

Status: Point in time view as at 02/04/2012.

Changes to legislation: There are currently no known outstanding effects for the Welfare of Animals Act (Northern Ireland) 2011, Section 5. (See end of Document for details)



2011 CHAPTER 16

PART 2

PROTECTION OF ANIMALS

Prevention of harm

Prohibited procedures

5.—(1) A person commits an offence if—

- (a) that person carries out a prohibited procedure on a protected animal;
- (b) that person causes such a procedure to be carried out on such an animal.

(2) A person commits an offence if—

- (a) that person is responsible for an animal,
- (b) another person carries out a prohibited procedure on the animal, and
- (c) the first-mentioned person permitted that to happen or failed to take such steps (whether by way of supervising the other person or otherwise) as were reasonable in all the circumstances to prevent that happening.

(3) A person commits an offence if that person takes a protected animal, or causes a protected animal to be taken, from a place in Northern Ireland for the purpose of having a prohibited procedure carried out on the animal at a place outside Northern Ireland.

(4) In this section references to the carrying out of a prohibited procedure on an animal are to the carrying out of a procedure which involves interference with the sensitive tissues or bone structure of the animal.

(5) This section does not apply—

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- (a) in relation to—
- (i) any procedure carried out by a veterinary surgeon;
 - (ii) any procedure carried out for the diagnosis of disease;
 - (iii) any procedure carried out for the purposes of medical treatment of an animal;
 - (iv) any other procedure which is specified in regulations made by the Department;
- (b) to the removal of the whole or any part of a dog's tail (which is dealt with in section 6).

(6) Before making regulations under subsection (5), the Department must consult such persons appearing to the Department to represent relevant interests as the Department considers appropriate.

Modifications etc. (not altering text)

- C1** S. 5(1)(2) excluded (2.4.2012) by [The Welfare of Animals \(Permitted Procedures by Lay Persons\) Regulations \(Northern Ireland\) 2012 \(S.R. 2012/153\)](#), art. 1, reg. 3, **Schs. 1-11**

Commencement Information

- I1** S. 5 partly in operation; s. 5 not in operation at Royal Assent see s. 59; s. 5(5)(a)(iv) and (6) in operation at 11.7.2011 by [S.R. 2011/245](#), **art. 2**, **Sch. 1**
- I2** S. 5 in operation at 2.4.2012 by [S.R. 2012/154](#), art. 2(a), **Sch. 1**

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