



# Animals (Scientific Procedures) Act 1986

## 1986 CHAPTER 14

An Act to make new provision for the protection of animals used for experimental or other scientific purposes. [20th May 1986]

BE 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:—

### *Preliminary*

#### **1 Protected animals**

- (1) Subject to the provisions of this section, " a protected animal" for the purposes of this Act means any living vertebrate other than man.
- (2) Any such vertebrate in its foetal, larval or embryonic form is a protected animal only from the stage of its development when—
  - (a) in the case of a mammal, bird or reptile, half the gestation or incubation period for the relevant species has elapsed; and
  - (b) in any other case, it becomes capable of independent feeding.
- (3) The Secretary of State may by order—
  - (a) extend the definition of protected animal so as to include invertebrates of any description ;
  - (b) alter the stage of development specified in subsection (2) above;
  - (c) make provision in lieu of subsection (2) above as respects any animal which becomes a protected animal by virtue of an order under paragraph (a) above.
- (4) For the purposes of this section an animal shall be regarded as continuing to live until the permanent cessation of circulation or the destruction of its brain.
- (5) In this section " vertebrate " means any animal of the Sub-phylum Vertebrata of the Phylum Chordata and " invertebrate " means any animal not of that Sub-phylum.

## **2 Regulated procedures**

- (1) Subject to the provisions of this section, " a regulated procedure " for the purposes of this Act means any experimental or other scientific procedure applied to a protected animal which may have the effect of causing that animal pain, suffering, distress or lasting harm.
- (2) An experimental or other scientific procedure applied to an animal is also a regulated procedure if—
  - (a) it is part of a series or combination of such procedures (whether the same or different) applied to the same animal ; and
  - (b) the series or combination may have the effect mentioned in subsection (1) above ; and
  - (c) the animal is a protected animal throughout the series or combination or in the course of it attains the stage of its development when it becomes such an animal.
- (3) Anything done for the purpose of, or liable to result in, the birth or hatching of a protected animal is also a regulated procedure if it may as respects that animal have the effect mentioned in subsection (1) above.
- (4) In determining whether any procedure may have the effect mentioned in subsection (1) above the use of an anaesthetic or analgesic, decerebration and any other procedure for rendering an animal insentient shall be disregarded; and the administration of an anaesthetic or analgesic to a protected animal, or decerebration or any other such procedure applied to such an animal, for the purposes of any experimental or other scientific procedure shall itself be a regulated procedure.
- (5) The ringing, tagging or marking of an animal, or the application of any other humane procedure for the sole purpose of enabling an animal to be identified, is not a regulated procedure if it causes only momentary pain or distress and no lasting harm.
- (6) The administration of any substance or article to an animal by way of a medicinal test on animals as defined in subsection (6) of section 32 of the Medicines Act 1968 is not a regulated procedure if the substance or article is administered in accordance with the provisions of subsection (4) of that section or of an order under section 35(8)(b) of that Act.
- (7) Killing a protected animal is a regulated procedure only if it is killed for experimental or other scientific use, the place where it is killed is a designated establishment and the method employed is not one appropriate to the animal under Schedule 1 to this Act.
- (8) In this section references to a scientific procedure do not include references to any recognised veterinary, agricultural or animal husbandry practice.
- (9) Schedule 1 to this Act may be amended by orders made by the Secretary of State.

### *Personal and project licences*

## **3 Prohibition of unlicensed procedures**

No person shall apply a regulated procedure to an animal unless—

- (a) he holds a personal licence qualifying him to apply a regulated procedure of that description to an animal of that description;

- (b) the procedure is applied as part of a programme of work specified in a project licence authorising the application, as part of that programme, of a regulated procedure of that description to an animal of that description; and
- (c) the place where the procedure is carried out is a place specified in the personal licence and the project licence.

#### **4 Personal licences**

- (1) A personal licence is a licence granted by the Secretary of State qualifying the holder to apply specified regulated procedures to animals of specified descriptions at a specified place or specified places.
- (2) An application for a personal licence shall be made to the Secretary of State in such form and shall be supported by such information as he may reasonably require.
- (3) Except where the Secretary of State dispenses with the requirements of this subsection any such application shall be endorsed by a person who—
  - (a) is himself the holder of a personal licence or a licence treated as such a licence by virtue of Schedule 4 to this Act; and
  - (b) has knowledge of the biological or other relevant qualifications and of the training, experience and character of the applicant;and the person endorsing an application shall, if practicable, be a person occupying a position of authority at a place where the applicant is to be authorised by the licence to carry out the procedures specified in it.
- (4) No personal licence shall be granted to a person under the age of eighteen.
- (5) A personal licence shall continue in force until revoked but the Secretary of State shall review each personal licence granted by him at intervals not exceeding five years and may for that purpose require the holder to furnish him with such information as he may reasonably require.

