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STATUTORY INSTRUMENTS

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**1976 No. 1040**

**Animals (Northern Ireland) Order 1976**

**Detention and sale of straying livestock**

**9.**—(1) Where any livestock strays onto any land and is not then under the control of any person the occupier of the land may detain it, subject to paragraph (2), unless ordered to return it by a court.

(2) Where any livestock is detained in pursuance of this Article the right to detain it ceases—

- (a) at the end of a period of forty-eight hours, unless within that period notice of the detention has been given to the officer in charge of the nearest police station and also, if the person detaining the livestock knows to whom it belongs, to that person; or
- (b) when such amount is tendered by or on behalf of a person entitled to possession of the livestock to the person detaining the livestock as is sufficient to satisfy any claim he may have under Article 5 in respect of the livestock; or
- (c) if he has no such claim, when the livestock is claimed by a person entitled to its possession.

(3) Where livestock has been detained in pursuance of this Article for a period of not less than fourteen days the person detaining it may sell it at a market or by public auction, unless proceedings are then pending for the return of the livestock or for any claim under Article 5 in respect of it.

(4) Where any livestock is sold in the exercise of the right conferred by this Article and the proceeds of the sale, less the costs thereof and any costs incurred in connection with it, exceed the amount of any claim under Article 5 which the vendor had in respect of the livestock, the excess shall be recoverable from him by the person who would be entitled to the possession of the livestock but for the sale.

(5) A person detaining any livestock in pursuance of this Article is liable for any damage caused to it by a failure to treat it with reasonable care and supply it with adequate food and water while it is so detained.

(6) References in this Article to a claim under Article 5 in respect of any livestock do not include any claim under that Article for damage done by or expenses incurred in respect of the livestock before the straying in connection with which it is detained under this Article.

**Changes to legislation:**

Animals (Northern Ireland) Order 1976, Section 9 is up to date with all changes known to be in force on or before 22 August 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

[View outstanding changes](#)

**Changes and effects yet to be applied to :**

- Instrument am. (prosp.) by [1998 c. 32 s.74\(1\)Sch.4 para. 11](#)