



## 2011 CHAPTER 16

### **PART 4**

#### **ENFORCEMENT**

##### *Post-conviction powers*

#### **Deprivation**

**32.**—(1) If the person convicted of an offence under any of sections 4, 5, 6(1), (2), (11) and (15), 7, [F18], 9, 10(6), 12(6) and 14 is the owner of an animal in relation to which the offence was committed, the court by or before which that person is convicted may, instead of or in addition to dealing with that person in any other way, make an order depriving that person of ownership of the animal and for its disposal.

(2) Where the owner of an animal is convicted of an offence under section 33(9) because ownership of the animal is in breach of a disqualification under section 33(2), the court by or before which that person is convicted may, instead of or in addition to dealing with that person in any other way, make an order depriving that person of ownership of the animal and for its disposal.

(3) Where the animal in respect of which an order under subsection (1) or (2) is made has any dependent offspring, the order may include provision depriving the person to whom it relates of ownership of the offspring and for its disposal.

(4) Where a court makes an order under subsection (1) or (2), it may—

- (a) appoint a person to carry out, or arrange for the carrying out of, the order;
- (b) require any person who has possession of an animal to which the order applies to deliver it up to enable the order to be carried out;

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**Changes to legislation:** There are currently no known outstanding effects for the Welfare of Animals Act (Northern Ireland) 2011, Section 32. (See end of Document for details)

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- (c) give directions with respect to the carrying out of the order;
  - (d) confer additional powers (including power to enter premises where an animal to which the order applies is being kept) for the purpose of, or in connection with, the carrying out of the order;
  - (e) order the offender to reimburse the expenses of carrying out the order.
- (5) Directions under subsection (4)(c) may—
- (a) specify the manner in which an animal is to be disposed of; or
  - (b) delegate the decision about the manner in which an animal is to be disposed of to a person appointed under subsection (4)(a).
- (6) Where a court decides not to make an order under subsection (1) or (2) in relation to an offender, it must state its reasons for the decision.
- (7) Subsection (6) does not apply where the court makes an order under section 33(1) in relation to the offender.
- (8) In subsection (1), the reference to an animal in relation to which an offence was committed includes, in the case of an offence under section 8, an animal which took part in an animal fight in relation to which the offence was committed.
- (9) In this section, references to disposing of an animal include destroying it.

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**Textual Amendments**

- F1** Word in s. 32(1) substituted (1.8.2016) by [Justice Act \(Northern Ireland\) 2016 \(c. 21\)](#), ss. [48\(5\)\(a\)](#), [61\(2\)](#); S.R. 2016/248, art. 2

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

- C1** S. 32 applied (1.4.2013) by [The Welfare of Animals \(Dog Breeding Establishments and Miscellaneous Amendments\) Regulations \(Northern Ireland\) 2013 \(S.R. 2013/43\)](#), regs. 1, [17](#)

**Changes to legislation:**

There are currently no known outstanding effects for the Welfare of Animals Act (Northern Ireland) 2011, Section 32.