

2012 No. 132

DOGS

**The Dogs (Licensing and Identification) Regulations (Northern
Ireland) 2012**

Made - - - - - *16th March 2012*

Coming into operation - - - - - *9th April 2012*

The Department of Agriculture and Rural Development^(a), makes the following Regulations in exercise of the powers conferred by Articles 6(2), (3) and (5), 7(9), 8(2) and (3), 15(1), 31(1) and 31(1A) of the Dogs (Northern Ireland) Order 1983^(b):

PART 1

GENERAL

Citation and commencement

1. These Regulations may be cited as the Dogs (Licensing and Identification) Regulations (Northern Ireland) 2012 and shall come into operation on 9th April 2012.

Interpretation

2. In these Regulations—

“certificate of registration” means a certificate of registration issued by the Kennel Club, the Irish Coursing Club, the Masters of Foxhounds Association, the Masters of Harriers and Beagles Association, the Northern Ireland Master of Hounds Association, the International Sheep Dog Society or any other such organisation that the Department may specify by an order made under Article 8(1) of the Order;

“greyhound” means a greyhound, or the pup of a greyhound dog and greyhound bitch, which has been entered into the Irish Greyhound Stud Book in which thoroughbred greyhounds are registered and identified under the Constitution of the Irish Coursing Club;

“licensed” means kept under the authority of a dog licence or block licence; and

“the Order” means the Dogs (Northern Ireland) Order 1983.

(a) Formerly the Department of Agriculture for Northern Ireland; see S.I. 1999/283 (N.I. 1) Article 3(4)

(b) S.I. 1983/764 (N.I. 8), as amended by S.I. 1991/2292 (N.I. 21), 2001 c.1 (N.I.) and 2011 c.9 (N.I.)

PART 2

LICENSING

Period of validity of a dog licence

- 3.—(1) A dog licence shall, unless suspended, remain in force for a period of one year.
(2) A block licence shall, unless suspended, remain in force for a period of one year.

Forms

- 4.—(1) An application for a dog licence shall be in the form set out in Schedule 1.
(2) A dog licence shall be in the form set out in Schedule 2.
(3) A transfer certificate shall be in the form set out in Schedule 3.
(4) An application for a refund of a dog licence shall be in the form set out in Schedule 4.
(5) An application for a block licence shall be in the form set out in Schedule 5 and shall be accompanied, where appropriate, by certificates of registration for dogs kept at premises in respect of which the block licence is sought.
(6) A block licence shall be in the form set out in Schedule 6.

Register of dog licences and block licences

- 5.—(1) The register of dog licences and block licences to be kept by district councils under Article 15(1) of the Order shall contain such particulars as are set out in Schedule 7.
(2) The register may be kept in manual or computerised form so long as the recording is capable of being reproduced in a legible form for inspection.

PART 3

IDENTIFICATION

Identification of the keeper

- 6.—(1) Subject to paragraph (2), the keeper of a dog in respect of which a licence is required under the Order or of a dog to which Article 5(a), (b) or (d) of the Order applies shall ensure that the dog wears a collar with the name and address of the keeper inscribed on it or on a plate or badge attached to it.
(2) The provisions of paragraph (1) shall not apply to the keeper of a dog—
(a) which is a member of a pack of hounds; or
(b) while that dog is being judged at a competition; or
(c) while that dog is being used for—
(i) any sporting purposes;
(ii) the capture or destruction of vermin;
(iii) the purpose of driving or tending sheep or cattle.

Licence identification

- 7.—(1) Subject to paragraph (5), the keeper of a dog which is required to be licensed shall ensure that the dog wears attached to its collar licence identification which shall relate to—
(a) the dog licence issued in respect of that dog (“the relevant dog licence”); or

(b) the block licence issued for a premises on which that dog is kept (“the relevant block licence”).

(2) Licence identification shall be of metal or plastic not less than 1.00mm in thickness and shall be of the shape, dimensions and colour set out in Schedule 8 in relation to the period during which a dog licence or block licence is issued.

(3) Licence identification shall be issued to the licence holder by the district council for the district in which that person resides and shall bear a symbol or mark which denotes the district council by which it was issued.

