

**FUR FARMING (PROHIBITION)
(NORTHERN IRELAND) ORDER 2002**

S.I. 2002 3151

EXPLANATORY MEMORANDUM

COMMENTARY ON ARTICLES

Article 3: Offences

Paragraph (1) creates a primary offence of keeping animals solely or primarily for slaughter for the value of their fur or for breeding progeny for such slaughter. The offence can be committed by a company or by a person. It does not matter whether the slaughter will be carried out by the keeper of the animals or by another person. A person who keeps animals partly for slaughter for the value of their fur and partly for another purpose will only be guilty of an offence if the former is the primary purpose for which he keeps the animals.

Paragraph (2) creates a secondary offence of knowingly causing or permitting another person to keep animals solely or primarily for slaughter for the value of their fur or for breeding progeny for such slaughter. A person is only guilty of an offence if he knows not only that the animals are being kept but also that the sole or primary purpose is as described above. It is not anticipated that there would be many cases where a person would be guilty under paragraph (2) but an example of a person who might be guilty of an offence of permitting is a person who grants a tenancy of land for the purpose of enabling the tenant to carry on a fur farming business.

Paragraph (3) makes it clear that, for the purposes of both the primary and secondary offence, the necessary purpose will be present if the ultimate purpose for which the animals are kept is slaughter for the value of their fur, notwithstanding that the keeper may intend to sell the animals with a view to their ultimate slaughter rather than slaughter them while they are in his ownership or possession.

Paragraph (4) provides that both the primary and secondary offence are summary offences, for which the maximum penalty is £20,000.