 1975

(The Mountain Act), hunting of small game species and trapping are permitted for all Norwegian nationals and all persons who for the last year have been (and still are) resident in Norway, after procurement of a game licence and payment of a fee. Hunting and trapping by reindeer-herding Sami people (Lapps) are regulated by section 14 of the Reindeer Herding Act.

The Ministry may issue specific rules concerning all hunting and trapping on state-owned lands apart from State Common Lands, including rules concerning a lower price and higher priority in respect of hunting and trapping for permanent residents in the municipality, and concerning the hunting rights of foreign nationals.

Section 32 The limit of the landowner's hunting rights in relation to water

On rivers and lakes the landowner's hunting and trapping rights stretch as far as his property rights. Towards the sea and fjords, the landowner's rights to hunting and trapping stretch as far as the land is dry. Outside this limit, and on shallows and rocks that are covered at normal high tide and do not belong to any property such as land with seal-hunting rights, hunting and trapping are permitted for all Norwegian nationals and all persons who for the last year have been (and still are) resident in Norway. In individual cases the Directorate may give foreign nationals who are not resident in Norway such hunting rights.

Section 33 The landowner's hunting rights on roads

The owner of a road with appurtenances does not have the right to hunt and trap on this road unless he or she also owns the adjoining land. The owner of land on both sides of the road has the right to hunt and trap on the road, even if he does not own the road. When a road forms the boundary between land belonging to different owners, and none of them owns the road, each of the landowners has the right to hunt and trap on the road.

The rules governing hunting and trapping on roads also apply to railway lines, pipe line tracks, tracks for power transmission lines and similar installations.

Section 34 The right of pursuit

A person who legitimately wounds a deer has the right to pursue and take possession of the animal also on land where the hunting rights belong to a person other than the hunter. The right of pursuit ceases at the end of the day when the animal entered another person's property. The hunter is responsible for providing proof of lawful pursuit.

The hunter shall as soon as possible notify the municipality of the pursuit as mentioned in the first paragraph, and of the result.

The landowner does not have the right to hunt or catch game which is being pursued on his property in accordance with the rules in the first paragraph. However, he may kill the animal on behalf of the hunter when consideration for the animal so dictates.

A person practising the right of pursuit in accordance with the first paragraph shall not fire a shot in another person's garden or farmyard. The hunter is under obligation to compensate any damage which the pursuit causes to another person's property.

Section 35 Permission to kill for persons other than the holder of hunting rights

In the case of wildlife killed pursuant to section 12 and section 13, the Directorate may decide that the killing may be carried out by persons other than the holder of hunting rights.

Section 36 Rights of the general public to hunt

The municipality shall seek to promote a reasonable exploitation of the possibilities of hunting small game species, where this is compatible with section 1 of this Act.

In larger areas where the public does not have the right to hunt small game species, the municipality shall contact the landowners with a view to arriving at an amicable agreement concerning the sale of game licences to the general public.

When an amicable arrangement is not achieved, the Ministry may require one or several landowners or other holders of

hunting rights to sell game licences to the public in cases where undesirable population conditions may arise due to the fact that the landowner over a long period of time has neglected to exploit the hunting of small game species. The injunction shall apply for a limited period of time and may be imposed for a maximum of five years.

The injunction may specify the number of game licences to be sold, the distribution of licences and who is to administer the sale. When deciding the price of the licence the usual price-level for the area must be taken into account.

The proceeds from the game licences shall belong to the holder of the rights. If the injunction applies to several holders of rights, the proceeds shall be shared proportionally. If the holder of the rights finds that he has suffered a loss by the arrangement, he may request an official valuation to decide the matter of compensation.

Chapter VIII

Joining properties into a common wildlife area

Section 37 Joining properties into a common wildlife area

In order to promote proper a rational management of wildlife, the wildlife agencies, by means of information and planning, shall seek to organize uncultivated lands as common wildlife areas.

If the municipality finds that several properties should be joined into a common wildlife area, the persons holding hunting rights shall be summoned to a joint meeting where the municipality, in accordance with the rules prescribed by the Ministry, shall attempt to arrive at a voluntary agreement concerning the joining of the properties.

If agreement is not reached pursuant to the second paragraph, a majority of the persons holding hunting rights whose land, in the opinion of the municipality, is of greatest importance from the point of view of hunting, may make a

decision which is binding on the others that the properties shall be joined into a common wildlife area.

When several properties are joined into a common wildlife area, the holders of rights may by a majority decision pursuant to the third paragraph prescribe rules governing the practice of hunting, sale of game licences, implementation of measures for wildlife management and distribution of costs and the hunting bag.

