
STATUTORY INSTRUMENTS

1983 No. 764

The Dogs (Northern Ireland) Order 1983

PART II

LICENCES AND REGISTRATION

Guard dog kennels

Prohibition on guard dog kennels

9.—(1) A person shall not keep guard dog kennels unless he is registered in accordance with Article 10 in respect of the kennels.

(2) A person shall not use or permit the use at any place of a guard dog if he knows or has reasonable cause to suspect that the dog (when not being used as a guard dog) is normally kept at guard dog kennels in respect of which a person is not registered under Article 10.

(3) Any person who contravenes paragraph (1) or (2) shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding £200.

Registration in respect of guard dog kennels

10.—(1) An application for registration shall be made to the district council for the district in which the guard dog kennels named in the application are situated.

(2) A person who is disqualified for keeping a dog under^[F1] Article 33A or^[F2] section 33 of the Welfare of Animals Act (Northern Ireland) 2011] shall not be registered in respect of guard dog kennels.

(3) The district council shall register an applicant in respect of the guard dog kennels named in an application and issue to him a certificate of registration.

(4) Registration shall be for such period as may be specified in the certificate of registration.

(5) Where—

(a) a person is convicted of any offence under this Order or under ^[F3]Part 2 of the Welfare of Animals Act (Northern Ireland) 2011]; or

(b) the kennels named in an application for registration or in respect of which a person is registered do not comply with regulations under paragraph (6)(a);

the district council may refuse the application for registration or, as the case may be, cancel the registration of that person in respect of the guard dog kennels.

(6) Regulations may—

(a) make provision as to the construction, and operation, of guard dog kennels;

(b) make provision as to the information to be supplied on any application for registration under this Article.

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| F1 | 1991 NI 21 |
| F2 | Words in art. 10(2) substituted (11.7.2011) by Welfare of Animals Act (Northern Ireland) 2011 (c. 16), ss. 57(1), 59, Sch. 4 para. 1 (with ss. 1(2), 52(1), 53, 54); S.R. 2011/245, art. 2 , Sch. 1 |
| F3 | Words in art. 10(5)(a) substituted (11.7.2011) by Welfare of Animals Act (Northern Ireland) 2011 (c. 16), ss. 57(1), 59, Sch. 4 para. 2 (with ss. 1(2), 52(1), 53, 54); S.R. 2011/245, art. 2 , Sch. 1 |

Appeal against refusal of, or cancellation of, registration in respect of guard dog kennels

11.—(1) Not less than 14 days before refusing an application for registration, or cancelling any registration, in respect of guard dog kennels under Article 10(5), the district council shall serve notice of its intention to refuse the application on the applicant or, as the case may be, notice of its intention to cancel the registration on the person registered.

(2) Every such notice shall state the grounds on which the district council intends to refuse the application or cancel the registration and shall contain an intimation that if, within 14 days after the service of the notice, the applicant or, as the case may be, the person registered informs the council in writing of his desire to show cause, in person or by a representative, why the application should not be refused or the registration not cancelled, the council shall, before refusing the application or cancelling the registration, afford him an opportunity to do so.

(3) If the district council, after giving the applicant or, as the case may be, the person registered an opportunity of being heard by it, decides to refuse the application for registration, or to cancel the registration, it shall serve notice of the decision on the applicant or, as the case may be, the person registered, and such notice shall inform him of his right to appeal under paragraph (4) and of the time within which the appeal may be brought.

(4) A person aggrieved by a decision refusing or cancelling any registration may, by notice under Part VII of the Magistrates' Courts (Northern Ireland) Order 1981, appeal to a court of summary jurisdiction and the cancellation under Article 10(5) shall not take effect until the expiration of the time within which an appeal may be brought under this paragraph or, where such an appeal is brought, before the determination of the appeal.

(5) The decision of a court of summary jurisdiction on an appeal brought under paragraph (4) shall be final, and the district council shall give effect to that decision.

Changes to legislation:

There are currently no known outstanding effects for the The Dogs (Northern Ireland) Order 1983, Cross Heading: Guard dog kennels.