(4) Licence identification shall not be attached to a dog other than—

- (a) the dog in respect of which the relevant dog licence was issued; or
- (b) a dog in relation to which the relevant block licence was issued; or
- (c) the new dog where a licence transfer certification has been issued in accordance with the provisions of Article 6(4) of the Order.

(5) The provisions of paragraph (1) shall not apply to the keeper of a dog—

- (a) which is a member of a pack of hounds; or
- (b) while that dog is being judged at a competition; or
- (c) while that dog is being used for—
 - (i) any sporting purposes;
 - (ii) the capture or destruction of vermin;
 - (iii) the purpose of driving or tending sheep or cattle.

PART 4 MICROCHIPPING

Microchipping of dogs kept under a block licence

8.—(1) Subject to paragraphs (4) and (5) the holder of a block licence shall ensure that all dogs kept under the licence shall be microchipped before they attain the appropriate age.

(2) For the purposes of paragraph (1), in the case of such dogs the appropriate age is—

- (a) from the date these Regulations come into operation, 12 weeks;
- (b) from 1 January 2013, 8 weeks.

(3) Where a dog that has attained the appropriate age arrives on any premises for which a block licence is in force and has not already been microchipped, the holder of the licence shall microchip the dog within 7 days from the date the dog arrived on the premises.

(4) Paragraph (1) does not apply to—

- (a) a dog kept under a block licence if the holder of the licence produces to the district council a certificate signed by a veterinary surgeon to the effect that implantation (or continued implantation) of a microchip in that dog would have an adverse effect on the health of the dog;
- (b) greyhounds kept under a block licence until 1 January 2013.

(5) Paragraph (1) does not apply to the holder of a block licence issued before the coming into operation of these Regulations.

Conditions for valid microchipping

9.—(1) For the purposes of Article 6(8) of the Order and regulation 8(1) a dog is microchipped if (and only if) it is implanted with a microchip which—

- (a) generates a unique number when read by a scanning device;

- (b) is implanted by a competent person;
 - (c) complies with either ISO standard 11784:1996 or Annex A to ISO standard 11785:1996 of the International Standards Organisation's standards for microchips^(a);
 - (d) is registered on a database which holds the information set out in paragraph (2); and
 - (e) that database is accessible to officers.
- (2) A database referred to in paragraph (1) shall record the following information—
- (a) the unique number generated by the microchip;
 - (b) in respect of the keeper of the dog implanted with the microchip—
 - (i) the keepers name and address; and
 - (ii) at least one contact telephone number; and
 - (c) in respect of the dog implanted with the microchip—
 - (i) its breed;
 - (ii) its sex;
 - (iii) colour and distinguishing marks; and
 - (iv) date of birth or estimated year of birth.
- (3) A database shall be made available to an officer at all times.
- (4) For the purposes of regulation 8(1), a dog is microchipped where a microchip has been implanted in the dog before the coming into operation of section 2(1) of the Dogs (Amendment) Act (Northern Ireland) 2011.
- (5) A competent person who carries out the microchipping must make arrangements to notify the database operator of the microchip details within 7 days of carrying out the microchipping so that the database may be updated.
- (6) For the purpose of this regulation a competent person means a veterinary surgeon or person who has been received instruction on how to implant a microchip.

Powers of officers

10.—(1) An officer may require the scanning of a microchip implanted in a dog for the purposes set out in these Regulations.

(2) For the purposes of regulation 9(1) an officer may compare any information made available by a database operator with information held in any register kept in accordance with Article 15(1) of the Order or records kept under regulation 11.

Record keeping

11.—(1) A holder of a block licence shall keep a record of the microchip numbers of all dogs held under a block licence, which may be kept in written or electronic form, containing the following information—

- (a) microchip details of each of the dogs of the appropriate age kept at the premises where a block licence is in force;
- (b) date of sale, transfer or death of any dog;
- (c) the name and address of the person to whom any dog is sold or transferred; and
- (d) the new keeper's dog licence or block licence number.

(2) Information about the sale, transfer or death of any dog shall be recorded within 7 days of its sale, transfer or death.

