



## 2011 CHAPTER 16

### **PART 1**

#### INTRODUCTORY

##### **Animals to which this Act applies**

**1.—**(1) In this Act, except in subsections (4) and (6), “animal” means a vertebrate other than man.

(2) Nothing in this Act applies to an animal while it is in its foetal or embryonic form.

(3) The Department may by regulations for all or any of the purposes of this Act—

- (a) extend the definition of “animal” so as to include invertebrates of any description;
- (b) amend subsection (2) to extend the application of this Act to an animal from such earlier stage of its development as may be specified in the regulations.

(4) The power under subsection (3) may only be exercised if the Department is satisfied, on the basis of scientific evidence, that animals of the kind concerned are capable of experiencing pain or suffering.

(5) Before making regulations under subsection (3), the Department must consult such persons appearing to the Department to represent relevant interests as the Department considers appropriate.

(6) In this section, “vertebrate” means any animal of the Sub-phylum Vertebrata of the Phylum Chordata and “invertebrate” means any animal not of that Sub-phylum.

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**Changes to legislation:** There are currently no known outstanding effects for the Welfare of Animals Act (Northern Ireland) 2011, PART 1. (See end of Document for details)

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### **Protected animals**

- 2** An animal is a “protected animal” for the purposes of this Act if—
- (a) it is of a kind which is commonly domesticated in Northern Ireland,
  - (b) it is under the control of man whether on a permanent or temporary basis,  
or
  - (c) it is not living in a wild state.

### **Responsibility for animals**

**3.—**(1) In this Act, references to a person responsible for an animal are to a person responsible for an animal whether on a permanent or temporary basis.

(2) In this Act, references to being responsible for an animal include being in charge of it.

(3) For the purposes of this Act, a person who owns an animal shall always be regarded as being a person who is responsible for it.

(4) For the purposes of this Act, a person shall be treated as responsible for any animal for which a person under the age of 16 years, of whom the first mentioned person has actual care and control, is responsible.

(5) For the purposes of this Act, a person does not relinquish responsibility for an animal by reason only of abandoning it.

**Changes to legislation:**

There are currently no known outstanding effects for the Welfare of Animals Act (Northern Ireland) 2011, PART 1.