DRAFT ANIMAL WELFARE (PROHIBITED ACTIVITIES) (JERSEY) ORDER 202-

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Jersey

DRAFT ANIMAL WELFARE (PROHIBITED ACTIVITIES) (JERSEY) ORDER 202-

Made *[date to be inserted]*

Coming into force *[date to be inserted]*

THE MINISTER FOR THE ENVIRONMENT makes this Order under Article 34(2)(g) of the Animal Welfare (Jersey) Law 202- –

1 Interpretation

In this Order, "animal fight" means an occasion on which an animal is placed with another animal, or with a human, for the purpose of fighting, wrestling or baiting.

2 Administration of poison etc. prohibited

(1) A person, knowing a drug or substance to be poisonous or injurious, must not, without reasonable excuse –

(a) administer that drug or substance to an animal;

(b) cause that drug or substance to be taken by an animal; or

(c) allow an animal to have access to that drug or substance.

(2) A person responsible for an animal must not –

(a) permit another person, without lawful authority or reasonable excuse, to –

(i) administer a poisonous or injurious drug or substance to the animal;

(ii) cause a poisonous or injurious drug or substance to be taken by the animal; or

(iii) allow an animal to have access to a poisonous or injurious drug or substance; or

(b) knowing the drug or substance to be poisonous or injurious, fail to take reasonable steps, in all the circumstances, to prevent another person doing an act mentioned in sub-paragraph (a)(i) or (ii).

(3) A person responsible for an animal must not use any poison –

(a) listed in Schedule 1;

(b) listed in column 1 (poison) of the table in Schedule 2 unless used in accordance with the conditions specified for its use in column 2 (condition for use) of that table.

(4) For the purposes of this Article, reference to a poisonous or injurious drug or substance includes a drug or substance that has the effect of a poisonous drug or substance by virtue of the quantity or manner in which it is administered or taken.

3 Animal fights prohibited

(1) A person must not –

(a) cause an animal fight to take place, or to attempt to do so;

(b) knowingly receive money for admission to an animal fight;

(c) knowingly publicise a proposed animal fight;

(d) provide information about an animal fight to another person, with the intention of enabling or encouraging attendance at the fight;

(e) make or accept a bet on the outcome of an animal fight, or on the likelihood of anything occurring or not occurring in the course of an animal fight;

(f) take part in an animal fight;

(g) own or have in their possession anything designed or adapted for use in connection with an animal fight, with the intention of that thing being so used;

(h) keep or train an animal for the purposes of, or in connection with, an animal fight;

(i) keep, use or manage, or permit or assist in the keeping, use or management of, any premises for the purpose of an animal fight.

(2) A person must not be present at an animal fight.

4 Recording etc. of animal fights prohibited

(1) Subject to paragraph (2), a person must not, without lawful authority or reasonable excuse –

(a) knowingly supply, publish or show to another person a photograph, image or video recording of an animal fight; or

(b) possess a photograph, image or video recording of an animal fight, knowing it to be such a photograph, image or recording, with the intention of supplying it.

(2) Paragraph (1) does not apply in the following cases –

(a) the supply of a video recording, or the publication or showing of a video recording, by means of its inclusion in a programme service; or

(b) in a case falling within paragraph (1)(b), with an intention to supply for inclusion in a programme service.

(3) In this Article –

"programme service" has the same meaning as in section 405 of the Communications Act 2003 of the United Kingdom, as extended to Jersey by the Communications (Jersey) Order 2003;

"video recording" means a recording, in any form, from which a moving image may be reproduced and includes data stored electronically that is capable of conversion into a moving image, and –

(a) references to supplying or publishing a video recording are to supplying or publishing a recording in any manner, including, in relation to a recording in

the form of data stored electronically, by means of transmitting the data by a telecommunications system under the Telecommunications (Jersey) Law 2002, electronic communication under the Electronic Communications (Jersey) Law 2000 or any other means;

(b) references to showing a video recording are to showing a moving image reproduced from a video recording by any means.

5 Use of electronic collars prohibited

(1) A person must not –

(a) attach, or cause to be attached, an electronic collar to a cat or dog; or

(b) be responsible for a cat or dog to which an electronic collar is attached.

(2) Paragraph (1) does not apply in relation to any conduct of a member of the armed forces that is necessary for defence purposes.

(3) In this Article –

"armed forces" means His Majesty's forces (within the meaning of the Armed Forces Act 2006 of the United Kingdom);

"collar" means a collar, harness or any item that may be worn by a cat or dog;

"electronic collar" means a collar operated electronically that is capable of causing the administration to an animal of –

(a) an electric shock or other electric stimulus; or

(b) any other stimulus causing pain or an aversive reaction.

6 Use of pinch and prong collars prohibited

(1) A person must not –

(a) attach, or cause to be attached, a pinch or prong collar to a dog; or

(b) be responsible for a dog to which a pinch or prong collar is attached.

(2) In this Article, "pinch or prong collar" means a collar with prongs positioned against the neck of a dog, or with any other protrusion intended to cause pain or discomfort to the dog, especially when tightened.

7 Citation and commencement

This Order may be cited as the Animal Welfare (Prohibited Activities) (Jersey) Order 202- and comes into force 7 days after it is made.

SCHEDULE 1

(Article 2(3)(a))

PROHIBITED POISONS

Dieldrin
Aldicarb
Bendiocarb
Carbofuran
Mevinphos
Sodium cyanide
Strychnine

SCHEDULE 2

(Article 2(3)(b))

POISONS WITH CONDITIONS FOR USE

Poison	Condition for use
Alphachloralose	For the destruction of rats and mice living wild in buildings