



# Animals (Scotland) Act 1987

## 1987 CHAPTER 9

### **5 Meaning of a keeper of an animal.**

- (1) Subject to subsection (2) below, for the purposes of this Act a person is a keeper of an animal if—
- (a) he owns the animal or has possession of it; or
  - (b) he has actual care and control of a child under the age of 16 who owns the animal or has possession of it.
- (2) For the purposes of this section—
- (a) a person shall not be regarded as having possession of an animal by reason only that he is detaining it under section 3 of this Act or is otherwise temporarily detaining it for the purpose of protecting it or any person or other animal or of restoring it as soon as is reasonably practicable to its owner or a possessor of it;
  - (b) if an animal has been abandoned or has escaped, a person who at the time of the abandonment or escape was the owner of it or had it in his possession shall remain its owner or shall be regarded as continuing to have possession of it until another person acquires its ownership or (as the case may be) comes into possession of it; and
  - (c) the Crown shall not acquire ownership of an animal on its abandonment.

**Status:**

Point in time view as at 01/02/1991.

**Changes to legislation:**

There are currently no known outstanding effects for the Animals (Scotland) Act 1987, Section 5.