
STATUTORY RULES OF NORTHERN IRELAND

2011 No. 278

DOGS

The Dogs (Fixed Penalty) Regulations (Northern Ireland) 2011

Made - - - - *19th July 2011*
Coming into operation *3rd October 2011*

The Department of Agriculture and Rural Development⁽¹⁾, makes the following Regulations in exercise of the powers conferred by Articles 36(4) and 38(4) of the Dogs (Northern Ireland) Order 1983⁽²⁾:

Citation and commencement

1. These Regulations may be cited as the Dogs (Fixed Penalty) Regulations (Northern Ireland) 2011 and shall come into operation on 3rd October 2011.

Interpretation

2. In these Regulations “the Order” means the Dogs (Northern Ireland) Order 1983.

Form of a fixed penalty notice

3. A notice under Article 36 of the Order offering the opportunity, by payment of a fixed penalty, of the discharge of any liability to conviction of an offence to which Articles 36 to 39 of the Order apply shall be in the form set out in the Schedule.

Prescribed ranges of fixed penalties

4. The amount of a fixed penalty capable of being specified by a district council under Article 38(1)(a) of the Order is not less than £50 and not more than £80.

Lesser amounts of fixed penalties

5. Where a district council acting under Article 38(3) of the Order makes provisions for treating a fixed penalty as having been paid if a lesser amount is paid before the end of a period specified by that authority, such lesser amount shall be not less than £50.

(1) Formerly the Department of Agriculture for Northern Ireland; see S.I. 1999/283 (N.I. 1) Article 3(4)
(2) S.I. 1983/764 (N.I. 8) as amended by S.I. 1991/2292 (N.I. 21), 2001 c.1 (N.I.) and 2011 c.9 (N.I.)

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Revocations

6. The Dogs (Fixed Penalty) (Procedure) Regulations (Northern Ireland) 1983(3) are revoked.

Sealed with the Official Seal of the Department of Agriculture and Rural Development on 19th July 2011.



C. McMaster
A senior officer of the Department Agriculture
and Rural Development

SCHEDULE

Regulation 3

NOTICE OF OPPORTUNITY TO PAY FIXED PENALTY

The Dogs (Northern Ireland) Order 1983

Serial number:	Date:
To:	
Address	Post Code
<p>A dog of the following description— was seen at/in on <i>(date)</i> at <i>(time)</i> in circumstances giving me reason to believe that an offence, details of which are given at () below, was being committed or had been committed.</p>	

(1) The dog was kept by you and—

(a) there was no valid licence held in respect of that dog (Article 17(1) of the Dogs (Northern Ireland) Order 1983);

(b) the dog was not wearing a collar with the name and address of the keeper inscribed on it or on a plate or badge attached to it in contravention of regulation 6(1) of the Dogs (Licensing and Identification) Regulations (Northern Ireland) 2011 (Article 31(2) of the Dogs (Northern Ireland) Order 1983);

(c) valid licence identification was not attached to the dog's collar in contravention of regulation 7 of the Dogs (Licensing and Identification) Regulations (Northern Ireland) 2011 (Article 31(2) of the Dogs (Northern Ireland) Order 1983).

(2) The dog was kept by you/in your charge and the dog—

(a) was straying (Article 22(1) of the Dogs (Northern Ireland) Order 1983);

(b) was in a road in respect of which an order has been made under Article 100 of the Planning (Northern Ireland) Order 1991(a) (Article 25(3) of the Dogs (Northern Ireland) Order 1983);

(c) was on land where livestock were present which had a right to be there and was not controlled (Article 25(3) of the Dogs (Northern Ireland) Order 1983);

(d) was a greyhound in a public place and was not controlled and muzzled (Section 1(2) of the Control of Greyhounds, etc, Act (Northern Ireland) 1950(b));

(e) was one of more than two greyhounds being exercised or led by one person in a public place (Section 2(2) of the Control of Greyhounds, etc, Act (Northern Ireland) 1950).

(3) The dog licence held in respect of that dog was subject to a control condition (Article 30A(2) of the Dogs (Northern Ireland) Order 1983) and—

(a) one or more of the said control conditions has been contravened (Article 30F(1) of the Dogs (Northern Ireland) Order 1983);

(b) you failed to notify the district council which issued the notice imposing a control condition of the intended transfer of ownership of the dog; and of the name and address of the new keeper (Article 30E(3) of the Dogs (Northern Ireland) Order 1983).

(a) 1991/220 (N.I. 11)

(b) 1950 c.13 (N.I.)

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Signature	Authorised Officer
	Council

If before the end of days from the date of this notice the sum of £ or later than the end of days but before the end of days from the date of this notice the sum of £ , being the fixed penalty for the offence, is paid to Council, proceedings will not be taken for the offence and any liability to conviction for the offence will be discharged.

Payment may be made in person, by post or by electronic funds transfer at—

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations prescribe the form of the fixed penalty notice which may be given by an officer of a district council to the keeper of a dog under the procedure in Part IV of the Dogs (Northern Ireland) Order 1983 (“the Order”) whereby certain offences may be punished without prosecution.

The notice offers the opportunity of discharging any liability to conviction of the offence specified in the notice by the payment of a fixed penalty to the district council that issued the notice. Such offence may relate to—

- (a) keeping a dog without a valid licence (Article 17(1) of the Order);
- (b) a dog straying (Article 22(1) of the Order);
- (c) control on certain roads and on land (Article 25(3) of Order);

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- (d) failure to display identification of keeper on a dog's collar or on a plate or badge attached to it (Regulation 6(1) of the Dogs (Licensing and Identification) Regulations (Northern Ireland) 2011 and Article 31(2) of the Order);
- (e) failure to attach licence information to a dog's collar (Regulation 7 of the Dogs (Licensing and Identification) Regulations (Northern Ireland) 2011 and Article 31(2) of the Order);
- (f) greyhounds not controlled and muzzled in a public place (Section 1 of the Control of Greyhounds, etc, Act (Northern Ireland) 1950);
- (g) more than two greyhounds being exercised or led by one person in a public place (Section 2 of the Control of Greyhounds, etc, Act (Northern Ireland) 1950);
- (h) failure to comply with control conditions of a dog licence;
- (i) failure to notify transfer of a dog subject to control conditions.