



## 2011 CHAPTER 16

### **PART 2**

#### PROTECTION OF ANIMALS

##### *Prevention of harm*

##### **Docking of dogs' tails**

- 6.—(1) A person commits an offence if that person—
- (a) removes the whole or any part of a dog's tail; or
  - (b) causes the whole or any part of a dog's tail to be removed by another person.
- (2) A person commits an offence if—
- (a) that person is responsible for a dog,
  - (b) another person removes the whole or any part of the dog's tail, and
  - (c) the first-mentioned person permitted that to happen or failed to take such steps (whether by way of supervising the other person or otherwise) as were reasonable in all the circumstances to prevent that happening.
- (3) A person does not commit an offence under subsection (1) or (2) if the whole or any part of a dog's tail is removed—
- (a) by a veterinary surgeon for the purpose of medical treatment; or
  - (b) in order to prevent or remove an immediate danger to the life of the dog in circumstances where it is not reasonably practicable to have the tail, or, as the case may be, any part of the tail, removed by a veterinary surgeon.

(4) Subsections (1) and (2) do not apply if the dog is a certified working dog that is not more than 5 days old.

(5) For the purposes of subsection (4), a dog is a certified working dog if a veterinary surgeon has certified, in accordance with regulations made by the Department, that the first and second conditions mentioned below are met.

(6) The first condition referred to in subsection (5) is that there has been produced to the veterinary surgeon such evidence as the Department may by regulations require for the purpose of showing that the dog is likely to be used for work in connection with law enforcement, lawful pest control or the lawful shooting of animals.

(7) The second condition referred to in subsection (5) is that the dog is of a breed specified in Schedule 1 for the purposes of this subsection.

(8) The Department may by regulations add to, or remove, breeds of dog from the list in Schedule 1.

(9) It is a defence for a person accused of an offence under subsection (1) or (2) to show that that person reasonably believed that the dog was one in relation to which subsection (4) applies.

(10) A person commits an offence if that person—

- (a) owns a subsection (4) dog, and
- (b) fails to take reasonable steps to secure that, before the dog is 8 weeks old, it is identified as a subsection (4) dog in accordance with regulations made by the Department.

(11) A person commits an offence if that person takes a dog, or causes a dog to be taken, from a place in Northern Ireland for the purpose of having the whole or any part of its tail removed, otherwise than for the purpose of medical treatment administered by a veterinary surgeon.

(12) A person commits an offence if—

- (a) that person shows a dog at an event for which that person pays a fee or to which members of the public are admitted on payment of a fee,
- (b) the dog's tail has been wholly or partly removed (in Northern Ireland or elsewhere), and
- (c) the removal took place after the coming into operation of this section.

(13) Where a dog is shown only for the purpose of demonstrating its working ability, subsection (12) does not apply if the dog is a subsection (4) dog.

(14) It is a defence for a person accused of an offence under subsection (12) to show that that person reasonably believed—

- (a) that the event was not one for which that person paid a fee or to which members of the public were admitted on payment of a fee;

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**Changes to legislation:** *There are currently no known outstanding effects for the Welfare of Animals Act (Northern Ireland) 2011, Section 6. (See end of Document for details)*

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(b) that the removal took place before the coming into operation of this section; or

(c) that the dog was one in relation to which subsection (13) applies.

(15) A person commits an offence if that person knowingly gives false information to a veterinary surgeon in connection with the giving of a certificate for the purposes of this section.

(16) The Department may by regulations make provision about the functions of inspectors in relation to—

(a) certificates for the purposes of this section, and

(b) the identification of dogs as subsection (4) dogs.

(17) Before making regulations under this section, the Department must consult such persons appearing to the Department to represent any interests concerned as the Department considers appropriate.

(18) In this section “subsection (4) dog” means a dog whose tail has, after the coming into operation of this section, been wholly or partly removed without contravening subsection (1), because of the application of subsection (4).

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**Commencement Information**

**I1** S. 6 partly in operation; s. 6 not in operation at Royal Assent see s. 59; s. 6(16) and (17) in operation at 11.7.2011 by [S.R. 2011/245](#), [art. 2](#), [Sch. 1](#)

**I2** S. 6(1)-(15) (18) in operation at 1.1.2013 by [S.R. 2012/386](#), [art. 2\(a\)](#)

**Changes to legislation:**

There are currently no known outstanding effects for the Welfare of Animals Act (Northern Ireland) 2011, Section 6.