
STATUTORY RULES OF NORTHERN IRELAND

2011 No. 440

**The Non-Commercial Movement of Pet
Animals Order (Northern Ireland) 2011**

PART 4

ENFORCEMENT

Powers of inspectors

12.—(1) An inspector may, on producing a duly authenticated authorisation if required, enter any premises at any reasonable hour for the purpose of enforcing the relevant instruments. In this Part the “relevant instruments” are the Pets Regulation, [^{F1}the Commission Implementing Regulation,] Decision [2003/459/EC](#), Decision [2006/146/EC](#), Decision [2007/25/EC](#), the supplementary Regulation and this Order.

(2) The inspector may be accompanied by such other persons as the inspector considers necessary.^{F2}....

(3) Admission to any premises used wholly or mainly as a private dwelling house may not be demanded as of right unless the entry is in accordance with a warrant granted under paragraph (4).

(4) A lay magistrate may by signed warrant permit an inspector to enter premises used wholly or mainly as a private dwelling house, if necessary by reasonable force, if satisfied on sworn complaint in writing—

- (a) that there are reasonable grounds to enter those premises for the purpose of enforcing the relevant instruments; and
- (b) that any of the conditions in paragraph (5) are met.

(5) The conditions are—

- (a) entry to the premises has been, or is likely to be, refused, and notice of the intention to apply for a warrant has been given to the occupier;
- (b) asking for admission to the premises, or giving such notice, would defeat the object of entry;
- (c) entry is required urgently; or
- (d) the premises are unoccupied or the occupier is temporarily absent.

(6) A warrant granted under this Order continues in force for one month.

(7) An inspector who enters any unoccupied premises shall leave them as effectively secured against unauthorised entry as they were before entry.

(8) An inspector who has entered premises for the purposes of enforcing the relevant instruments may for those purposes—

- (a) carry out any examination, investigation or test;
- (b) inspect and search the premises;

- (c) require the production of any document or record (including a passport or health certificate) and inspect and take a copy of or extract from such document or record;
- (d) require any person to provide such assistance, information or facilities as is reasonable;
- (e) seize and detain a pet animal or bird.

- F1** Words in art. 12(1) inserted (23.7.2015) by [The Non-Commercial Movement of Pet Animals \(Amendment\) Order \(Northern Ireland\) 2015 \(S.R. 2015/282\)](#), arts. 1, **10**
- F2** Words in art. 12(2) omitted (31.12.2020) by virtue of [The Trade in Animals and Related Products \(Amendment\) \(Northern Ireland\) \(EU Exit\) Regulations 2019 \(S.I. 2019/811\)](#), regs. 1(1), **13(4)**; 2020 c. 1, Sch. 5 para. 1(1)

Commencement Information

- I1** Art. 12 in operation at 1.1.2012, see [art. 1](#)

Offences

13. It is an offence—

- (a) to fail to comply with a notice served under Article [10\(2\)](#);
- (b) intentionally to obstruct any person acting in the execution of the relevant instruments;
- (c) without reasonable cause, to fail to give to any such person any assistance or information that that person may reasonably require;
- (d) to furnish to any such person any information knowing it to be false or misleading [^{F3}(including information contained in a passport, health certificate or declaration)] ; or
- (e) to fail to produce a document or record [^{F4}(including a passport, health certificate or declaration)] to any such person when required to do so.

- F3** Words in art. 13(d) substituted (23.7.2015) by [The Non-Commercial Movement of Pet Animals \(Amendment\) Order \(Northern Ireland\) 2015 \(S.R. 2015/282\)](#), arts. 1, **11(1)**
- F4** Words in art. 13(e) substituted (23.7.2015) by [The Non-Commercial Movement of Pet Animals \(Amendment\) Order \(Northern Ireland\) 2015 \(S.R. 2015/282\)](#), arts. 1, **11(2)**

Commencement Information

- I2** Art. 13 in operation at 1.1.2012, see [art. 1](#)

Penalties

14.—(1) A person found guilty of an offence under Article [13\(a\)](#) is liable on summary conviction to a fine not exceeding level 5 on the standard scale.

(2) A person found guilty of an offence under Article [13\(b\)](#), [\(c\)](#), [\(d\)](#) or [\(e\)](#) is liable on summary conviction to imprisonment for a term not exceeding three months or to a fine not exceeding level 5 on the standard scale.

Commencement Information

- I3** Art. 14 in operation at 1.1.2012, see [art. 1](#)

Changes to legislation:

There are currently no known outstanding effects for the The Non-Commercial Movement of Pet Animals Order (Northern Ireland) 2011, PART 4.