



2011 CHAPTER 23

**PART 5**

**DOGS**

*Supplementary*

**Byelaws**

**46.—**(1) Where, apart from this subsection, a district council has at any time power to make a byelaw in relation to any matter specified in any of paragraphs (a) to (d) of section 40(3) as respects any land, it may not make such a byelaw if at that time it has power under this Part to make a dog control order as respects that land in relation to the matter specified in that paragraph.

(2) Subsection (1) does not affect any byelaw which the district council had power to make at the time it was made.

(3) Where a dog control order is made in relation to any matter specified in any of paragraphs (a) to (d) of section 40(3) as respects any land, any byelaw previously made by a district council which has the effect of making a person guilty of any offence in relation to the matter specified in that paragraph as respects that land shall cease to have that effect.

(4) Where any act or omission would, apart from this subsection, constitute an offence under a dog control order and any byelaw, the act or omission shall not constitute an offence under the byelaw.

**Commencement Information**

**II** S. 46 in operation at 1.4.2012 by [S.R. 2012/13](#), art. 2(2), [Sch. 2](#)

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*Changes to legislation: There are currently no known outstanding effects for the Clean Neighbourhoods and Environment Act (Northern Ireland) 2011, Cross Heading: Supplementary. (See end of Document for details)*

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### **Power of district councils to obtain information**

**47.—(1)** —(1) Subject to subsection (2), a district council may serve on any person a notice requiring that person to supply to the council, within a period or at times specified in the notice and in a form so specified, any information so specified which the council reasonably considers that it needs for the purposes of any function conferred on the council by this Part.

(2) Regulations may restrict the information which may be required under subsection (1) and determine the form in which the information is to be so required.

(3) A person who—

- (a) fails without reasonable excuse to comply with the requirements of a notice served under this section, or
- (b) in supplying any information in compliance with such a notice, makes any statement which that person knows to be false in a material particular or recklessly makes any statement which is false in a material particular,

is guilty of an offence and liable on summary conviction to a fine not exceeding level 4 on the standard scale.

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#### **Commencement Information**

**I2** S. 47 in operation at 1.4.2012 by S.R. 2012/13, art. 2(2), **Sch. 2**

**Changes to legislation:**

There are currently no known outstanding effects for the Clean Neighbourhoods and Environment Act (Northern Ireland) 2011, Cross Heading: Supplementary.