#### **5 Project licences**

- (1) A project licence is a licence granted by the Secretary of State specifying a programme of work and authorising the application, as part of that programme, of specified regulated procedures to animals of specified descriptions at a specified place or specified places.
- (2) A project licence shall not be granted except to a person who undertakes overall responsibility for the programme to be specified in the licence.
- (3) A project licence shall not be granted for any programme unless the Secretary of State is satisfied that it is undertaken for one or more of the following purposes—
  - (a) the prevention (whether by the testing of any product or otherwise) or the diagnosis or treatment of disease, ill-health or abnormality, or their effects, in man, animals or plants;
  - (b) the assessment, detection, regulation or modification of physiological conditions in man, animals or plants;
  - (c) the protection of the natural environment in the interests of the health or welfare of man or animals ;
  - (d) the advancement of knowledge in biological or behavioural sciences;
  - (e) education or training otherwise than in primary or secondary schools;

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*Status: This is the original version (as it was originally enacted).*

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- (f) forensic enquiries;
  - (g) the breeding of animals for experimental or other scientific use.
- (4) In determining whether and on what terms to grant a project licence the Secretary of State shall weigh the likely adverse effects on the animals concerned against the benefit likely to accrue as a result of the programme to be specified in the licence.
- (5) The Secretary of State shall not grant a project licence unless he is satisfied that the applicant has given adequate consideration to the feasibility of achieving the purpose of the programme to be specified in the licence by means not involving the use of protected animals.
- (6) The Secretary of State shall not grant a project licence authorising the use of cats, dogs, primates or equidae unless he is satisfied that animals of no other species are suitable for the purposes of the programme to be specified in the licence or that it is not practicable to obtain animals of any other species that are suitable for those purposes.
- (7) Unless revoked and subject to subsection (8) below, a project licence shall continue in force for such period as is specified in the licence and may be renewed for further periods but (without prejudice to the grant of a new licence in respect of the programme in question) no such licence shall be in force for more than five years in all.
- (8) A project licence shall terminate on the death of the holder but if—
- (a) the holder of a certificate under section 6 below in respect of a place specified in the licence; or
  - (b) where by virtue of subsection (2) of that section the licence does not specify a place in respect of which there is such a certificate, the holder of a personal licence engaged on the programme in question,
- notifies the Secretary of State of the holder's death within seven days of its coming to his knowledge the licence shall, unless the Secretary of State otherwise directs, continue in force until the end of the period of twenty-eight days beginning with the date of the notification.

#### *Designated establishments*

### **6 Scientific procedure establishments**

- (1) Subject to subsection (2) below, no place shall be specified in a project licence unless it is a place designated by a certificate issued by the Secretary of State under this section as a scientific procedure establishment.
- (2) Subsection (1) above shall not apply in any case in which it appears to the Secretary of State that the programme or procedures authorised by the licence require him to specify a different place.
- (3) An application for a certificate in respect of a scientific procedure establishment shall be made to the Secretary of State in such form and shall be supported by such information as he may reasonably require.
- (4) A certificate shall not be issued under this section—
- (a) except to a person occupying a position of authority at the establishment in question ; and

- (b) unless the application nominates for inclusion in the certificate pursuant to subsection (5) below a person or persons appearing to the Secretary of State to be suitable for that purpose.
- (5) A certificate under this section shall specify—
- (a) a person to be responsible for the day-to-day care of the protected animals kept for experimental or other scientific purposes at the establishment; and
  - (b) a veterinary surgeon or other suitably qualified person to provide advice on their health and welfare ;
- and the same person may, if the Secretary of State thinks fit, be specified under both paragraphs of this subsection.
- (6) If it appears to any person specified in a certificate pursuant to subsection (5) above that the health or welfare of any such animal as is mentioned in that subsection gives rise to concern he shall—
- (a) notify the person holding a personal licence who is in charge of the animal; or
  - (b) if there is no such person or it is not practicable to notify him, take steps to ensure that the animal is cared for and, if it is necessary for it to be killed, that it is killed by a method which is appropriate under Schedule 1 to this Act or approved by the Secretary of State.
- (7) In any case to which subsection (6) above applies the person specified in the certificate pursuant to paragraph (a) of subsection (5) above may also notify the person (if different) specified pursuant to paragraph (b) of that subsection; and the person specified pursuant to either paragraph of that subsection may also notify one of the inspectors appointed under this Act.
- (8) A certificate under this section shall continue in force until revoked.

