



## 2022 CHAPTER 9

### **Amendment of the 2011 Act**

1. In the Welfare of Animals Act (Northern Ireland) 2011, after section 51 insert—

#### **“51A Service animals**

(1) Subsections (2) and (3) apply when it is being determined in connection with section 4(1) whether suffering is unnecessary in a case where the suffering was caused by conduct for the purpose mentioned in section 4(3)(c)(ii).

(2) The fact that the conduct was for the purpose mentioned in section 4(3)(c)(ii) is to be disregarded if—

(a) the animal was—

(i) under the control of a relevant officer at the time of the conduct, and

(ii) being used by the officer at the time of the conduct, in the course of the officer’s duties, in a way that was reasonable in all the circumstances, and

(b) the conduct was that of someone other than the officer.

(3) A relevant officer is—

(a) a constable (but see subsection (4)),

(b) a person (other than a constable)—

(i) employed for the purposes of the police, or

(ii) engaged to provide services for the purposes of the police, or

(c) a prisoner custody officer as defined in Chapter 3 of Part 8 of the Criminal Justice and Public Order Act 1994.

(4) A reference in this section to a constable excludes a member of the Naval, Military or Royal Air Force Police.

(5) The Department of Agriculture, Environment and Rural Affairs may by regulations amend this section so as to alter the meaning of a relevant officer in this section.

(6) Only a person in the public service of the Crown may be included within the meaning of a relevant officer in this section by virtue of regulations under this section.”.

### **Commencement and short title**

**2.—**(1) This Act comes into operation on the day after receiving Royal Assent.

(2) This Act may be cited as the Animal Welfare (Service Animals) Act (Northern Ireland) 2022.