

2012 No. 34

DOGS

CONTROL OF DOGS

**The Controls on Dogs (Non-application to Designated Land)
Order (Northern Ireland) 2012**

Made - - - -

7th February 2012

Coming into operation- -

1st April 2012

The Department of the Environment makes the following Order in exercise of the powers conferred by section 42(3) of the Clean Neighbourhoods and Environment Act (Northern Ireland) 2011(a).

Citation and commencement

1. This Order may be cited as the Controls on Dogs (Non-application to Designated Land) Order (Northern Ireland) 2012 and comes into operation on 1st April 2012.

Interpretation

2. In this Order—

“the Act” means the Clean Neighbourhoods and Environment Act (Northern Ireland) 2011;

“land” means any land which is open to the air and to which the public is entitled or permitted to have access (with or without payment), and any land which is covered is to be treated as “open to the air” if it is open on at least one side;

“road” means any street, carriageway, highway or roadway to which the public has access (with or without payment) and includes any part of such a road and any bridge or tunnel over or through which such a road passes.

Land to which Part 5 of the Act does not apply

3. Any land that falls within a description in the first column of the table in the Schedule is designated as land to which Part 5 of the Act (Dogs) does not apply for the purposes specified, in relation to the particular description, in the second column of that table.

Sealed with the Official Seal of the Department of the Environment on 7th February 2012.

(a) 2011 c.23 (N.I.)



Wesley Shannon
A senior officer of the Department of the Environment

SCHEDULE

Article 3

LAND TO WHICH PART 5 OF THE ACT DOES NOT APPLY

<i>Description of land</i>	<i>Purposes for which Part 5 of the Act does not apply</i>
Land held by the Department of Agriculture and Rural Development for the purposes of any of its functions under the Forestry Act (Northern Ireland) 2010(a)	For the purpose of making a dog control order under section 40(1) of the Act
Land which is or forms part of a road	For the purpose of making a dog control order under section 40(1) of the Act which provides for an offence relating to the matter described in section 40(3)(c) (the exclusion of dogs from land)

(a) 2010 c. 10 (N.I.)

EXPLANATORY NOTE

(This note is not part of the Order)

This Order designates descriptions of land to which Part 5 (Dogs) of the Clean Neighbourhoods and Environment Act (Northern Ireland) 2011 (“the Act”) does not apply (*Article 3*), for the purposes specified in relation to each description.

Two descriptions of land are designated in this Order. They are—

- (i) any land held by the Department of Agriculture and Rural Development for the purposes of any of its functions under the Forestry Act (Northern Ireland) 2010, in respect of the making of any dog control order under section 40(1) of the Act, and
- (ii) any land which is or forms part of a road, in respect of the making of a dog control order under section 40(1) of the Act which provides for an offence relating to the matter described in section 40(3)(c) (the exclusion of dogs from land) (*Article 3 and the Schedule*).

A regulatory impact assessment on the effect of the Clean Neighbourhoods and Environment Bill (Northern Ireland) 2010 is available at the Department’s website. A separate regulatory impact assessment has not been produced for this Order as it has no impact on the cost to business.

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STATUTORY RULES OF NORTHERN IRELAND

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