



STATUTORY INSTRUMENTS.

S.I. No. 491 of 2024



CONTROL OF DOGS (XL BULLY) REGULATIONS 2024

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I, HEATHER HUMPHREYS, Minister for Rural and Community Development, in exercise of the powers conferred on me by section 19 of the Control of Dogs Act 1986, hereby make the following regulations:

Citation

1. These Regulations may be cited as the Control of Dogs (XL Bully) Regulations 2024.

Commencement

2. These Regulations shall come into operation on 1 October 2024.

Definitions

3. In these Regulations –

“certificate of exemption” means a certificate referred to in Regulation 7(1) or, where Regulation 6 applies, an equivalent certificate;

“equivalent certificate”, in relation to an XL Bully, means a document issued in another jurisdiction which states that –

- (a) the XL Bully has been microchipped in accordance with the Microchipping of Dogs Regulations 2015 (S.I. No. 63 of 2015), and
- (b) the XL Bully has been neutered;

“relevant body” means –

- (a) the Irish Society for the Prevention of Cruelty to Animals, or
- (b) a registered charitable organisation, within the meaning of the Charities Act 2009, whose charitable purpose, within the meaning of that Act, is the prevention or relief of suffering of animals;

“relevant owner”, in relation to a relevant XL Bully, means the person who is the owner, referred to in Regulation 5(2), of that XL Bully;

“relevant XL Bully” means an XL Bully referred to in Regulation 5(2);

“XL Bully” shall be construed in accordance with Regulation 4.

XL Bully for purposes of Regulations

4. A reference in these Regulations to an XL Bully means a dog which substantially meets the physical conformation standard specified in Schedule 1 and, in the case of an XL Bully which has not attained the age of 18 months, has the potential to do so on or after attaining that age.

Prohibition on ownership, etc., of XL Bully and exceptions thereto

5. (1) Subject to paragraphs (2), (4) and (5) and Regulations 6 and 8(1)(c), with effect from 1 October 2024, a person shall not own, keep, purchase, dispose of (whether by sale or otherwise), abandon, allow to stray, breed or import an XL Bully.

(2) Subject to paragraph (3), paragraph (1) shall not apply in the case of –

- (a) an XL Bully owned by a person (including a relevant body) immediately before 1 October 2024,
- (b) an XL Bully owned by a person (including a relevant body) where the XL Bully was born on or after 1 October 2024 and before 10 December 2024, or
- (c) an XL Bully owned by a person on or after 1 October 2024 and before 1 February 2025 where the person became such owner by virtue of the disposal of that XL Bully effected by a relevant body.

(3) Subject to paragraphs (4) and (5) and Regulation 6(2), paragraph (1) shall, with effect from 1 February 2025, apply to a relevant XL Bully and its relevant owner except in the case of such XL Bully the subject of a certificate of exemption –

- (a) issued to the owner before that date, and
- (b) which is valid.

(4) (a) Subject to subparagraph (b), paragraphs (1) and (3), in so far as they relate to the ownership of a relevant XL Bully and its relevant owner, shall not apply to such XL Bully and owner where the XL Bully is the subject of an application under Regulation 7 which has been made by the owner before 1 February 2025 but not determined before that date.

(b) Upon the date of the day immediately following the day on which an application referred to in subparagraph (a) is determined -

- (i) paragraph (1) shall apply to the ownership of the relevant XL Bully and its relevant owner concerned as if that date were substituted for the date “1 October 2024” referred to in that paragraph,
- (ii) paragraph (3) shall apply to the ownership of the relevant XL Bully and its relevant owner concerned as if that date were substituted for the date “1 February 2025” referred to in that paragraph, and
- (iii) Regulation 9 shall apply to the ownership of the relevant XL Bully and its relevant owner concerned as if that date were substituted for the date “1 February 2025” referred to in that Regulation.

(5) Where paragraph (2) or (3) effects a disapplication of paragraph (1) to a relevant XL Bully and its relevant owner, such disapplication only applies to –

- (a) the ownership and keeping of the XL Bully by the relevant owner,

- (b) the disposal, referred to in Regulation 8(1)(c), of the XL Bully, and
- (c) where the relevant owner is a relevant body, any disposal by such body of the XL Bully effected before 1 February 2025.