## **7 Breeding and supplying establishments**

- (1) A person shall not at any place breed for use in regulated procedures (whether there or elsewhere) protected animals of a description specified in Schedule 2 to this Act unless that place is designated by a certificate issued by the Secretary of State under this section as a breeding establishment.
- (2) A person shall not at any place keep any such protected animals which have not been bred there but are to be supplied for use elsewhere in regulated procedures unless that place is designated by a certificate issued by the Secretary of State under this section as a supplying establishment.
- (3) An application for a certificate in respect of a breeding or supplying establishment shall be made to the Secretary of State in such form and shall be supported by such information as he may reasonably require.
- (4) A certificate shall not be issued under this section unless the application nominates for inclusion in the certificate pursuant to subsection (5) below a person or persons appearing to the Secretary of State to be suitable for that purpose.
- (5) A certificate under this section shall specify—
  - (a) a person to be responsible for the day-to-day care of the animals bred or kept for breeding at the establishment or, as the case may be, kept there for the purpose of being supplied for use in regulated procedures ; and

- (b) a veterinary surgeon or other suitably qualified person to provide advice on their health and welfare ;  
and the same person may, if the Secretary of State thinks fit, be specified under both paragraphs of this subsection.
- (6) If it appears to any person specified in a certificate pursuant to subsection (5) above that the health or welfare of any such animal as is mentioned in that subsection gives rise to concern he shall take steps to ensure that it is cared for and, if it is necessary for it to be killed, that it is killed by a method appropriate under Schedule 1 to this Act or approved by the Secretary of State.
- (7) In any case to which subsection (6) above applies the person specified in the certificate pursuant to paragraph (a) of subsection (5) above may also notify the person (if different) specified pursuant to paragraph (b) of that subsection; and the person specified pursuant to either paragraph of that subsection may also notify one of the inspectors appointed under this Act.
- (8) A certificate under this section shall continue in force until revoked.
- (9) Schedule 2 to this Act may be amended by orders made by the Secretary of State.

## **8 Fees**

The holder of a certificate issued under section 6 or 7 above shall pay such periodical fees to the Secretary of State as may be prescribed by or determined in accordance with an order made by him.

### *Licences and designation certificates: general provisions*

## **9 Consultation**

- (1) Before granting a licence or issuing a certificate under this Act the Secretary of State shall consult one of the inspectors appointed under this Act and may also consult an independent assessor or the Animal Procedures Committee established by this Act.
- (2) Where the Secretary of State proposes to consult an independent assessor he shall notify the applicant of that fact, and in selecting the assessor he shall have regard to any representations made by the applicant.

## **10 Conditions**

- (1) Subject to the provisions of this section, a licence or certificate under this Act may contain such conditions as the Secretary of State thinks fit.
- (2) The conditions of a personal licence shall include—
- (a) a condition to the effect that the holder shall take pre cautions to prevent or reduce to the minimum consistent with the purposes of the authorised procedures any pain, distress or discomfort to the animals to which those procedures may be applied; and
  - (b) an inviolable termination condition, that is to say, a condition specifying circumstances in which a protected animal which is being or has been subjected to a regulated procedure must in every case be immediately killed

by a method appropriate to the animal under Schedule 1 to this Act or by such other method as may be authorised by the licence.

