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STATUTORY INSTRUMENTS

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**1983 No. 764**

**The Dogs (Northern Ireland) Order 1983**

**PART I**

**INTRODUCTORY**

**Title and commencement**

1.—(1) This Order may be cited as the Dogs (Northern Ireland) Order 1983.

(2) Subject to paragraph (3), this Order shall come into operation on such day or days as the Head of the Department may by order appoint<sup>F1</sup>.

(3) Articles 28 to 30 and Article 56(2) and Schedule 2 to the extent that they repeal the Dogs Act (Northern Ireland) 1960 and sections 1 and 4 of the Livestock (Protection from Dogs) Act (Northern Ireland) 1968 shall come into operation on the expiration of the period of 2 months from the day on which the order is made.

<b>F1</b> fully exercised by SR 1983/165,376
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**Interpretation**

2.—(1) The Interpretation Act (Northern Ireland) 1954 shall apply to Article 1 and the following provisions of this Order as it applies to a Measure of the Northern Ireland Assembly.

(2) In this Order—

“action” includes a counterclaim;

“attacking a person” means—

(a) attacking a person; or

(b) behaving in such a manner so as to cause a person apprehension of being attacked;

“block licence” means a licence issued under Article 8(1);

“breeding establishment” means any premises (including a private dwelling)—

(a) in which a dog is kept by a person who owns 3 or more unsterilised bitches any of which is used for the purposes of breeding; or

(b) in which an unsterilised bitch is kept by a person, not being the owner of the bitch, for the purposes of breeding;

“cattle” means bulls, bullocks, cows, heifers or calves;

“the Department” means the Department of Agriculture;

“dog” includes bitch and a dog of any age;

“dog licence” means a licence issued under Article 6(1);

“dog pound” means a dog pound established by a district council or used by a council under arrangements made under Article 40(a);

“guard dog” means a dog which is being used to protect—

- (a) such places as the Department may, by order, specify; or
- (b) goods kept at places so specified; or
- (c) a person guarding places so specified or such goods;

“guard dog kennels” means any premises where a person in the course of business keeps a dog which (notwithstanding that it is used for other purposes) is used as a guard dog elsewhere, other than a dog which is used as a guard dog only at a place belonging to or occupied by its owner;

“issue” includes the issue of a licence by way of renewal;

“Kennel Club” means the club established for the registration of pedigree dogs in Great Britain and Northern Ireland;

“livestock” includes cattle, horses, asses, mules, hinnies, sheep, goats, pigs, poultry, deer in enclosed land where deer are usually kept, and, while in captivity, pheasants, partridges, grouse and quails;

“officer” means an officer of a district council authorised in writing by the council;

“poultry” means domestic fowls, turkeys, geese, ducks, guinea-fowls, pigeons and peacocks;

“prescribed” means prescribed by regulations;

[<sup>F2</sup>“public place” means any road or other place (whether or not enclosed) to which the public have or are permitted to have access whether for payment or otherwise and includes the common parts of a building containing two or more separate dwellings;]

“regulations” means regulations made by the Department subject to negative resolution;

“road” has the same meaning as in the Road Traffic (Northern Ireland) Order 1981;

“under control”, in relation to a dog, means restrained by a chain or other sufficient leash held by a person exercising proper control over the dog;

“unsterilised” means not rendered permanently incapable of breeding by surgical methods;

“veterinary surgeon” has the meaning assigned to it by the Veterinary Surgeons Act 1966 and includes a veterinary practitioner within the meaning of that Act;

“worrying livestock” means—

- (a) attacking or killing livestock; or
- (b) chasing livestock in such a way as may reasonably be expected to cause the death of, or injury or suffering to, the livestock or to result in financial loss to the owner of the livestock.

[<sup>F3</sup>(2A) An officer may, by an authorisation, delegate to another person such of his functions under this Order as are specified in the authorisation, but he shall remain responsible for securing that the functions are properly discharged.]

(3) Subject to paragraphs (4) to (6), a person is the keeper of a dog if—

- (a) he owns the dog or has it in his possession; or
- (b) he is the head of a household of which a member under the age of 16 owns the dog or has it in his possession;

and if at any time a dog ceases to be owned by or to be in the possession of a person, any person who immediately before that time was the keeper of the dog by virtue of the preceding provisions of this paragraph continues to be the keeper of the dog until another person becomes the keeper of the dog by virtue of those provisions.

(4) A veterinary surgeon in the conduct of his practice or the owner of boarding kennels in the conduct of the business of the kennels is not the keeper of a dog by virtue of his possession of it.

(5) Where a dog is taken into and kept in possession for the purpose of preventing it from causing damage or of restoring it to its owner, a person is not the keeper of it by virtue only of that possession.

(6) A person shall not be treated as the keeper of a dog by virtue of his possession of it if he proves that his possession of it is transitory and that some other person has habitual possession of it.

(7) The occupier of any land where any dog is found shall be deemed to be the person who keeps that dog unless he proves—

- (a) that he is not the keeper of the dog; and
- (b) that the dog was permitted to remain on the land without his knowledge.

**F2** [1991 NI 21](#)

**F3** [1996 NI 11](#)

**Changes to legislation:**

There are currently no known outstanding effects for the The Dogs (Northern Ireland) Order 1983, PART I.