



2016 CHAPTER 21

**PART 3**

Miscellaneous

*Animal welfare*

**Penalties for animal welfare offences**

**48.**—(1) In section 31 of the Welfare of Animals Act (Northern Ireland) 2011 (penalties), in subsection (1) (summary-only offences), omit “8(3),” and “, 33(9), 40(7)”.

(2) After that subsection insert—

“(1A) A person guilty of an offence under section 4 or 8(1) or (2) shall be liable—

- (a) on summary conviction, to imprisonment for a term not exceeding 12 months, or to a fine not exceeding £20,000, or both;
- (b) on conviction on indictment, to imprisonment for a term not exceeding 5 years, or to a fine, or both.”.

(3) In subsection (2) of that section (hybrid offences)—

- (a) omit “4,” and
- (b) for “and 8(1) and (2)” substitute “, 8(3), 33(9) and 40(7)”.

(4) In that subsection, in paragraph (b), for “2 years” substitute “ 5 years ”.

(5) In each of the following provisions of that Act, for “8(1) and (2)” substitute “ 8 ”

- (a) section 32(1) (deprivation);

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**Changes to legislation:** *There are currently no known outstanding effects for the Justice Act (Northern Ireland) 2016, Cross Heading: Animal welfare. (See end of Document for details)*

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- (b) section 33(10) (disqualification);
  - (c) section 36(1) (destruction in interests of animal).
- (6) In each of the following provisions of that Act, for “8(1) or (2)” substitute “ 8 ”
- (a) section 36(6) (destruction in interests of animal);
  - (b) section 37(1) (destruction of animals involved in fighting offences);
  - (c) section 38(1) (reimbursement of expenses relating to animals involved in fighting offences).
- (7) In Article 29(1) of the Magistrates' Courts (Northern Ireland) Order 1981 (right to claim trial by jury subject to exceptions), after sub-paragraph (o) insert —
- “(p) section 4 or 8(1) or (2) of the Welfare of Animals Act (Northern Ireland) 2011 (unnecessary suffering; fighting).”.

**Annotations:**

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**Commencement Information**

**II** [S. 48](#) in operation at 1.8.2016 by [S.R. 2016/248](#), [art. 2](#)

**Changes to legislation:**

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