- (3) The conditions of a project licence shall, unless the Secretary of State considers that an exception is justified, include a condition to the effect—
- (a) that no cat or dog shall be used under the licence unless it has been bred at and obtained from a designated breeding establishment; and
  - (b) that no other protected animal of a description specified in Schedule 2 to this Act shall be used under the licence unless it has been bred at a designated breeding establishment or obtained from a designated supplying establishment ;
- but no exception shall be made from the condition required by paragraph (a) above unless the Secretary of State is satisfied that no animal suitable for the purpose of the programme specified in the licence can be obtained in accordance with that condition.
- (4) If the conditions of a personal licence permit the holder to use assistants to perform, under his direction, tasks not requiring technical knowledge nothing done by an assistant in accordance with such a condition shall constitute a contravention of section 3 above.
- (5) The conditions of a certificate issued under section 6 above shall include a condition prohibiting the killing otherwise than by a method which is appropriate under Schedule 1 to this Act or approved by the Secretary of State of any protected animal kept at the establishment for experimental or other scientific purposes but not subjected to a regulated procedure or required to be killed by virtue of section 15 below; and the conditions of a certificate issued under section 7 above shall include a condition prohibiting the killing otherwise than by such a method of an animal of a description specified in Schedule 2 to this Act which is bred or kept for breeding or, as the case may be, kept at the establishment for the purposes of being supplied for use in regulated procedures but not used, or supplied for use, for that purpose.
- (6) The conditions of a certificate issued under section 6 or 7 above shall include conditions requiring the holder of the certificate—
- (a) to secure that a person competent to kill animals in the manner specified by conditions imposed in accordance with subsection (5) above will be available to do so; and
  - (b) to keep records as respects the source and disposal of and otherwise relating to the animals kept at the establishment for experimental or other scientific purposes or, as the case may be, bred or kept for breeding there or kept there for the purposes of being supplied for use in regulated procedures.
- (7) Breach of a condition in a licence or certificate shall not, invalidate the licence or certificate but shall be a ground for its variation or revocation.

## **11 Variation and revocation**

A licence or certificate under this Act may be varied or revoked by the Secretary of State—

- (a) on the ground mentioned in section 10(7) above ;
- (b) in any other case in which it appears to the Secretary of State appropriate to do so ; or
- (c) at the request of the holder.

## **12 Right to make representations**

- (1) Where the Secretary of State proposes—
  - (a) to refuse a licence or certificate under this Act; or
  - (b) to vary or revoke such a licence or certificate otherwise than at the request of the holder,he shall serve on the applicant or the holder a notice of his intention to do so.
- (2) The notice shall state the reasons for which the Secretary of State proposes to act and give particulars of the rights conferred by subsection (3) below.
- (3) A person on whom a notice is served under subsection (1) above may make written representations and, if desired, oral representations to a person appointed for that purpose by the Secretary of State if before such date as is specified in the notice (not being less than twenty-eight days after the date of service) he notifies the Secretary of State of his wish to do so.
- (4) The holder of a licence or certificate who is dissatisfied with any condition contained in it may, if he notifies the Secretary of State of his wish to do so, make written representations and, if desired, oral representations to a person appointed for that purpose by the Secretary of State; but the making of such representations shall not affect the operation of any condition unless and until it is varied under section 11 above.
- (5) The person appointed to receive any representations under this section shall be a person who holds or has held judicial office in the United Kingdom or a barrister, solicitor or advocate of at least seven years' standing and the Secretary of State may, if he thinks fit, appoint a person with scientific or other appropriate qualifications to assist the person receiving the representations in his consideration of them.
- (6) The person appointed to receive any such representations shall after considering them make a report to the Secretary of State; and the Secretary of State shall furnish a copy of the report to the person who made the representations and take it into account in deciding whether to refuse the application or to vary or revoke the licence or certificate, as the case may be.
- (7) The Secretary of State may by order make rules with respect to the procedure to be followed in the making and consideration of representations under this section, including provision requiring any such representations to be made within a specified time.
- (8) A notice under subsection (1) above may be served either personally or by post.

## **13 Suspension in cases of urgency**

- (1) If it appears to the Secretary of State to be urgently necessary for the welfare of any protected animals that a licence or certificate under this Act should cease to have effect forthwith he shall by notice served on the holder suspend its operation for a period not exceeding three months.
- (2) If during that period a notice of proposed variation or revocation of the licence or certificate is served under section 12 above but at the end of that period—
  - (a) the time for notifying the Secretary of State under subsection (3) of that section has not expired; or



- (b) representations are to be or are being made in accordance with that subsection ;  
or
- (c) such representations have been made but the Secretary of State has not received or has not completed his consideration of the report of the person to whom the representations were made,

he may by notice served on the holder further suspend the licence Or certificate until he is able to decide whether to vary or revoke it but no further suspension shall be for longer than three months at a time.

- (3) A notice under this section may be served personally or by post.

