

*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 4 - Enforcement

Enforcement Powers

Section 21 – Seizure of animals involved in fighting offences

Section 21 confers on a constable power to take possession of an animal in relation to which an offence under section 8 has been committed. The use of this power would ensure that a seized animal could not be involved in further fighting offences.

Section 22 - Entry and search under warrant in connection with offences

This section provides that a lay magistrate may issue a warrant authorising an inspector or a constable to enter premises to search for evidence of offences relating to unnecessary suffering, prohibited procedures, tail docking, administration of poisons, fighting, ensuring welfare, failing to comply with an improvement notice, carrying out relevant activities without a licence or registration, abandonment, or breaching a disqualification imposed under section 33.

Section 23 - Inspection of records required to be kept by holder of licence

This section enables an inspector to require that the holder of a licence, granted under regulations must produce any records that the licence holder is required to keep as a condition of that licence.

Section 24 - Inspection in connection with licences

This section concerns powers of inspection in relation to activities for which it is necessary to obtain a licence. It provides that routine inspections may be carried out to check that licence conditions are being complied with. Currently, in relation to some activities that require a licence, inspections can only be made when inspectors suspect an offence has been committed.

Section 25 - Inspection in connection with registration

This section concerns powers of inspection in relation to activities for which it is necessary to register under section 12.

Section 26 – Inspection of premises to check compliance with regulations made under section 13

This section allows inspectors to enter and inspect premises, except a private dwelling, in order to check compliance with regulations made under section 13 dealing with the prohibition on keeping certain animals.

Section 27 - Inspection of farm premises

This section allows inspectors to enter and inspect farm premises in order to check compliance with regulations made under the Act to secure the welfare of animals bred or kept for farming purposes and in order to ascertain whether an offence under the Act has been committed.

Section 28 - Inspection relating to Community obligations

This section provides a power for inspectors to enter and check compliance with regulations under section 11 which implement a Community obligation to secure welfare of animals. This power mirrors a power contained in the Diseases of Animals (Northern Ireland) Order 1981 as amended. It does not extend to any part of a premises used as a private dwelling (subsection (3)).