
STATUTORY INSTRUMENTS

2012 No. 3039

**The Animals (Scientific Procedures)
Act 1986 Amendment Regulations 2012**

Inspections

19.—(1) Section 18 (inspectors) is amended as follows.

(2) In subsection (2)—

(a) in paragraph (a) for “personal and project licences” substitute “licences under this Act”;

(b) for paragraphs (b) to (e) substitute—

“(b) to comply with any direction given by the Secretary of State under subsection (2A).”

(3) After subsection (2) insert—

“(2A) The Secretary of State may give a direction to an inspector which—

(a) specifies the holder of a licence under this Act;

(b) requires the inspector to visit the place specified in the licence, or in the case of a personal licence such places as the inspector considers appropriate, for the purpose of determining whether the holder is complying with the provisions of this Act and the conditions of the licence;

(c) requires the inspector to provide a report to the Secretary of State on the holder’s compliance with those provisions and conditions; and

(d) in a case where the inspector considers that the holder has failed or is failing to comply with any of those provisions or conditions, requires the inspector to include within the report advice as to the action to be taken by the Secretary of State.

(2B) A direction under subsection (2A) may require visits carried out in pursuance of the direction to be carried out without notice to the holder of the licence concerned.

(2C) In determining the frequency with which a direction under subsection (2A) should be given in respect of the holder of a licence, the Secretary of State must take into account—

(a) the record of the holder in complying with the provisions of this Act and the conditions of the licence;

(b) any information suggesting that the holder has failed or is failing to comply with any of those provisions or conditions; and

(c) in the case of a holder of a section 2C licence—

(i) the number and the species of protected animals kept at the place specified in the licence; and

(ii) the number and the type of regulated procedures, if any, carried out at that place.

(2D) The Secretary of State must seek to ensure that during the course of any year—

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- (a) a direction is given under subsection (2A) in respect of one third of the persons who hold section 2C licences that authorise the carrying on of an undertaking involving the applying of regulated procedures to protected animals;
 - (b) a direction is given under subsection (2A) in respect of each person who holds a section 2C licence and keeps non-human primates at the place specified in the licence.
- (2E) Any report provided to the Secretary of State by virtue of subsection (2A)(c) must be kept by the Secretary of State for a period of at least five years.”