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STATUTORY INSTRUMENTS

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**1983 No. 764**

**The Dogs (Northern Ireland) Order 1983**

**PART VI**

*MISCELLANEOUS PROVISIONS*

**Power to extend provisions relating to breeding establishments to other establishments**

**46.** The Department may, by order subject to affirmative resolution, extend the provisions of Articles 12 to 16 and 43 to such other establishments as may be specified in the order.

**Records**

**47.** The Department may, by order, require any person who keeps—

- (a) guard dog kennels;
- (b) a breeding establishment;
- (c) a petshop within the meaning of section 12(1) of the Welfare of Animals Act (Northern Ireland) 1972; or
- (d) any establishment to which an order under Article 46 applies;

to keep such records of births, deaths, acquisitions and disposals of dogs as may be specified in the order and to permit an officer to inspect, to remove for further inspection, and to copy information from, such records.

**Power to collect, and dispose of, unwanted dogs**

**48.—(1)** A district council may, at the request of the owner of an unwanted dog or his personal representative, arrange for the collection, and disposal, of that dog.

(2) No dog disposed of under this Article shall be given or sold for purposes of animal experimentation.

**Grants to district councils**

**49.—(1)** The Department may make grants in respect of the initial expenditure incurred under this Order by district councils for the purpose of Article 40(a).

(2) Any grant under paragraph (1) shall be payable on such conditions and in respect of such period as may be prescribed.

**Fees for certain services**

**50.** A district council may—

- (a) make a charge where the council makes arrangements for the collection and disposal of an unwanted dog; and

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*Changes to legislation: There are currently no known outstanding effects for the The Dogs (Northern Ireland) Order 1983, PART VI. (See end of Document for details)*

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- (b) make a payment of such amount as the council may determine in respect of the sterilisation of a dog.

### **Expenses of veterinary examination recoverable from dog owner**

**51.** Where a veterinary surgeon examines a dog under Article 41(1)(b), and the owner of the dog is subsequently convicted of an offence under this Order, the amount of the expenses incurred by the district council in that examination shall be a debt recoverable summarily by the council from the owner of the dog.

### **Information to Department**

**52.** Each district council shall furnish to the Department, at such times and in such manner as the Department may direct, such information relating to the operation of this Order as the Department may require.

### **Civil liability**

**53.—(1)** Without prejudice to any right of action which exists apart from the provisions of this Order, breach of a duty imposed under Articles 22, 25, 26, 28 and 29 shall, so far as it causes damage, be actionable.

(2) In this Article “damage” includes the death of, or injury to, any person (including any disease and any impairment of a person's physical or mental condition).

### **Orders**

**54.** Except as provided in Articles 7(2), 8(4), 23(7)(b), 25(4),<sup>F1</sup> 25B(1)] 35(2), 38(2) and 46, orders made by the Department under this Order shall be subject to negative resolution.

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### **Transitional provisions**

**55.—(1)** Any existing licence in force immediately before the appointed day shall on and after that day be deemed to be a dog licence issued by the district council for the district in which the holder of the licence resides and shall remain in force, unless suspended, until the 31st March next following that day.

(2) On or after the appointed day, the authority conferred by an existing licence to keep a dog shall be authority to keep a dog of the particular description of the dog to which the licence relates.

(3) In this Article—

“appointed day” means the day appointed under Article 1(2) for the coming into operation of this Article;

“existing licence” means a licence taken out under section 6 of the Dogs Regulation (Ireland) Act 1865.

(4) Nothing in this Article shall prejudice the operation of section 29 of the Interpretation Act (Northern Ireland) 1954.

### **Amendments and repeals**

**56.—(1)** The statutory provisions specified in Schedule 1 shall have effect subject to the amendments specified in that Schedule.

(2) The statutory provisions specified in Schedule 2 are hereby repealed to the extent specified in column 3 of that Schedule.

**Status:**

Point in time view as at 01/01/2006.

**Changes to legislation:**

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