



2011 CHAPTER 16

PART 4

ENFORCEMENT

Enforcement powers

Seizure of animals involved in fighting offences

21.—(1) A constable may seize an animal if it appears to the constable that it is one in relation to which an offence under section 8(1) or (2) has been committed.

(2) A constable may enter and search premises for the purpose of exercising the power under subsection (1) if the constable reasonably believes—

- (a) that there is an animal on the premises, and
- (b) that the animal is one in relation to which the power under subsection (1) is exercisable.

(3) Subsection (2) does not authorise entry to any part of premises which is used as a private dwelling.

(4) Subject to subsection (5), a lay magistrate may, on the application of a constable, issue a warrant authorising a constable to enter and search premises, if necessary using reasonable force, for the purpose of exercising the power under subsection (1).

(5) The power to issue a warrant under subsection (4) is exercisable only if the lay magistrate is satisfied by complaint on oath—

(a) that there are reasonable grounds for believing that there is on the premises an animal in relation to which an offence under section 8(1) or (2) has been committed, and

(b) that section 46 is satisfied in relation to the premises.

(6) In this section, references to an animal in relation to which an offence under section 8(1) or (2) has been committed include an animal which took part in an animal fight in relation to which such an offence was committed.