#### *Additional controls*

### **14 Re-use of protected animals**

- (1) Where a protected animal—
  - (a) has been subjected to a series of regulated procedures for a particular purpose ;  
and
  - (b) has been given a general anaesthetic for any of those procedures and allowed to recover consciousness,it shall not be used for any further regulated procedures.
- (2) Subsection (1) above shall not preclude the use of an animal with the consent of the Secretary of State if—
  - (a) the procedure, or each procedure, for which the anaesthetic was given consisted only of surgical preparation essential for a subsequent procedure ; or
  - (b) the anaesthetic was administered solely to immobilise the animal; or
  - (c) the animal is under general anaesthesia throughout the further procedures and not allowed to recover consciousness.
- (3) Where a protected animal—
  - (a) has been subjected to a series of regulated procedures for a particular purpose ;  
but
  - (b) has not been given a general anaesthetic for any of those procedures,it shall not be used for any further regulated procedures except with the consent of the Secretary of State.
- (4) Any consent for the purposes of this section may relate to a specified animal or to animals used in specified procedures or specified circumstances.

### **15 Killing animals at conclusion of regulated procedures**

- (1) Where a protected animal—
  - (a) has been subjected to a series of regulated procedures for a particular purpose ;  
and
  - (b) at the conclusion of the series is suffering or likely to suffer adverse effects,the person who applied those procedures, or the last of them, shall cause the animal to be immediately killed by a method appropriate to the animal under Schedule 1 to this Act or by such other method as may be authorised by the personal licence of the person by whom the animal is killed.

- (2) Subsection (1) above is without prejudice to any condition of a project licence requiring an animal to be killed at the conclusion of a regulated procedure in circumstances other than those mentioned in that subsection.

## **16 Prohibition of public displays**

- (1) No person shall carry out any regulated procedure as an exhibition to the general public or carry out any such procedure which is shown live on television for general reception.
- (2) No person shall publish a notice or advertisement announcing the carrying out of any regulated procedure in a manner that would contravene subsection (1) above.

## **17 Neuromuscular blocking agents**

No person shall in the course of a regulated procedure—

- (a) use any neuromuscular blocking agent unless expressly authorised to do so by the personal and project licences under which the procedure is carried out; or
- (b) use any such agent instead of an anaesthetic.

*The inspectorate and the committee*

## **18 Inspectors**

- (1) The Secretary of State shall, with the consent of the Treasury as to numbers and remuneration, appoint as inspectors for the purposes of this Act persons having such medical or veterinary qualifications as he thinks requisite.
- (2) It shall be the duty of an inspector—
- (a) to advise the Secretary of State on applications for personal and project licences, on requests for their variation or revocation and on their periodical review ;
- (b) to advise him on applications for certificates under this Act and on requests for their variation or revocation;
- (c) to visit places where regulated procedures are carried out for the purpose of determining whether those procedures are authorised by the requisite licences and whether the conditions of those licences are being complied with;
- (d) to visit designated establishments for the purpose of determining whether the conditions of the certificates in respect of those establishments are being complied with;
- (e) to report to the Secretary of State any case in which any provision of this Act or any condition of a licence or certificate under this Act has not been or is not being complied with and to advise him on the action to be taken in any such case.
- (3) If an inspector considers that a protected animal is undergoing excessive suffering he may require it to be immediately killed by a method appropriate to the animal under Schedule 1 to this Act or by such other method as may be authorised by any personal licence held by the person to whom the requirement is addressed.

