



## CHAPTER 40

An Act to extend the powers of the courts to disqualify for having custody of animals persons convicted of cruelty to them and to increase the maximum fine for offences of cruelty to animals; and for purposes connected therewith. [5th July, 1954]

**B**E it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1.—(1) Where a person who has been convicted under the Protection of Animals Act, 1911, or the Protection of Animals (Scotland) Act, 1912, of an offence of cruelty to any animal is subsequently convicted under either of those Acts of such an offence, the court by which he is convicted on the subsequent occasion may, if it thinks fit, in addition to or in substitution for any other punishment, order him to be disqualified, for such period as it thinks fit, for having custody of any animal or any animal of a kind specified in the order.

Power to disqualify persons convicted of cruelty to animals. . . 1 & 2 Geo. 5. c. 27. 2 & 3 Geo. 5. c. 14.

(2) A court which has ordered the disqualification of a person in pursuance of this section may, if it thinks fit, suspend the operation of the order—

- (a) for such period as the court thinks necessary for enabling arrangements to be made for the custody of any animal or animals to which the disqualification relates; or
- (b) pending an appeal.

(3) A person who is disqualified by virtue of an order under this section may, at any time after the expiration of twelve months from the date of the order, and from time to time apply to the

court by which the order was made to remove the disqualification, and on any such application the court may, as it thinks proper, having regard to the character of the applicant and his conduct subsequent to the order, the nature of the offence of which he was convicted, and any other circumstances of the case, either—

- (a) direct that, as from such date as may be specified in the direction, the disqualification be removed or the order be so varied as to apply only to animals of a kind specified in the direction; or
- (b) refuse the application:

Provided that where on an application under this section the court directs the variation of the order or refuses the application, a further application thereunder shall not be entertained if made within twelve months after the date of the direction or, as the case may be, the refusal.

Breach of disqualification order.

2. If a person has custody of any animal in contravention of an order made under this Act, he shall be liable on summary conviction to a fine not exceeding fifty pounds or to imprisonment for a term not exceeding three months or to both such fine and imprisonment.

Increase in amount of fines under certain provisions of Protection of Animals Acts. 23 & 24 Geo. 5. c. 17. 24 & 25 Geo. 5. c. 25.

3. The maximum amount of the fine which may be imposed on a person convicted of an offence under any of the following enactments, that is to say, subsection (1) of section one of the Protection of Animals Act, 1911, subsection (1) of section one of the Protection of Animals (Scotland) Act, 1912, subsection (4) of section one of the Protection of Animals (Cruelty to Dogs) Act, 1933, and subsection (4) of section one of the Protection of Animals (Cruelty to Dogs) (Scotland) Act, 1934 (being respectively enactments which penalise certain offences of cruelty to animals and enactments which prohibit a person from keeping a dog or applying for or obtaining a dog licence while disqualified by an order of the court), shall, in the case of a person so convicted after the commencement of this Act, be increased from twenty-five pounds to fifty pounds.

Interpretation, citation, extent and commencement.

4.—(1) In this Act—

- (a) expressions used have, in relation to England and Wales, the same meanings as in the Protection of Animals Act, 1911, and, in relation to Scotland, the same meanings as in the Protection of Animals (Scotland) Act, 1912; and
- (b) references to any enactment shall be construed as references to that enactment as amended by any other enactment, including this Act.

(2) This Act may be cited as the Protection of Animals (Amendment) Act, 1954.

(3) This Act shall not extend to Northern Ireland.

(4) This Act shall come into operation on the first day of January, nineteen hundred and fifty-five.

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