

*These notes refer to the Welfare of Animals Act (Northern Ireland)
2011 (c.16) which received Royal Assent on 29 March 2011*

Welfare of Animals Act (Northern Ireland) 2011

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 3 - Animals in Distress

Section 19 - Orders in relation to animals taken under section 17(5)

Where an animal has been taken into possession under section 17 and the animal is being retained, this section enables a magistrate's court to make an order for the treatment, giving up, sale, disposal or destruction of the animal. Either the owner of the animal or another person with a sufficient interest in the animal can apply to the court for an order to be made. The court cannot make an order unless either the owner has been given an opportunity to be heard, or the court is satisfied that it is not reasonably practical to communicate with the owner.

Where a court orders that the animal taken into possession be sold, the proceeds of the sale to which the owner is entitled may be reduced so as to take account of the expenses incurred by the person who seized or cared for the animal and the expenses incurred by any person carrying out the order for sale. In making an order the court must also have regard to protecting the animal's value and avoid increasing any expenses which a person may incur or be ordered to reimburse.