## **19 The Animal Procedures Committee**

- (1) There shall be a committee to be known as the Animal Procedures Committee.
- (2) The Committee shall consist of a chairman and at least twelve other members appointed by the Secretary of State.
- (3) Of the members other than the chairman—
  - (a) at least two-thirds shall be persons having such a qualification as is mentioned in subsection (4) below; and
  - (b) at least one shall be a barrister, solicitor or advocate,but so that at least half of those members are persons who neither hold nor within the previous six years have held any licence under this Act or under the Cruelty to Animals Act 1876 ; and in making appointments to the Committee the Secretary of State shall have regard to the desirability of ensuring that the interests of animal welfare are adequately represented.
- (4) The qualifications referred to in subsection (3)(a) above are full registration as a medical practitioner, registration as a veterinary surgeon or qualifications or experience in a biological subject approved by the Secretary of State as relevant to the work of the Committee.
- (5) Members of the Committee shall be appointed for such periods as the Secretary of State may determine but no such period shall exceed four years and no person shall be reappointed more than once.
- (6) Any member may resign by notice in writing to the Secretary of State; and the chairman may by such a notice resign his office as such.
- (7) The Secretary of State may terminate the appointment of a member if he is satisfied that—
  - (a) for a period of six months beginning not more than nine months previously he has, without the consent of the other members, failed to attend the meetings of the Committee;
  - (b) he is an undischarged bankrupt or has made an arrangement with his creditors;
  - (c) he is by reason of physical or mental illness, or for any other reason, incapable of carrying out his duties; or
  - (d) he has been convicted of such a criminal offence, or his conduct has been such, that it is not in the Secretary of State's opinion fitting that he should remain a member.
- (8) The Secretary of State may make payments to the chairman by way of remuneration and make payments to him and the other members in respect of expenses incurred by them in the performance of their duties.
- (9) The Secretary of State may also defray any other expenses of the Committee.

## **20 Functions of the Committee**

- (1) It shall be the duty of the Animal Procedures Committee to advise the Secretary of State on such matters concerned with this Act and his functions under it as the Committee may determine or as may be referred to the Committee by the Secretary of State.

- (2) In its consideration of any matter the Committee shall have regard both to the legitimate requirements of science and industry and to the protection of animals against avoidable suffering and unnecessary use in scientific procedures.
- (3) The Committee may perform any of its functions by means of sub-committees and may co-opt as members of any sub-committee any persons considered by the Committee to be able to assist that sub-committee in its work.
- (4) The Committee may promote research relevant to its functions and may obtain advice or assistance from other persons with knowledge or experience appearing to the Committee to be relevant to those functions.
- (5) The Committee shall in each year make a report on its activities to the Secretary of State who shall lay copies of the report before Parliament.

*Miscellaneous and supplementary*

**21 Guidance, codes of practice and statistics**

- (1) The Secretary of State shall publish information to serve as guidance with respect to the manner in which he proposes to exercise his power to grant licences and certificates under this Act and with respect to the conditions which he proposes to include in such licences and certificates.
- (3) The Secretary of State shall consult the Animal Procedures Committee before publishing or altering any information under subsection (1) above or issuing, approving, altering or approving any alteration in any code issued or approved under subsection (2) above.
- (4) A failure on the part of any person to comply with any provision of a code issued or approved under subsection (2) above shall not of itself render that person liable to criminal or civil proceedings but—
  - (a) any such code shall be admissible in evidence in any such proceedings; and
  - (b) if any of its provisions appears to the court conducting the proceedings to be relevant to any question arising in the proceedings it shall be taken into account in determining that question.
- (5) The Secretary of State shall lay before Parliament—
  - (a) copies of any information published or code issued by him under subsection (1) or (2) above and of any alteration made by him in any such information or code; and
  - (b) copies of any code approved by him under subsection (2) above and of any alteration approved by him in any such code;

and if either House of Parliament passes a resolution requiring the information, code or alteration mentioned in paragraph (a) above, or the approval mentioned in paragraph (b) above, to be withdrawn the Secretary of State shall withdraw it accordingly ; and where he withdraws information published or a code issued by him or his approval of a code he shall publish information or issue or approve a code, as the case may be, in substitution for the information or code previously published, issued or approved.
- (6) No resolution shall be passed by either House under subsection (5) above in respect of any information, code or alteration after the end of the period of forty days beginning

with the day on which a copy of the information, code or alteration was laid before that House; but for the purposes of this subsection no account shall be taken of any time during which Parliament is dissolved or prorogued or during which both Houses are adjourned for more than four days.

- (7) The Secretary of State shall in each year publish and lay before Parliament such information as he considers appropriate with respect to the use of protected animals in the previous year for experimental or other scientific purposes.

## **22 Penalties for contraventions**

- (1) Any person who contravenes section 3 above shall be guilty of an offence and liable—
- (a) on conviction on indictment, to imprisonment for a term not exceeding two years or to a fine or to both ;
  - (b) on summary conviction, to imprisonment for a term not exceeding six months or to a fine not exceeding the statutory maximum or to both.