Decisions made pursuant to the third and fourth paragraphs require the approval of the municipality. A decision made by the municipality may be appealed to the Directorate.

The Ministry issues specific rules concerning the implementation of the provisions in this section, including that the county governor shall act in place of the municipality when the properties are located in different municipalities.

Section 38 Joining properties in order to meet the minimum area requirements for hunting larger species of game

In the case of properties which are separately smaller than the minimum area stipulated for hunting deer, the municipality shall try to achieve a voluntary agreement to join the properties.

If a voluntary agreement cannot be reached, the Directorate, on the recommendation of the municipality, may order the properties to be joined.

The persons holding the hunting rights may decide the distribution of the catch quota and the bag. If agreement is not reached, the municipality shall make the decision, which may be appealed to the Directorate.

The Ministry issues specific rules concerning the implementation of the provisions in this section, including that the county governor shall act in place of the municipality when the properties are located in different municipalities.

Chapter IX

Compulsory hunter's proficiency test, hunter's licence, quota tax and the wildlife fund

Section 39 Compulsory hunter's proficiency test

The King may prescribe rules governing a hunter's proficiency test which has to be passed before a person may practise hunting pursuant to this Act, including rules about examination fees, obligatory courses, and course fees.

Section 40 Hunter's licence and quota tax

A person who wishes to hunt and trap pursuant to this Act shall pay a hunter's fee in accordance with the rates and rules prescribed by the King, including fees for delivery of extra licence cards. The fee applies to the whole country and for the hunting year, beginning with 1 April and ending with 31 March.

For every moose, deer and wild reindeer permitted to be shot, a quota tax shall be paid in accordance with the rates and rules prescribed by the King.

Section 41 Supervision of payment of hunter's licence fee

Any person who in return for or without payment places his hunting and trapping rights at the disposal of another is under obligation to ascertain whether and is himself responsible that the person concerned has paid the hunter's licence fee.

Proof that the hunter's fee is paid, a hunter's licence, shall be carried when hunting and trapping and shall be shown on request to the landowner, to a person acting on his behalf, or to the wildlife inspection.

Section 42 Exemption from payment of hunter's licence fee

The Ministry may by regulation exempt from payment of a hunter's licence fee pursuant to Section 40 when this applies to killing and catching for scientific purposes and other killing which is not part of normal hunting and trapping.

Section 43 Wildlife Fund

The hunter's licence fee and the quota tax are paid into a Wildlife Fund for the promotion of wildlife management.

Chapter X Miscellaneous Provisions

Section 44 The right to eggs and down

The owner or user of land may only remove eggs and down from the nests of birds of such species at such times and in such areas as decided by the Ministry.

On state-owned lands in Finnmark county, persons permanently resident in the municipality shall have the same rights as owners or users of land.

Section 45 Passage with weapons on another person's property

Passage on uncultivated land with fire-arms or trapping devices is prohibited where another person possesses the hunting rights, unless this occurs for lawful purposes, and the fire-arms are carried unloaded.

Section 46 Chasing and decoying of wildlife

Wildlife shall not be chased or decoyed away from another person's hunting ground. Feeding of wildlife may nevertheless take place as part of systematic wildlife management. The owner or user of the land may frighten or chase away wildlife when this is considered necessary in order to prevent damage or nuisance.

The provision in the first sentence of the first paragraph does not apply to herds of domesticated reindeer introduced before this Act enters into force.

Section 47 Introduction of and release new species of wildlife

Without the permission of the Directorate, it is prohibited to introduce to Norway or to release in an area species or subspecies of wildlife not previously occurring in the area.

Section 48 Illegally killed wildlife shall become the property of the wildlife fund

Wildlife which is killed illegally, kept in captivity, or introduced to Norway, or the value of the wildlife, shall become the property of the Wildlife Fund. The same applies to unlawful egg collections. As far as possible, the municipality shall ensure that wildlife is preserved. When deer or beaver are killed illegally in the hunting period the municipality may decide that the animal or the value of the animal shall be handed over to the person with the hunting rights against an equivalent reduction in his catch quota.

Wildlife dead by mischance or disease, abandoned eggs, and wildlife killed for humanitarian reasons, in self-defence or in an emergency, shall become the property of the Wildlife Fund. The same applies to wildlife killed in accordance with a permit pursuant to section 12 of the Act.

Section 48a Collection and sale of protected wildlife

Nobody may collect or sell protected game or protected eggs unless he can establish that he has necessary permit for each example.

