
STATUTORY INSTRUMENTS

1983 No. 764

The Dogs (Northern Ireland) Order 1983

PART III

CONTROL OF DOGS

Attacks by dogs

Attacks on livestock and certain other animals

[^{F1}28.—(1) Any person who sets a dog on—

- (a) any livestock, or
- (b) any other animal owned by another person,

is guilty of an offence and liable on summary conviction to a fine not exceeding level 4 on the standard scale.

(2) If a dog—

- (a) worries livestock, or
- (b) attacks and injures any other animal owned by another person,

the keeper of the dog and, if it is in the charge of a person other than its keeper, that person is guilty of an offence and liable on summary conviction to a fine not exceeding level 3 on the standard scale.

(3) This Article does not apply to a dog while being used—

- (a) for police purposes;
- (b) for such other purposes as the Department may by order specify.

(4) A person is not guilty of an offence under this Article by reason of anything done by the dog if at the material time—

- (a) the livestock or other animal is trespassing on any land; and
- (b) the dog is—

- (i) kept by, or in the charge of, the occupier of that land; or
- (ii) in the charge of a person authorised by the occupier to remove the livestock or other animal from that land.

(5) The keeper of a dog shall not be convicted of an offence under paragraph (2) if he shows that at the material time the dog was in the charge of some other person whom he reasonably believed to be a fit and proper person to be in charge of the dog.]

F1 [Art. 28](#) substituted (28.7.2011) by [Dogs \(Amendment\) Act \(Northern Ireland\) 2011 \(c. 9\)](#), [ss. 6, 18\(1\)](#); [S.R. 2011/281](#), [art. 2](#), [Sch.](#)

Attacks on persons

[^{F2}29.—(1) Any person who sets a dog on any other person is guilty of an offence or, if the dog injures the person attacked, an aggravated offence under this paragraph.

(2) If a dog attacks any person, then—

- (a) the keeper of the dog; and
- (b) if it is in the charge of a person other than its keeper, that person,

is guilty of an offence or, if the dog injures the person attacked, an aggravated offence under this paragraph.

(3) A person guilty of an offence under paragraph (1) or (2) other than an aggravated offence is liable on summary conviction to imprisonment for a term not exceeding 6 months or a fine not exceeding level 5 on the standard scale or to both.

(4) A person guilty of an aggravated offence under paragraph (1) or (2) is liable—

- (a) on summary conviction, to imprisonment for a term not exceeding 6 months or to a fine not exceeding the statutory maximum or to both;
- (b) on conviction on indictment, to imprisonment for a term not exceeding two years or to a fine or to both.

(5) This Article does not apply to a dog while being used—

- (a) for police purposes;
- (b) for such other purposes as the Department may by order specify.

(6) A person is not guilty of an offence under this Article if at the material time—

- (a) the person set on or attacked is trespassing on land; and
- (b) the dog is—
 - (i) kept by, or in the charge of, the occupier of that land; or
 - (ii) in the charge of a person authorised by the occupier to remove that person from that land.

(7) The keeper of a dog shall not be convicted of an offence under paragraph (2) if he shows that at the material time the dog was in the charge of some other person whom he reasonably believed to be a fit and proper person to be in charge of the dog.]

F2 [Art. 29](#) substituted (28.7.2011) by [Dogs \(Amendment\) Act \(Northern Ireland\) 2011 \(c. 9\), ss. 7, 18\(1\); S.R. 2011/281, art. 2, Sch.](#)

Defences to legal proceedings for shooting dogs

30.—(1) Subject to the provisions of this Article, it shall be a defence to an action against a person to recover damages in respect of, and to any charge arising out of, the shooting of a dog for that person to prove—

- (a) that the dog was worrying or was about to worry livestock and there were no other reasonable means of ending or preventing the worrying; or
- (b) that the dog had been worrying livestock, had not left the vicinity and was not in the charge of any person and there were no practicable means of ascertaining to whom the dog belonged.

(2) Paragraph (1)(a) or (b) shall be deemed to have been satisfied if that person believed that it was satisfied and had reasonable ground for that belief.

(3) Paragraph (1) shall not confer a defence on any person unless he proves that—

- (a) the land on which the livestock was was occupied by him or by any person under whose express or implied authority he was acting or was land (including a highway or public path) contiguous to any such land; and
- (b) within 48 hours of the shooting of the dog notice of it was given to a member of the Royal Ulster Constabulary at the nearest police station to the place where it occurred.

Changes to legislation:

There are currently no known outstanding effects for the The Dogs (Northern Ireland) Order 1983, Cross Heading: Attacks by dogs.