



## 2011 CHAPTER 16

### **PART 3**

#### **ANIMALS IN DISTRESS**

##### **Orders in relation to animals taken under section 17(5)**

**19.—**(1) A magistrates' court may order any of the following in relation to an animal taken into possession under section 17(5)—

- (a) that specified treatment be administered to the animal;
- (b) that possession of the animal be given up to a specified person;
- (c) that the animal be sold;
- (d) that the animal be disposed of otherwise than by way of sale;
- (e) that the animal be destroyed.

(2) If an animal is taken into possession under section 17(5) when it is pregnant, the power conferred by subsection (1) shall also be exercisable in relation to any offspring that results from the pregnancy.

(3) The power conferred by subsection (1) shall be exercisable on application by—

- (a) the owner of the animal, or
- (b) any other person appearing to the court to have a sufficient interest in the animal.

(4) A court may not make an order under subsection (1) unless—

- (a) it has given the owner of the animal an opportunity to be heard; or
- (b) it is satisfied that it is not reasonably practicable to communicate with the owner.

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*Changes to legislation: There are currently no known outstanding effects for the Welfare of Animals Act (Northern Ireland) 2011, Section 19. (See end of Document for details)*

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- (5) Where a court makes an order under subsection (1), it may—
- (a) appoint a person to carry out, or arrange for the carrying out, of the order;
  - (b) give directions with respect to the carrying out of the order;
  - (c) confer additional powers (including power to enter premises where the animal is being kept) for the purpose of, or in connection with, the carrying out of the order;
  - (d) order a person to reimburse the expenses of carrying out the order.

(6) In determining how to exercise its powers under this section, the court must have regard, amongst other things, to the desirability of protecting the animal's value and avoiding increasing any expenses which a person may incur or be ordered to reimburse.

(7) A person commits an offence if that person intentionally obstructs a person in the exercise of any power conferred by virtue of this section.

(8) If the owner of the animal is subject to a liability by virtue of section 17(13) or subsection (5)(d) of this section, any amount to which the owner is entitled as a result of sale of the animal may be reduced by an amount equal to that liability.

**Changes to legislation:**

There are currently no known outstanding effects for the Welfare of Animals Act (Northern Ireland) 2011, Section 19.