The King may grant exemption for old specimens of specific species of protected wildlife and eggs that were in private hands before this provision came into force.

Section 49 Authorization of taxidermists and sale of wildlife

The King may issue regulations concerning authorization of taxidermists and their obligations to keep a written record of wildlife received and from whom it is received. The records may be required to be shown to the wildlife agencies.

The Directorate issues regulations concerning permission for taxidermists and others to handle, stuff and sell dead wildlife.

Section 49a Wildlife marking and bag records

The King may lay down regulations for the marking and registration of dead and living wildlife, stuffed specimens of

wildlife, and eggs. This may include an obligation for taxidermists and others to mark stuffed specimens and report details of the taxidermist, client and specimen to a central register. The regulations may also require the payment of a fee to help recover the costs of marking and registration.

Section 50 The Obligation to provide information concerning the bag

The Ministry may decide that any person who has hunted or trapped, and any person who has leased his hunting or trapping rights or sold game licences, may be required to provide the wildlife agencies with information for statistical or scientific purposes.

Section 51 Bounties

Bounties may be stipulated only for wildlife species with a fixed hunting season and which cause damage. Stipulation of a bounty shall be approved by the county governor or by a person authorized by him in consultation with the Directorate.

Compensation for killing pursuant to section 12 of this Act may be stipulated by the Ministry.

Chapter XI Dogs

Section 52 Periods when dogs must be kept on leash

In areas open to normal traffic the owner or person in possession (handler) of a dog shall let the dog run free only when it is accompanied in a proper manner. However, training and breaking in of hunting dogs may only take place with the permission of the landowner and persons holding user rights.

During the ordinary leash season, the period from 1 April to 20 August, both dates inclusive, dogs shall be kept on a leash or shall be properly fenced or shut in.

For specific areas, the Directorate may, on the

recommendation of the municipality or the county governor, decide that dogs shall be kept on a leash or shall be properly fenced or shut in at other times than specified in the second paragraph, if the circumstances require this in order to protect wildlife.

Such a decision shall be announced in the manner which the Directorate finds suitable, and shall enter into force from the time of announcement unless otherwise decided.

The rules in the second and third paragraphs do not apply to dogs used in the management of reindeer, or to cattle dogs when used to guard cattle, or to police dogs and avalanche rescue dogs when in service or during training. For special purposes, the Directorate and the police may grant dispensation for the use of loose dogs during the period when they would normally have to be kept on a leash. The decision of the police may be appealed to the Directorate.

Section 53 Dogs running loose

Dogs running loose without being accompanied in a proper manner may be caught by the landowner and the person holding hunting or trapping rights or anyone acting on their behalf, or by the police.

Dogs running loose during the normal leash period when they are required to be kept on a leash pursuant to section 52, second paragraph, may be caught by anyone.

Dogs running loose during the extraordinary period when they must be kept on a leash pursuant to Section 52, third paragraph, or which during the period when they are required to be kept on a leash are found chasing deer may, if it is impossible to catch them, be killed on the spot by the landowner and the holder of hunting or trapping rights or by a person acting on their behalf, or a demand for their destruction may be made to the court of enforcement. Such a demand shall be an aggravating ground for mandatory enforcement under the rules of the Enforcement Act, chapter 13. When a dog is killed on the spot, the police shall be notified immediately.

Section 54 Dogs which are caught

A dog which is caught shall be cared for in a proper manner. It shall be delivered as soon as possible to the police, who shall proceed in accordance with the rules concerning impounded animals. The owner of the dog or its handler pays any costs incurred and remuneration for the work.

Section 55 Training area

Regardless of the provisions in the section, the Directorate may give approval for a limited area to be laid out as a training area for dogs. Before approval is granted, the municipality shall express an opinion and permission shall be obtained from the landowner.

Chapter XII

Penal provisions and entry into force

Section 56 Penal provisions

Any person violating the rules prescribed in or issued pursuant to this Act shall be punished by fines or imprisonment up to one year, provided that the circumstances are not subject to stricter penal sanctions. Under especially aggravating circumstances, imprisonment may be imposed for up to two years.

Violation of the Act is a misdemeanour. Attempted violations are punished in the same way as a completed misdemeanour. Negligent violation and aiding and abetting a violation are punishable.

Section 57 Entry into force

This Act enters into force from the date decided by the King. The Act dated 14 December 1951 relating to Game Management, Hunting and Trapping is simultaneously repealed. Rules and provisions issued pursuant to the latter Act shall continue to apply until they are repealed or amended, provided that such rules and provisions are also authorized in the present Act.