Special cases for certain XL Bullies outside State

6. (1) Paragraph (2) shall apply to an XL Bully owned by a person –
- (a) before 1 October 2024,
 - (b) who was once ordinarily resident in the State but is not ordinarily resident in the State during the period from 1 October 2024 to 1 February 2025,
 - (c) who returns to the State on or after 1 February 2025 with the XL Bully and with the intention of once again becoming ordinarily resident in the State, and
 - (d) who can provide documentation showing that –
 - (i) he or she owned the XL Bully before 1 October 2024, or
 - (ii) the XL Bully is the subject of –
 - (I) a certificate of exemption, or
 - (II) an equivalent certificate.

(2) These Regulations shall apply to an XL Bully and the person who owns it referred to in paragraph (1) as if the reference in Regulation 5(3) to “1 February 2025” were a reference to that date which is exactly 3 months after the date on which the person returns to the State as specified in paragraph (1)(c), and with any other necessary modifications.

- (3) The other provisions of these Regulations (except Regulation 8(1) (e), (f), (g) and (h)) shall not apply to a person who owns an XL Bully where –
- (a) he or she is not ordinarily resident in the State and is not a person referred to in paragraph (1),
 - (b) the person brings the XL Bully into the State for not more than 30 days in total in any year, and
 - (c) the XL Bully is the subject of –
 - (i) a certificate of exemption, or
 - (ii) an equivalent certificate.

Certificate of exemption

7. (1) The relevant owner of a relevant XL Bully may make an application, in the form set out in Schedule 2 –

- (a) for the issue of a certificate, in the form set out in Schedule 3, permitting the owner to continue to own the XL Bully on and after 1 February 2025 for so long as the certificate is valid, and

- (b) to the local authority for the functional area in which the XL Bully –
 - (i) is kept, or
 - (ii) is intended to be kept after the issue (if any) of such certificate.

(2) The local authority concerned shall determine an application under paragraph (1) –

- (a) by issuing to the applicant a certificate of exemption where –
 - (i) it is satisfied that the application complies with all the requirements of these Regulations in so far as they relate to the application, and
 - (ii) the information contained in, or annexed to, the application satisfies the local authority that the XL Bully the subject of the application –
 - (I) either –
 - (A) is the subject of a dog licence, issued under section 3(1) of the Act, which is valid, or
 - (B) is not required to be the subject of such dog licence by virtue of section 5 of the Act,
 - (II) is microchipped in accordance with the Microchipping of Dogs Regulations 2015 (S.I. No. 63 of 2015), and
 - (III) is the subject of a confirmation, in the form set out in Schedule 4, stating that the XL Bully –
 - (A) has been neutered, or
 - (B) is exempt from neutering, or
- (b) in any other case, by refusing the application.

Requirements applicable to owner of XL Bully after issue of certificate of exemption

8. (1) The owner of an XL Bully the subject of a certificate of exemption –
- (a) shall, subject to paragraph (2), keep the XL Bully at the same address at which the owner resides,
 - (b) shall, subject to paragraph (3) –
 - (i) make an application, in the form set out in Schedule 2, for a new certificate of exemption –
 - (I) if the owner changes his or her place of residence,
 - (II) to the local authority which issued such certificate or, if applicable, the local authority for the functional area in which the new place of residence is situated, and