(a) ISO Central Secretariat, International Organization for Standardization (ISO), 1 rue de Varembe, Case postale 56, CH-1211, Geneva 20, Switzerland.

(3) Records kept under this regulation shall be retained for a minimum of 3 years from the date of the last entry.

(4) The holder of a block licence shall, if required to do so by an officer, produce for inspection at all reasonable times the record kept under this regulation.

(5) Where the record is kept in written form, the holder of a block licence shall permit copies to be taken by an officer.

(6) Where the record is kept in electronic form, the holder of a block licence shall produce the record in a form which may be taken away by an officer.

Revocation

12. The Dogs (Licensing and Identification) Regulations (Northern Ireland) 2011(a) are revoked.

Sealed with the Official Seal of the Department of Agriculture and Rural Development on 16th March 2012.



C. McMaster

A senior officer of the Department of Agriculture and Rural Development

SCHEDULE 1

Regulation 4(1)

Application for a Dog Licence

The Dogs (Northern Ireland) Order 1983

Application for a Dog Licence

Details of applicant (Please use BLOCK LETTERS)

Title (Mr, Mrs, etc)	Forename/s	Surname	
Address			Postcode
Contact telephone number			
Email address (<i>if available</i>)			
Date of expiry of previous licence (<i>if any</i>)			

Description of dog

Colour	Breed	Male or Female	Is the dog sterilised? Yes/No
Age	Distinguishing marks (<i>if any</i>)		
Microchip number			
Name of dog (<i>if any</i>)			

Control conditions

Is a notice in force attaching control conditions under Article 30A(2) of the Dogs (NI) Order 1983 to a previous licence held in respect of the above dog?	Yes/No
If Yes, please give the serial number of notice	

Exemption for prohibited types

Is the dog above subject to a contingent destruction order under Article 25C(4) or Article 33(1B) of the Dogs (NI) Order 1983?	Yes/No
If Yes, please give either—	
The date of that court order	
The serial number of an exemption certificate issued in respect of the dog	
It is a requirement that a policy of third party insurance is in force in respect of any exempted dog. Please supply—	
Policy provider	
Policy number	

Fees and concessions	Tick as appropriate	Fee
I am eligible for a free licence as I am over 65 and this is the first or only dog I keep.		None
I am over 65 and have already claimed a free licence for one dog.		£5.00
I am in receipt of an income-related benefit (within the meaning of the Social Security Administration (Northern Ireland) Act 1992 (c. 8)) at the time of the application for the licence.		£5.00
The dog described above is sterilised.		£5.00
None of the above		£12.50

NOTE: The information given above may be subject to checks.

I declare that the information given above is correct in every respect. I am not under 16 years of age and I have not been disqualified from keeping a dog.

Signed	Date
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Office use only

Fee Paid	
Licence number	
Signed	Date
Issuing Officer	
Issuing Office:	

SCHEDULE 2

Regulation 4(2)

Dog Licence

The Dogs (Northern Ireland) Order 1983

Dog Licence

Licence Number	
Title (Mr, Mrs, etc)	Forename/s Surname
Address	Postcode
Contact telephone number	
Email address (<i>if available</i>)	
is hereby authorised, having paid the fee of £ (where appropriate) to keep the dog described below up to and including (<i>insert date</i>)	

Description of Dog			
Colour	Breed	Male or Female	Sterilised? Yes/No
Age	Distinguishing marks (if any)		
Microchip number			
Name of dog (<i>if any</i>)			

Issued by/on behalf of on (<i>date</i>)	district council
Signed	Date
Issuing Officer	

NOTE: Any permanent change of address should be notified to the district council Office. WARNING: Maximum penalty for failure to produce this licence when required to do so under the above Order – Level 2 on the standard scale (currently £500).

