



Welfare of Animals Act (Northern Ireland) 1972

1972 CHAPTER 7

PART II

CONTROL OF PETSHOPS, ANIMAL BOARDING, RIDING AND ZOOLOGICAL ESTABLISHMENTS

8 Licensing of petshops, animal boarding, riding and zoological establishments.

- (1) A person shall not keep a petshop or an animal boarding, riding or zoological establishment except under the authority of a licence granted by the Ministry.
- (2) In determining whether to grant a licence for the keeping of a petshop or any such establishment as aforesaid by any person at any premises, the Ministry shall, for the purpose of securing the safety, health and welfare of the animals, in particular (but without prejudice to their discretion to withhold a licence on other grounds) have regard to the following matters—
 - (a) the qualifications and experience of the applicant and of the staff, if any, employed;
 - (b) the system of management;
 - (c) the suitability of the accommodation, taking account of the number of animals and the purpose for which it is required, and the arrangements for the adequate exercise, protection and welfare of the animals;
 - (d) the requirements of any regulations made under section 11.
- (3) The fee for a licence under this section shall be of such amount as the Ministry with the approval of the Ministry of Finance may by order, subject to affirmative resolution, prescribe.
- (4) A licence under this section may contain such conditions as the Ministry thinks appropriate for the purpose of securing the safety, health and welfare of the animals.

Status: Point in time view as at 01/01/2006.

Changes to legislation: There are currently no known outstanding effects for the Welfare of Animals Act (Northern Ireland) 1972, PART II. (See end of Document for details)

[^{F1}(4A) Subject to subsection (5), a licence granted under this section after the date on which the Agriculture (Miscellaneous Provisions) (Northern Ireland) Order 1984 came into operation shall remain in force for a period of one year from the date on which it is granted.]

- (5) A licence under this section may be revoked by the Ministry if the licence-holder is convicted of any offence for which a penalty is provided under this Act or fails to comply with the provisions of any regulations made under section 11.
- (6) Any person aggrieved by the refusal of the Ministry to grant a licence under this section, or by any condition subject to which the licence is, or is proposed to be, granted, or by the revocation of the licence, may appeal to a court of summary jurisdiction.

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9 Powers of entry and inspection.

An authorised officer may, on production of his authority if so required, enter at any reasonable time any premises in respect of which a licence has been applied for or granted or any premises which he has reason to believe are used as a petshop or animal boarding, riding or zoological establishment, and may inspect the premises, and any animals or any thing found therein.

10 Offences and penalties.

- (1) Any person who—
- (a) keeps an unlicensed petshop, animal boarding, riding or zoological establishment; or
 - (b) being licensed, fails, after reasonable warning, to comply with any condition contained in his licence; or
 - (c) gives information which he knows to be false in a material particular to an authorised officer acting in the exercise of his functions under this Part; or
 - (d) wilfully obstructs or delays an authorised officer in the exercise of his functions under this Part;
- shall be guilty of an offence.

[^{F2}(1A) Any person who carries on a business of selling animals as pets in a street or public place, or from a vehicle, stall or barrow, shall be guilty of an offence.]

[^{F2}(2) Any person guilty of an offence under subsection (1)(a), (b) or (c) or subsection (1A) shall be liable on summary conviction to imprisonment for a term not exceeding three months or to a fine not exceeding level 4 on the standard scale or to both, and any person guilty of an offence under subsection (1)(d) shall be liable on summary conviction to a fine not exceeding level 2 on the standard scale.]

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11 Regulations with respect to the safety, etc., of animals.

- (1) The Ministry may by regulations make provision for the safety, health and welfare of animals in any petshop or animal boarding, riding or zoological establishment.
- (2) Regulations made under this section shall be subject to negative resolution.

[^{F3}11A Livery establishments and other premises where horses are kept.

- (1) The Department may by order extend such provisions of this Part—
 - (a) to such livery establishments;
 - (b) to such premises where horses are kept in the course of a business, not being a livery or riding establishment;
 subject to such modifications, as may be specified in the order.
- (2) Orders under this section shall be subject to affirmative resolution.]

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12 Interpretation of Part II.

- (1) In this Part—

“animal”, in relation to a petshop or zoological establishment, includes any description of vertebrate; in relation to an animal boarding establishment, means any cat or dog; and in relation to a riding establishment, means a horse; [^{F4} and “wild animal” means an animal not normally domesticated in Northern Ireland;]

“animal boarding establishment” means any premises at which the business of providing accommodation for other people's cats or dogs in return for payment is carried on, other than accommodation so provided in connection with a business of which the provision of such accommodation is not the main activity;

[^{F4}“livery establishment” means any premises where horses are kept in return for payment, being premises which are not a riding establishment;]

[^{F5}“petshop” means any premises,^{F4} . . . where animals are kept primarily for the purpose of sale as pets but does not include any premises where only pedigree animals (that is to say, animals which by their breeding are eligible for registration with a recognised club or society) are bred and sold,]

“riding establishment” means any premises where horses are kept for the purpose of their being let out on hire for riding or their being used in providing, in return for payment, instruction in riding;

“zoological establishment” means any premises where [^{F4} wild] animals are permanently kept primarily for the purpose of exhibition to the public.
- (2) For the purposes of this Part a riding establishment shall be deemed to be kept at the premises where the horses employed for the purposes of the business concerned are kept.

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