- (2) Any person who, being the holder of a project licence—
- (a) procures or knowingly permits a person under his control to carry out a regulated procedure otherwise than as part of the programme specified in the licence ; or
  - (b) procures or knowingly permits a person under his control to carry out a regulated procedure otherwise than in accordance with that person's personal licence,

shall be guilty of an offence and liable to the penalties specified in subsection (1) above.

- (3) Any person who—
- (a) contravenes section 7(1) or (2), 14, 15, 16 or 17 above; or
  - (b) fails to comply with a requirement imposed on him under section 18(3) above,
- shall be guilty of an offence and liable on summary conviction to imprisonment for a term not exceeding three months or to a fine not exceeding the fourth level on the standard scale or to both.

- (4) A person shall not be guilty of an offence under section 3 or 17(a) above by reason only that he acted without the authority of a project licence if he shows that he reasonably believed, after making due enquiry, that he had such authority.

- (5) A person guilty of an offence under section 1 of the Protection of Animals Act 1911 or section 1 of the Protection of Animals (Scotland) Act 1912 in respect of an animal at a designated establishment shall be liable to the penalties specified in subsection (1) above.

## **23 False statements**

- (1) A person is guilty of an offence if for the purpose of obtaining or assisting another person to obtain a licence or certificate under this Act he furnishes information which he knows to be false or misleading in a material particular or recklessly furnishes information which is false or misleading in a material particular.
- (2) A person guilty of an offence under this section shall be liable on summary conviction to imprisonment for a term not exceeding three months or to a fine not exceeding the fourth level on the standard scale or to both.

## **24 Protection of confidential information**

- (1) A person is guilty of an offence if otherwise than for the purpose of discharging his functions under this Act he discloses any information which has been obtained by him in the exercise of those functions and which he knows or has reasonable grounds for believing to have been given in confidence.
- (2) A person guilty of an offence under this section shall be liable—
  - (a) on conviction on indictment, to imprisonment for a term not exceeding two years or to a fine or to both ;
  - (b) on summary conviction, to imprisonment for a term not exceeding six months or to a fine not exceeding the statutory maximum or to both.

## **25 Powers of entry**

- (1) If a justice of the peace or in Scotland a sheriff is satisfied by information on oath that there are reasonable grounds for believing that an offence under this Act has been or is being committed at any place, he may issue a warrant authorising a constable to enter that place if need be by such force as is reasonably necessary, to search it and to require any person found there to give his name and address.
- (2) A warrant under this section may authorise a constable to be accompanied by an inspector appointed under this Act and shall require him to be accompanied by such an inspector if the place in question is a designated establishment.
- (3) Any person who—
  - (a) intentionally obstructs a constable or inspector in the exercise of his powers under this section ; or
  - (b) refuses on demand to give his name and address or gives a false name or address,shall be guilty of an offence and liable on summary conviction to imprisonment for a term not exceeding three months or to a fine not exceeding the fourth level on the standard scale or to both.

## **26 Prosecutions**

- (1) No proceedings for—
  - (a) an offence under this Act; or
  - (b) an offence under section 1 of the Protection of Animals Act 1911 which is alleged to have been committed in respect of an animal at a designated establishment,shall be brought in England and Wales except by or with the consent of the Director of Public Prosecutions.
- (2) Summary proceedings for an offence under this Act may (without prejudice to any jurisdiction exercisable apart from this subsection) be taken against any person at any place at which he is for the time being.
- (3) Notwithstanding anything in section 127(1) of the Magistrates' Courts Act 1980, an information relating to an offence under this Act which is triable by a magistrates' court in England and Wales may be so tried if it is laid at any time within three years after the commission of the offence and within six months after the date on which

evidence sufficient in the opinion of the Director of Public Prosecutions to justify the proceedings comes to his knowledge.

- (4) Notwithstanding anything in section 331 of the Criminal Procedure (Scotland) Act 1975, summary proceedings for an offence under this Act may be commenced in Scotland at any time within three years after the commission of the offence and within six months after the date on which evidence sufficient in the opinion of the Lord Advocate to justify the proceedings comes to his knowledge; and subsection (3) of that section shall apply for the purposes of this subsection as it applies for the purposes of that section.
- (5) For the purposes of subsections (3) and (4) above a certificate of the Director of Public Prosecutions or, as the case may be, the Lord Advocate as to the date on which such evidence as is there mentioned came to his knowledge shall be conclusive evidence of that fact.