Control conditions		Office use only
Is a notice in force attaching control conditions under Article 30A(2) of the Dogs (NI) Order 1983 to this licence?		Yes/No
Serial number of notice		
Effective from		
Review date	Result of review	Confirmed
		Modified
		Cancelled
Appeal date(s)	Result of appeal	Confirmed
		Modified
		Cancelled
Exemption for prohibited types		
Is the dog above subject to a contingent destruction order under Article 25C(4) or Article 33(1B) of the Dogs (NI) Order 1983?		Yes/No
Serial number of exemption certificate		

SCHEDULE 3
Transfer Certificate

Regulation 4(3)

The Dogs (Northern Ireland) Order 1983

Transfer Certificate

This is to certify that Licence No. _____ **held by—**

Title (Mr, Mrs etc)	Forename/s	Surname		
Address				Postcode
Contact telephone number				
Email address (<i>if available</i>)				

is hereby transferred to the dog described below.

Description of Dog				
Colour	Breed	Male or Female	Sterilised Yes/No	
Age	Distinguishing marks (if any)			
Microchip number				
Name of dog (<i>if any</i>)				

This certificate shall remain in force until _____

Signed	Date
Issuing Officer	
Issuing office: _____	

NOTE: Any permanent change of address should be notified to the district council Office.

SCHEDULE 4

Regulation 4(4)

Application for a refund of dog licence fee

The Dogs (Northern Ireland) Order 1983

Application for a refund of dog licence fee

Details of applicant (Please use BLOCK LETTERS)

Title (Mr, Mrs etc)	Forename/s	Surname
Address		Postcode
Contact telephone number		
Email address (<i>if available</i>)		

I return herewith my current dog licence and licence identification and I apply for a refund of the licence fee.

I declare that within 30 days of the date of the issue of the licence to me (<i>delete as applicable</i>)—	
(a) I did not take possession of a dog;	
(b) I disposed of the dog in respect of which the licence was issued;	
(c) The dog in respect of which the licence was issued died.	
Signed	Date

Office use only

Licence number	refund approved.
Sum of £	received in respect of licence refund.
Signed	Date
Issuing Officer	
Issuing Office:	

WARNING: Any person who keeps a dog without the appropriate licence, unless permitted to do so under the Dogs (Northern Ireland) Order 1983, shall be guilty of an offence and prosecuted accordingly.

SCHEDULE 5

Regulation 4(5)

Application for a Block Licence

The Dogs (Northern Ireland) Order 1983

Application for a Block Licence

Details of Applicant (Please use BLOCK LETTERS)

Title (Mr, Mrs etc)	Forename/s	Surname
Address		Postcode
Contact telephone number		
Email address (<i>if available</i>)		
Premises at which dogs are to be kept (<i>if different from above</i>)		
The number of dogs kept at the time of application for the licence.		
Date of expiry of previous licence (<i>if any</i>)		

I declare that the information given above is correct, that I am not under 16 years of age, that I have not been disqualified from keeping a dog, that all dogs on the premises have been microchipped and that I keep on the above premises (*delete where not applicable*)—

- (a) not less than three unsterilized bitches any of which is used for breeding purposes; or
- (b) not less than three dogs which are registered with the Kennel Club, Irish Coursing Club, Masters of Fox Hounds Association, Masters of Harriers and Beagles Association, the Northern Ireland Masters of Hound Association, the International Sheep Dog Society; or
- (c) being the premises of guard dog kennels in respect of which I am registered under Article 10, not less than three dogs which are used as guard dogs elsewhere.

Signed	Date
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NOTE: Certificates of registration must, where appropriate, be produced in support of this application.

Office use only

Eligibility checked?	
Licence number issued	
Signed	Date
Issuing Officer	
Issuing Office:	

SCHEDULE 6

Regulation 4(6)

Block Licence

The Dogs (Northern Ireland) Order 1983

Block Licence

Licence Number		
Title (Mr, Mrs etc)	Forename/s	Surname
Address		Postcode
Contact telephone number		
Email address (<i>if available</i>)		
Premises at which dogs are kept (<i>if different from above</i>)		

The above-named, having paid a fee of £ and having satisfied the conditions laid down in Article 8(1) of the Dogs (Northern Ireland) Order 1983, is hereby granted a block licence in respect of the above premises.

This licence shall remain in force until (*insert date*)

Issued by/on behalf of		district council
on (<i>date</i>)		
Signed		Date
Issuing Officer		

NOTE: Any permanent change of address should be notified to the district council Office.