- (III) not more than 30 days after the day on which he or she changed his or her place of residence, and
- (ii) if the application referred to in clause (i) is made to the local authority second-mentioned in clause (i)(II), send a copy of that application, marked “For Information Only”, to the local authority first-mentioned in clause (i)(II),
- (c) shall, if he or she has become such owner due to the death of the person named in the certificate of exemption as the owner of the XL Bully or due to the incapacity, for whatever reason, of such person to continue to own the XL Bully –
 - (i) make an application, in the form set out in Schedule 2 and not later than 3 months after he or she became such owner, for a new certificate of exemption to the local authority which issued such certificate or, if applicable, the local authority for the functional area in which the place of residence of the owner is situated, and
 - (ii) if the application referred to in clause (i) is made to the local authority second-mentioned in that clause, send a copy of that application, marked “For Information Only”, to the local authority first-mentioned in that clause,
- (d) shall, if the XL Bully dies or is exported, give notice in writing of that fact, to the local authority which issued such certificate, not later than 30 days after such death or export, as the case may be,
- (e) shall not permit the XL Bully to be in a public place unless the XL Bully is –
 - (i) being led by means of a sufficiently strong chain or leash not exceeding two metres in length by a person over the age of 16 years who is capable of controlling the XL Bully, and
 - (ii) securely muzzled in a manner which prevents the XL Bully from biting,
- (f) shall ensure that –
 - (i) the premises at which the XL Bully is kept are appropriate for the welfare of the XL Bully, and
 - (ii) such premises are secured in a manner which prevents the XL Bully from escaping therefrom,
- (g) shall, if the XL Bully is microchipped in accordance with the Microchipping of Dogs Regulations 2015 (S.I. No. 63 of 2015), permit a dog warden to read the XL Bully’s microchip upon any reasonable request to do so made by the dog warden,
- (h) shall, if requested by a dog warden to do so, produce such certificate, within ten days of the date of the request, for examination by the dog warden, and
- (i) shall, if the XL Bully is the subject of a confirmation referred to in Regulation 7(2)(a)(ii)(III)(B) and the only medical reasons

specified in the confirmation relate to the fact that the XL Bully has not attained the age of 18 months at the time such confirmation was issued, ensure that, as soon as is practicable after the XL Bully has attained that age –

- (i) the XL Bully is neutered, and
- (ii) the local authority which issued the certificate of exemption is given a copy of a confirmation, in the form set out in Schedule 4, stating that the XL Bully has been neutered.

(2) Subparagraph (a) of paragraph (1) shall not apply in any case where the XL Bully is kept, for not more than 30 days in total in any year, at an address other than the address at which the owner of the XL Bully resides.

(3) Subparagraph (b) of paragraph (1) shall not apply in any case where the owner of the XL Bully returns to his or her place of residence specified in the certificate of exemption issued in respect of the XL Bully within 30 days of changing his or her place of residence.

(4) Subject to paragraphs (2) and (3), a certificate of exemption issued in respect of an XL Bully ceases to be valid if the owner of the XL Bully fails to comply with subparagraph (a), (b) or (c) of paragraph (1).

Destruction in humane manner of XL Bully not subject of certificate of exemption

9. Subject to Regulation 5(4)(b)(iii), on and after 1 February 2025, a dog warden may -

- (a) seize and detain an XL Bully which is not the subject of a certificate of exemption, and
- (b) destroy, or cause to be destroyed, in a humane manner, such XL Bully.

SCHEDULE 1

Regulation 4

PHYSICAL CONFORMATION STANDARD FOR XL BULLY

Introduction

1. The XL Bully type is a variant of the wider American Bully breed type. The XL Bully is typically larger (both in terms of height and body shape) and more muscular than other American Bully breed types such as the “Micro”, “Pocket”, “Standard” or “Classic”.

Description of characteristics

2. The following table sets out a description of the characteristics of an XL Bully:

Table

Characteristics	Description
General impression	Large dog with a muscular body and blocky head, suggesting great strength and power for its size. Powerfully built individual.
Height	Adult male from 51 cm (20 inches) at the withers. Adult female from 48 cm (19 inches) at the withers.
Head	Heavy, large and broad. The length from the tip of the nose to a well-defined stop (indentation between muzzle and the head) is equal to around one-third of the length from the tip of the nose to the back of the head. Muzzle blocky or slightly squared to fall away below the eyes. Topline of muzzle straight. Prominent cheek muscles with strong, well-defined jaws and lips semi-close. Often having prominent wrinkles on face. Nose is large with well opened nostrils.
Teeth	Level or scissor bite.
Neck	Heavy, muscular, slightly arched, tapering from the shoulders to the base of the skull. Medium in length.
Forequarters	Shoulder blades are long, well-muscled and well laid back. Upper arm length is about equal to the length of the shoulder blades and joined at a 35-45 degree angle to the ground.

