



2011 CHAPTER 16

PART 5

GENERAL

[^{F1}Service animals

51A.—(1) Subsections (2) and (3) apply when it is being determined in connection with section 4(1) whether suffering is unnecessary in a case where the suffering was caused by conduct for the purpose mentioned in section 4(3) (c)(ii).

(2) The fact that the conduct was for the purpose mentioned in section 4(3) (c)(ii) is to be disregarded if—

(a) the animal was—

- (i) under the control of a relevant officer at the time of the conduct, and
- (ii) being used by the officer at the time of the conduct, in the course of the officer's duties, in a way that was reasonable in all the circumstances, and

(b) the conduct was that of someone other than the officer.

(3) A relevant officer is—

(a) a constable (but see subsection (4)),

(b) a person (other than a constable)—

- (i) employed for the purposes of the police, or
- (ii) engaged to provide services for the purposes of the police, or

(c) a prisoner custody officer as defined in Chapter 3 of Part 8 of the Criminal Justice and Public Order Act 1994.

Changes to legislation: *There are currently no known outstanding effects for the Welfare of Animals Act (Northern Ireland) 2011, Section 51A. (See end of Document for details)*

(4) A reference in this section to a constable excludes a member of the Naval, Military or Royal Air Force Police.

(5) The Department of Agriculture, Environment and Rural Affairs may by regulations amend this section so as to alter the meaning of a relevant officer in this section.

(6) Only a person in the public service of the Crown may be included within the meaning of a relevant officer in this section by virtue of regulations under this section.]

Textual Amendments

F1 S. 51A inserted (31.3.2022) by [Animal Welfare \(Service Animals\) Act \(Northern Ireland\) 2022 \(c. 9\), ss. 1, 2\(1\)](#)

Changes to legislation:

There are currently no known outstanding effects for the Welfare of Animals Act (Northern Ireland) 2011, Section 51A.