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STATUTORY RULES OF NORTHERN IRELAND

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**2013 No. 43**

The Welfare of Animals (Dog Breeding  
Establishments and Miscellaneous Amendments)  
Regulations (Northern Ireland) 2013

PART IV

MISCELLANEOUS PROVISIONS

**Powers of entry and search**

15. An offence under regulation 18(b) shall be treated as a relevant offence for the purposes of section 22 of the Act (entry and search under warrant in connection with offences).

**Evidence of registers**

16. In any proceedings under these Regulations a document purporting to be a copy of an entry in a register of breeding establishments and purporting to be certified as such by a person authorised by the district council shall be evidence of the matters recorded in the entry.

**Post-conviction powers**

17. The relevant post-conviction powers contained in sections 32, 33, 34 and 41 of the Act apply in relation to a conviction for an offence under regulation 18(b).

**Offences**

18. It is an offence for a person, without lawful authority or excuse to—

- (a) act in breach of regulation 4; or
- (b) contravene any condition of a licence,

and a person guilty of such an offence shall be liable, on summary conviction, to a fine not exceeding level 5 on the standard scale, or to imprisonment for a term not exceeding 6 months, or both.

**Transitional provisions**

19. If a person registered with a district council in respect of a breeding establishment under Article 13 of the Dogs Order applies to a district council under regulation 5 for a licence not less than 28 days before the expiry of the registration, Schedule 4 shall have effect in relation to the application and in relation to any licence granted on foot of the application as if paragraphs 1(1)(a), (b) and (c) and 2(3) were omitted until the end of a period of six months beginning with the date of the licence.

## **Enforcement**

20. These Regulations shall be enforced by the district council.

## **Amendment of the Dogs (Northern Ireland) Order 1983**

21.—(1) The Dogs Order shall be amended as follows.

(2) In Article 2 (Interpretation) the definitions of “breeding establishment” and “unsterilised” shall be omitted.

(3) In paragraph (1)(a) of Article 8 (Block licences) for “any of which is used for breeding purposes” substitute “which breed between them less than 3 litters in a 12 month period”.

(4) After Article 11 (Appeal against refusal of, or cancellation of, registration in respect of guard dog kennels) the heading “Breeding establishments” shall be omitted.

(5) Article 12 (Prohibition on breeding establishments) and Article 13 (Registration of breeding establishments) are repealed.

(6) In Article 14 (Display of registration certificate) omit—

(a) “or a breeding establishment”; and

(b) “or, as the case may be, the establishment” in both places that it occurs.

(7) In the heading of Article 15 (Registers of licences, guard dog kennels and breeding establishments) omit “and breeding establishments”.

(8) In paragraph (1)(a) of Article 15 after “force” insert “and”.

(9) In paragraph (1)(b) of Article 15 after “guard dog kennels” omit “and”.

(10) Omit Article 15(1)(c).

(11) In Article 16 (Evidence of registers)—

(i) after “licences” for “,” substitute “or”; and

(ii) omit “or breeding establishment”.

(12) In paragraph (1)(b) of Article 18 (Penalty for applying for or obtaining a licence or registration while disqualified) omit “or a breeding establishment”.

(13) Paragraph (1)(b) of Article 43 (Inspection of certain kennels and breeding establishments) shall be omitted.

(14) In paragraph (1)(c) of Article 43 (Inspection of certain kennels and breeding establishments) omit “or for the purpose of dog breeding”.

(15) In paragraph (1)(c)(i) of Article 43 (Inspection of certain kennels and breeding establishments) omit “establishment”.

(16) In Article 46 (Power to extend provisions relating to breeding establishments to other establishments) for “12” substitute “14”.

(17) In Article 47 (Records) omit “(b) a breeding establishment;”.

## **Amendment of the Dogs (Licensing and Identification) Regulations (Northern Ireland) 2012**

22. In the declaration of the applicant specified in Schedule 5 (Application for a Block Licence) to the Dogs (Licensing and Identification) Regulations (Northern Ireland) 2012(1), for “(a) not less than three unsterilized bitches any of which is used for breeding purposes; or” substitute “not less than three unsterilized bitches which are not kept under a breeding establishment licence.”

## Repeals

**23.** The Dogs (Breeding Establishments and Guard Dog Kennels) Regulations (Northern Ireland) 1983<sup>(2)</sup> are repealed.