Characteristics	Description
	<p>Front legs straight, strong and very muscular with dog standing high on the pasterns (area between feet and ankles).</p> <p>Elbows set close to the body.</p> <p>Distance from the withers to elbows about the same as the distance from the elbow to the bottom of the feet.</p>
Body	<p>Heavily-muscled.</p> <p>Large, blocky body giving impression of great power for size.</p> <p>Broad, deep chest with well sprung ribs.</p> <p>Chest may be wider than deep.</p> <p>Topline level and straight.</p> <p>Loin short and firm.</p> <p>Generally appears square shaped from point of the shoulder to the point of the buttocks compared with the withers (tallest point on the dog's body excluding head and shoulders) to the ground.</p>
Hindquarters	<p>Strong, muscular and broad.</p> <p>Thighs well developed with thick musculature.</p> <p>From behind, both pasterns are typically straight and parallel to each other.</p> <p>Muscular development, angulation and width in balance with forequarters.</p>
Feet	<p>Rounded, medium in size and in proportion to body.</p> <p>Compact and well arched.</p>
Tail	<p>Medium length and low set.</p> <p>Tapers to a point to end at about the level of the hocks.</p> <p>Generally assumes a straight or pump handle shape when dog relaxed.</p>
Coat	Glossy, smooth, close, single.

Glossary

3. The following table sets out a glossary of the terms used in this Schedule:

Table

Term	Description
Bite	The relative position of the upper and lower teeth when the mouth is closed.
Coat	The hairy outer covering of the skin.

Term	Description
Croup	Part of the back from the front of the pelvis to root of the tail.
Forequarters	The front part of dog excluding head and neck.
Hindquarters	Rear part of dog from behind the loin.
Loin	The region between the last rib and the beginning of the pelvis.
Musculature	The muscles on an animal's body.
Muzzle	The length from the tip of the nose to the stop.
Pasterns	The pastern is the lower part of the foreleg, just above the foot and below the wrist. Similarly, in the hind leg, the pastern is the portion located above the foot and below the heel (also known as the hock). Every canine possesses a pair of front and rear pasterns.
Scissor bite	The upper front teeth closely overlapping the lower teeth and set square to the jaws.
Spring of rib	Degree of curvature of rib cage.
Tail set	The position of the tail on the croup.
Tapering	Becomes progressively smaller towards one end.
Top line	An outline after the withers to the tail set. Viewed from the side of the dog or from above.
Withers	The highest point of body immediately behind the neck where height is measured.

SCHEDULE 2

Regulations 7 and 8

APPLICATION FOR CERTIFICATE OF EXEMPTION

Application Form for a Certificate of Exemption to keep an XL Bully type dog in Ireland

Use this form to apply for a lifetime Certificate of Exemption for an XL Bully type dog.

Purpose Of Application being submitted

First Time Application

Application for Change of Address

Application for Change of Owner due to Death or Incapacitation of Owner with a Certificate of Exemption for the Dog listed below

If you are applying for a new Certificate of Exemption due to Change of Address or Change of Owner due to Death or Incapacitation of Owner with a Certificate of Exemption for Dog listed below, please enter the existing Certificate of Exemption Reference Number below:

Your details

Name of Owner

Address

Eircode

12 [491]

Are you resident in the Republic of Ireland?

Yes

No

Date of birth of owner

Use DD/MM/YYYY format

Contact telephone number of owner

Email address of owner (optional)

Enter an email address if you have one.

Dog details

Name of Dog	Date of Birth of Dog (Estimate the date if it is not known)	Colour of Dog	Sex of Dog (Male or female)	Is your Dog Neutered (Yes or no)	Microchip number	Dog Licence Number	Name & Address of your Veterinary Surgeon

Declaration

I am making this application as the registered owner of an XL Bully type dog.

1. I understand the requirements listed above must be complied with throughout the lifetime of the dog, or by the date specified in the condition, for the dog to remain exempted.

2. I understand that failure to comply with any of the above conditions may result in the seizure of the dog by an Authorised Officer and that the dog may be destroyed in a humane manner by a registered Veterinary Surgeon.

3. I understand that it is a criminal offence to keep a dog of this type after 31 January 2025, without having made a valid application for a Certificate of Exemption. This may result in the seizure of the dog by an Authorised Officer with subsequent arrangements for euthanasia by a Veterinary Surgeon.