WARNING: Maximum penalty for failure to produce this licence when required to do so under the above Order – Level 2 on the standard scale (currently £500).

SCHEDULE 7

Regulation 5(1)

Particulars to be contained in a register of dog licences and block licences kept by district councils:

1. The licence holder's surname, forename/s, and address;
2. The premises at which the dog/s is/are kept if different from the licence-holder's address;
3. Type of licence;
4. In the case of block licences only – the number of dogs kept at the time of application for the licence;
5. Licence number;
6. Date of issue of licence;
7. Date until which the licence is valid;
8. Any control conditions which the licence of the dog is subject to; and
9. In the case of a dog licence only – the microchip number in respect of the dog.

SCHEDULE 8

Regulation 7(2)

LICENCE IDENTIFICATION

<i>Period during which licence is issued</i>	<i>Shape</i>	<i>Dimensions</i>	<i>Colour</i>
From 1 st January 2011 up to and including 31 st December 2011	Oval	Major axis not more than 3.5 cms and not less than 3 cms. Minor axis not more than 2.5 cms and not less than 2cms.	Orange
From 1 st January 2012 up to and including 31 st December 2012	Oval	Major axis not more than 3.5 cms and not less than 3 cms. Minor axis not more than 2.5 cms and not less than 2cms.	Green
From 1 st January 2013 up to and including 31 st December 2013	Oval	Major axis not more than 3.5 cms and not less than 3 cms. Minor axis not more than 2.5 cms and not less than 2cms.	Yellow
From 1 st January 2014 up to and including 31 st December 2014	Oval	Major axis not more than 3.5 cms and not less than 3 cms. Minor axis not more than 2.5 cms and not less than 2cms.	Blue

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations revoke and remake the Dogs (Licensing and Identification) Regulations (Northern Ireland) 2011. They prescribe the various forms to be used in relation to licensing of dogs under the Dogs (Northern Ireland) Order 1983.

The forms prescribed are—

- (a) application for a dog licence;
- (b) the dog licence;
- (c) application for a block licence;
- (d) the block licence;
- (e) the certificate transferring an existing licence in respect of a dog which has died to a new dog; and
- (f) application for a refund of a dog licence in certain circumstances.

The Regulations also provide—

- (a) that a dog licence or block licence shall remain in force for a period of one year (regulation 3);
- (b) for the wearing by dogs (other than dogs used by the police, prison service or the armed forces in a public order role and dogs kept by a licensed pet shop) of a collar with the name and address of the keeper of the dog inscribed on the collar or on a plate or badge attached to it (regulation 6);
- (c) for the wearing by dogs of a coloured licence tag attached to their collars (regulation 7).

The last two provisions do not apply in respect of a dog which is a member of a pack of hounds or while it is being judged at a competition, or while it is being used for sporting purposes, the capture or destruction of vermin or for the purposes of driving or tending sheep or cattle.

The Regulations prescribe the particulars to be contained on a register of licences kept by a district council (regulation 5).

The Regulations prescribe that subject to listed exceptions on application for a block licence all dogs on the premises shall be microchipped within 12 weeks from the date these Regulations come into operation until 31 December 2012 and from 1 January 2013 within 8 weeks. An exemption to microchipping of dogs kept under a block licence applies to greyhounds until 1 January 2013 and where a veterinary surgeon signs a certificate indicating implantation would have an adverse effect (regulation 8). Regulation 9 prescribes the technical specifications of the microchip. The powers of officers are prescribed on regulation 10 whilst the information and record keeping required and which must be recorded by the holder of a block licence are prescribed in regulation 11.

Contravention of the provisions under regulations 6, 7, 8 and 11 is an offence under Article 31(2) of the Dogs (Northern Ireland) Order 1983 for which a penalty on summary conviction is a fine not exceeding level 3 on the standard scale.

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STATUTORY RULES OF NORTHERN IRELAND

2012 No. 132

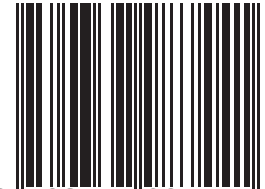
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