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DRAFT STATUTORY RULES OF NORTHERN IRELAND

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**2013 No.**

**The Welfare of Animals (Dog Breeding  
Establishments and Miscellaneous Amendments)  
Regulations (Northern Ireland) 2013**

**PART II**

**ISSUING OF LICENCES**

**Licences**

- 5.—**(1) An application for a licence shall—
- (a) be in writing;
  - (b) be in the form prescribed in Schedule 1; and
  - (c) be accompanied by the appropriate fee specified in regulation 8(1).
- (2) On receipt of a fully completed application for a licence an inspector shall carry out an inspection of the applicant's breeding establishment to ensure that the requirements specified in Schedule 4 are being met in relation to the establishment;
- (3) A district council shall grant a licence to the applicant, if it is satisfied that—
- (a) the breeding establishment is situated in its district council area;
  - (b) the requirements specified in Schedule 4 are being met in relation to the establishment; and
  - (c) the appropriate fee has been paid in accordance with regulation 8(1).
- (4) In fulfilling its functions under these Regulations a district council shall have regard to guidance issued by the Department.
- (5) A licence granted by a district council under these Regulations shall—
- (a) be in writing;
  - (b) be in the form specified in Schedule 2;
  - (c) subject to regulations 9 or 12, remain in force for a period of one year;
  - (d) state the number of bitches and other dogs over 6 months of age to be kept under the terms of the licence;
  - (e) be subject to the licensing conditions specified in Schedule 4; and
  - (f) may be subject to additional conditions as specified in the licence.
- (6) The holder of a licence shall ensure that a copy of the licence granted under these Regulations shall be displayed at all premises comprising the breeding establishment.
- (7) A district council shall maintain a register of all persons licensed under these Regulations and the register shall include all the details prescribed in Schedule 3.
- (8) The register may be kept in manual or computerised form so long as the record is capable of being reproduced in a legible form for inspection.

### Persons who shall not apply for a licence

- 6.—(1) A person shall not apply for a licence if they are disqualified under—
- (a) section 33 of the Act;
  - (b) section 34 of the Animal Welfare Act 2006<sup>(1)</sup>;
  - (c) section 40(1) and (2) of the Animal Health and Welfare (Scotland) Act 2006 (disqualification orders)<sup>(2)</sup>;
  - (d) section 33A of the Dogs (Northern Ireland) Order 1983<sup>(3)</sup>;
  - (e) section 3(3) of the Breeding of Dogs Act 1973 from keeping a breeding establishment<sup>(4)</sup>;
  - (f) section 4(3) of the Riding Establishments Act 1964 from keeping a riding establishment<sup>(5)</sup>;
  - (g) section 3(3) of the Animal Boarding Establishments Act 1963 from keeping a boarding establishment<sup>(6)</sup>;
  - (h) section 1(1) of the Protection of Animals (Amendment) Act 1954 from having custody of an animal<sup>(7)</sup>;
  - (i) section 5(3) of the Pet Animals Act 1951 from keeping a pet shop<sup>(8)</sup>; or
  - (j) section 5(2) or 9(5) of the Control of Dogs (Scotland) Act 2010<sup>(9)</sup>;

and any licence issued to such a person is invalid.

- (2) A person under 16 years of age shall not apply for a licence.

### Death of a licence holder

7.—(1) In the event of the death of the licence holder, that licence is deemed to have been granted to the personal representatives of the licence holder and remains in force for a period of 3 months beginning with the date of death, but remains subject to the provisions in Part III.

(2) Paragraph (1) shall not apply in the case of a personal representative who is subject to a disqualification order under any of the provisions set out in regulation 6.

(3) The personal representative shall notify the district council which issued the licence that the licence has been vested in them within 1 month of the death of the licence holder.

(4) A district council may, on the application of those personal representatives, extend the period of 3 months referred to in paragraph (1) if the district council is satisfied that the extension is necessary for the purpose of winding up the deceased's estate and that no other circumstances make extension undesirable.

### Fees

- 8.—(1) A district council shall charge the following fee—
- (a) in the case of a breeding establishment at which not more than 10 bitches are kept, £150;
  - (b) in the case of a breeding establishment at which not less than 11 and not more than 25 bitches are kept, £200;

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(1) 2006 c. 45  
(2) 2006 asp. 11  
(3) S.I. 1983 No. 764 (N.I.8) as amended by 1991 (N.I.21)  
(4) 1973 c. 60  
(5) 1964 c. 70  
(6) 1963 c. 43  
(7) 1954 c. 40  
(8) 1951 c. 35  
(9) 2010 asp. 9

- (c) in the case of a breeding establishment at which not less than 26 and not more than 50 bitches are kept, £250;
  - (d) in the case of a breeding establishment at which not less than 51 and not more than 100 bitches are kept, £300;
  - (e) in the case of a breeding establishment at which not less than 101 and not more than 200 bitches are kept, £350; and
  - (f) for establishments over 200 bitches, £350 plus an amount of £50 for every additional 100 bitches.
- (2) The fee charged for granting a licence is not refundable.