4. I undertake to ensure that the dog is accommodated in a premises that is secure, appropriate to its welfare and in such a manner as to prevent the dog's escape.

5. I understand that it is my responsibility as the dog owner to ensure that I am compliant with all other relevant legislation relating to the ownership of the dog.

6. I understand that it is illegal to do any of the following in relation to the dog:

- i. breed from the dog
- ii. dispose, sell or exchange the dog
- iii. advertise or expose the dog for sale, give the dog as a gift, or advertise the dog as a gift
- iv. abandon the dog or allow the dog to stray
- v. Fail to keep the dog muzzled in a public place
- vi. Fail to keep the dog on a lead in a public place
- vii. Fail to keep the dog in appropriate and secure accommodation

I consent that the Local Authority processing this application for Certificate of Exemption will collect and process a certain amount of my personal data in order to process this application. This data will be handled, stored and processed in accordance with that Local Authority's Data Protection and Privacy Policy.

I acknowledge that providing false details or failing to comply with the Certificate of Exemption requirements will invalidate the Certificate. In such cases, I may face prosecution, and the dog mentioned in this application may be seized and subsequently destroyed in a humane manner.

Signature of Applicant

Name of Applicant (Block Capitals)

Date of signature

SCHEDULE 3

Regulation 7

CERTIFICATE OF EXEMPTION

XL Bully Type Dog Certificate of Exemption

Owner Information

Name of Owner

Date of Birth

Contact telephone number

Email address

Address (Including Eircode)

Dog Information

Certificate of Exemption Reference Number

Dog Licence Number

Microchip Number

Name of Dog

Sex of Dog

Date of Birth of Dog

Colour of Dog

Date Certificate Issued

Exemption Authorised by:

Signature:

SCHEDULE 4

Regulation 7

CONFIRMATION THAT XL BULLY HAS BEEN
NEUTERED OR IS EXEMPT FROM BEING NEUTERED

Veterinary Confirmation of Neutering Status

Confirmation that an XL Bully Type dog has been neutered or is exempt from neutering

Section 1: Dog Owner to Complete

Use BLOCK CAPITALS. All fields are mandatory unless stated otherwise.

Details of Dog

Dog's name

Microchip number

Colour of dog

Date of birth of dog (estimate the date if it is not known)

Sex of dog

Enter male or female.

Details of Owner

Name of owner

Email address of owner (optional)

Enter an email address if you have one.

Address of owner

Eircode

Contact telephone number of owner

Signature of owner

Date

Section 2: Veterinary Surgeon Declaration

The Veterinary Surgeon should complete Section 2 and delete Part A or B as appropriate.

Dog's Name

Microchip number

*Date of neutering

*Date of confirmation that the dog was previously neutered

*Delete as appropriate

(A) *Veterinary Surgeon Neutering Declaration

I hereby confirm that the dog identified on this form has been neutered through castration in the case of a male dog, or through spaying in the case of a female dog.

I hereby confirm that the microchip number of the dog that has been neutered matches the microchip number on this form.

(B) *Veterinary Surgeon Exemption from Neutering Declaration

I hereby certify that in my opinion the dog identified on this form should not be neutered for the following Medical Reason(s):

Examples of Medical Reasons where surgical neutering may be contra-indicated:

1. Previous unexplained excessive surgical haemorrhage.
2. Cardio-pulmonary compromise
3. Other medical reasons(s) (Briefly outline above)

*Delete as appropriate

Name of Veterinary Surgeon

VCI Registration Number

Veterinary Practice Name & Address

Veterinary Practice stamp

Signature of Veterinary Surgeon

Date



GIVEN under my Official Seal,
26 September, 2024.

HEATHER HUMPHREYS,
Minister for Rural and Community Development.

BAILE ÁTHA CLIATH
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR
Le ceannach díreach ó
FOILSEACHÁIN RIALTAIS,
BÓTHAR BHAILE UÍ BHEOLÁIN,
CILL MHAIGHNEANN,
BAILE ÁTHA CLIATH 8,
D08 XAO6

Tel: 046 942 3100
r-phost: publications@opw.ie

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