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WELSH STATUTORY INSTRUMENTS

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**2003 No. 992**

**The Zoo Licensing Act 1981  
(Amendment) (Wales) Regulations 2003**

**Name, commencement, and interpretation**

1.—(1) These Regulations are called the Zoo Licensing Act 1981 (Amendment) (Wales) Regulations 2003 and shall come into force on 22 April 2003.

(2) In these Regulations —

“the Act” (“*y Ddeddf*”) means the Zoo Licensing Act 1981(1);

“the 2002 Regulations” (“*Rheoliadau 2002*”) means the Zoo Licensing Act 1981 (Amendment) (England and Wales) Regulations 2002(2).

**Application of Act: Wales**

2.—(1) Section 22A of the Act (inserted by the 2002 Regulations) ceases to have effect, so that the amendments to the Act which were made by regulations 3 to 26 of the 2002 Regulations and which are contained in the Schedule to these Regulations apply also in Wales.

(2) The reference in Schedule 1 to the National Assembly for Wales (Transfer of Functions) Order 1999(3) to the Act is to be treated as referring to the Act as amended by the 2002 Regulations and these Regulations.

**Existing licences**

3.—(1) This regulation applies to all zoos in Wales in respect of which a licence is in force under the Act on 22 April 2003, except zoos which close before 1 October 2003.

(2) The local authority shall before 1 October 2003 secure that each licence granted by them under the Act contains such conditions as the authority think necessary or desirable to secure that the conservation measures referred to in section 1A of the Act are implemented at the zoo, and may alter the licence for that purpose.

(3) Section 16(2), (3) and (4) to (6) of the Act applies to the alteration of a licence under paragraph (2) as if the references in section 16(2) and (6) to “subsection (1)” were references to that paragraph.

(4) Section 18(1)(b) and (c), (2),(3), (5) and (7) of the Act applies to the alteration of a licence under paragraph (2).

(5) In deciding what conditions to attach to a licence under paragraph (2) an authority shall have regard to any standards specified by the National Assembly for Wales under section 9 of the Act.

(6) An alteration of a licence under paragraph (2) shall not be treated as a significant alteration for the purposes of section 16 of the Act.

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(1) 1981 c. 37. The functions of the Secretary of State for Wales were transferred to the National Assembly for Wales (S.I.1999/672).

(2) S.I. 2002/3080.

(3) S.I.1999/672.

**Transitional provision for zoos without licences**

4.—(1) This regulation applies to a zoo in Wales which by virtue of the amendments made to the Act by the 2002 Regulations and these Regulations is required to be licensed under the Act but which immediately before 22 April 2003, was not required to be so licensed.

(2) Notwithstanding any such amendment, a person who immediately before 22 April 2003, was operating a zoo to which this regulation applies on any premises may continue to operate that zoo on those premises without a licence under the Act—

- (a) during the period of 6 months beginning with that date; and
- (b) if within that period application is made for a licence, until that application is finally disposed of or withdrawn.

(3) Section 16C of the Act does not apply to a zoo to which this regulation applies for so long as a person may by virtue of paragraph (2) continue to operate the zoo without a licence.

(4) If the licence is granted, it shall be granted for a period of four years beginning with the date on which the licence is granted.

Signed on behalf of the National Assembly for Wales under section 66(1) of the Government of Wales Act 1998(4).

2nd April 2003

*D. Elis-Thomas*  
The Presiding Officer of the National Assembly