

EXPLANATORY MEMORANDUM TO
THE DOGS (LICENSING AND IDENTIFICATION) REGULATIONS (NORTHERN
IRELAND) 2011

S.R. 2011 No. 279

1. Introduction

1.1 This Explanatory Memorandum has been prepared by the Department of Agriculture and Rural Development to accompany the Statutory Rule (details above) which is laid before the Northern Ireland Assembly.

1.2 The Department of Agriculture and Rural Development proposes to make the above named Statutory Rule under powers conferred on it by the Dogs (NI) Order 1983 as amended by the Dogs (Amendment) Act (NI) 2011 which will be commenced on 3 October 2011 and is subject to the negative resolution procedure.

1.3 The Statutory Rule complies with the 21 day rule and will come into operation on 3 October 2011.

2. Purpose

2.1 The format of the dog licence application form and licence is prescribed in schedules to the Dogs (Licensing and Identification) Regulations (NI) 1983. Amendments to the forms prescribed in the Regulations are required in order to enforce changes to the Dogs (NI) Order 1983 introduced by the Dogs (Amendment) Act (NI) 2011. The above named Statutory Rule implements these changes.

3. Background

3.1 The Dogs Amendment Act (NI) 2011 was granted Royal Assent on 8 March 2011. The Act amended the Dogs (NI) Order 1983 to increase the dog licence fee, introduce new concessionary rates and give new powers for district council dog wardens to attach control conditions to dog licences. These changes required amendments to be made to the forms prescribed in the Dogs (Licensing and Identification) Regulations (NI) 1983.

3.2 In keeping with the principles of Better Regulation, the Dogs (Licensing and Identification) Regulations (NI) 1983 will be revoked and replaced with the above named Statutory Rule. The impact will simply be to amend the various forms set out in the schedules, facilitating the amendments introduced by the Dogs (Amendment) Act (NI) 2011. The consolidation will avoid confusion resulting from

the amendments, and ensure that the subordinate legislation is readily available and accessible to the public.

4. Consultation

4.1 The Department consulted fully on proposals for new dog control legislation in late 2009, the outcome of which was the 2011 Act. Some 740 organisations and individuals were consulted on the policy behind the Act, including all district councils. The Department has worked with the Northern Ireland Dogs Advisory Group (NIDAG), who represent council dog wardens, in developing these prescribed forms. As the changes in the Regulations are only technical changes to the current forms and licences used by district councils no further consultation is considered necessary.

5. Equality Impact

5.1 In accordance with the Department's obligations under Section 75 of the Northern Ireland Act 1998, the equality implications of the proposed Regulations have been assessed.

5.2 The legislation has been screened for equality issues and none were identified. It is not expected that the Regulations will impact differentially across any of the section 75 groups.

6. Regulatory Impact and Financial Implications

6.1 As a regulatory impact assessment was carried out on the Dogs (Amendment) Act (NI) 2011, no further assessment is necessary. This Regulation creates no administrative burden on the agri-food sector. In keeping with Better Regulation guidance, the Dogs (Licensing and Identification) Regulations (NI) 1983 will be revoked and replaced with these new Regulations.

7. Section 24 of the Northern Ireland Act 1998

7.1 The Rule is deemed to comply with the requirements of section 24 of the Northern Ireland Act 1998.

8. EU Implications

8.1 There are no EU implications.

9. Position in GB and ROI

9.1 GB does not have a dog licensing system. ROI have a dog licensing system, with the licence fee currently at €12.70. The Dog Breeding Establishments Act 2010 makes provision to increase the licence fee to €20.

10. Contact

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