

Hunting of Wild Mammals Bill

[AS INTRODUCED]

LEGISLATIVE COMPETENCE

At Introduction the Member in charge of the Bill, Mr John Blair, had made the following statement under Standing Order 30:

“In my view the Hunting of Wild Mammals Bill would be within the legislative competence of the Northern Ireland Assembly.”

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Hunting of Wild Mammals

A

BILL

TO

Prohibit hunting wild mammals with dogs; to prohibit trail hunting; to prohibit terrier work; and for connected purposes.

BE IT ENACTED by being passed by the Northern Ireland Assembly and assented to by Her Majesty as follows:

Offences

Hunting wild mammals with dogs

1.—(1) It is an offence to organise or participate in the hunting of a wild mammal with a dog.

5 (2) Subsection (1) does not apply to hunting which is exempt in accordance with section 4.

Trail hunting

2.—(1) It is an offence to organise or participate in a trail hunt.

10 (2) In subsection (1) “trail hunt” means any process in which one or more dogs are induced or permitted to follow the scent of a wild mammal (whether the trail of scent has been laid naturally or by human intervention).

Terrier work

3.—(1) It is an offence to organise or participate in terrier work.

15 (2) In subsection (1) “terrier work” means a process in which dogs are induced to enter a hole in the ground—

- (a) in order to flush out or otherwise force a wild mammal to leave the hole, or
- (b) in order to make it easier or quicker to dig a wild mammal out of the hole.

Exempt hunting

4.—(1) The hunting of rats or mice is exempt for the purposes of section 1.

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(2) Hunting is also exempt for the purposes of section 1 if it satisfies the following conditions.

(3) Condition 1 is that the hunting consists wholly of stalking a wild mammal, or flushing it out of cover for the purpose of—

- 5 (a) preventing or reducing serious damage which the wild mammal would otherwise cause to livestock, crops or property of any other kind,
(b) preventing or reducing serious damage which the wild mammal would otherwise cause to the biological diversity of an area, or
(c) obtaining meat to be used for human or animal consumption.

10 (4) Condition 2 is that the hunting takes place with the consent of each person who owns or occupies the land on which it takes place.

(5) Condition 3 is that no more than two dogs are used.

15 (6) Condition 4 is that reasonable steps are taken for the purpose of ensuring that as soon as possible after being found or flushed out the wild mammal is shot dead by a competent person.

Penalties

5. A person who commits an offence under this Act is liable—

- (a) on summary conviction, to imprisonment for a term not exceeding 12 months, or to a fine not exceeding £20,000, or both, and
20 (b) on conviction on indictment, to imprisonment for a term not exceeding 5 years, or to a fine, or to both.

Final provisions

Interpretation

25 6.—(1) A reference in this Act to the hunting of a wild mammal with a dog includes any case where a wild mammal is pursued by one or more persons and one or more dogs are employed in that pursuit.

(2) For the purposes of this Act a person participates in hunting with dogs, or in trail hunting, whether or not the person is responsible for controlling any of the dogs used in the hunting.

30 (3) In section 1 the reference to participation in the hunting of a wild mammal with a dog includes a reference to participation in another activity (such as pursuit by dogs of an artificial or human scent) in the course of which a dog hunts a wild mammal.

(4) A reference in this Act to a wild mammal includes, in particular—

- 35 (a) a wild mammal which has been bred or tamed for any purpose,
(b) a wild mammal which is or has been in captivity or confinement,
(c) a wild mammal which has escaped or been released from captivity or confinement, and
(d) any mammal which is living wild.

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Consequential amendment

7. At the end of section 53 of the Welfare of Animals Act (Northern Ireland) 2011 (saving for hunting, coursing and fishing) add—

5 “(3) This section is without prejudice to the operation of the Hunting of Wild Mammals Act (Northern Ireland) 2021.”

Review

8. The Department of Agriculture, Environment and Rural Affairs must review, and publish a report about, the operation of the provisions of this Act from time to time, and not less than once in each period of 5 years.

10 **Commencement**

9. This Act comes into operation at the end of the period of 6 months beginning with the day on which it receives Royal Assent.

Short title

15 **10.** This Act may be cited as the Hunting of Wild Mammals Act (Northern Ireland) 2021.

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A Bill to prohibit hunting wild mammals with dogs; to prohibit trail hunting; to prohibit terrier work; and for connected purposes.

Introduced by: Mr John Blair

On: 09 November 2021

Bill Type: Non-Executive Bill

ACCOMPANYING DOCUMENTS

**An Explanatory and Financial Memorandum is printed separately as
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