## **27 Repeal, consequential amendments and transitional provisions**

- (1) The Cruelty to Animals Act 1876 is hereby repealed.
- (2) The enactments mentioned in Schedule 3 to this Act shall have effect with the amendments there specified, being amendments consequential on the provisions of this Act.
- (3) The Breeding of Dogs Act 1973 shall not apply to the breeding of dogs for use in regulated procedures if they are bred at a designated breeding establishment.
- (4) Schedule 4 to this Act shall have effect with respect to the transitional matters there mentioned.
- (5) The Secretary of State may by order make such further transitional provisions as he considers necessary or expedient.

## **28 Orders**

- (1) Any power of the Secretary of State to make an order under this Act shall be exercisable by statutory instrument.
- (2) A statutory instrument containing an order under any of the foregoing provisions of this Act shall be subject to annulment in pursuance of a resolution of either House of Parliament.

## **29 Application to Northern Ireland**

- (1) This Act applies to Northern Ireland with the following modifications.
- (2) For any reference to the Secretary of State in any provision of this Act except sections 19 and 20(1) there shall be substituted a reference to the Department of Health and Social Services for Northern Ireland; and for the reference in section 18(1) above to the Treasury there shall be substituted a reference to the Department of Finance and Personnel for Northern Ireland.
- (3) The functions of the Secretary of State under sections 19 and 20(1) shall be exercisable by him jointly with the Department of Health and Social Services for Northern Ireland;

and any notice under section 19(6) or advice under section 20(1) may be given to either of them.

- (4) In section 20(5) above for the reference to Parliament there shall be substituted a reference to the Northern Ireland Assembly ; and in section 21 above—
- (a) for the references to Parliament or either House of Parliament there shall be substituted references to the Assembly;
  - (b) in subsection (5) after the word " if " there shall be inserted the words " within the statutory period (within the meaning of the Interpretation Act (Northern Ireland) 1954) " ; and
  - (c) subsection (6) shall be omitted.
- (5) In sections 22(5) and 26(1)(b) above for the references to section 1 of the Protection of Animals Act 1911 there shall be substituted references to sections 13 and 14 of the Welfare of Animals Act (Northern Ireland) 1972.
- (6) In section 25(1) above for the reference to information on oath there shall be substituted a reference to a complaint on oath.
- (7) In section 26 above
- (a) in subsections (1) and (3) for the words " England and Wales " there shall be substituted the words " Northern Ireland " ;
  - (b) in subsections (1), (3) and (5) for the references to the Director of Public Prosecutions there shall be substituted references to the Director of Public Prosecutions for Northern Ireland ; and
  - (c) in subsection (3) for the reference to section 127(1) of the Magistrates' Courts Act 1980 there shall be substituted a reference to Article 19(1) of the Magistrates' Courts (Northern Ireland) Order 1981.
- (8) In section 27(3) above for the reference to the Breeding of Dogs Act 1973 there shall be substituted a reference to Articles 12,13 and 43 of the Dogs (Northern Ireland) Order 1983.
- (9) Section 28 above shall not apply and any order made by the Department of Health and Social Services for Northern Ireland under this Act shall be a statutory rule for the purposes of the Statutory Rules (Northern Ireland) Order 1979 and shall be subject to negative resolution within the meaning of section 41(6) of the Interpretation Act (Northern Ireland) 1954.

### **30 Short title, interpretation and commencement**

- (1) This Act may be cited as the Animals (Scientific Procedures) Act 1986.
- (2) In this Act—
- " designated ", in relation to an establishment, means designated by a certificate under section 6 or 7 above ;
  - " personal licence " means a licence granted under section 4. above;
  - " place " includes any place within the seaward limits of the territorial waters of the United Kingdom, including any vessel other than a ship which is not a British ship ;
  - " project licence " means a licence granted under section 5. above;
  - " protected animal " has the meaning given in section 1 above but subject to any order under subsection (3) of that section;



" regulated procedure " has the meaning given in section 2 above.

- (3) This Act shall come into force on such date as the Secretary of State may by order appoint; and different dates may be appointed for different provisions or different purposes.

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## SCHEDULES

### SCHEDULE 1

Sections 2, 6, 7, 10, 15(1) and 18(3).

#### STANDARD METHODS OF HUMANE KILLING

<i>method</i>	<i>Animals for which appropriate</i>
A. Animals other than foetal, larval and embryonic forms	
1. Overdose of anaesthetic suitable for the species—	
(i) by injection	(i) All animals.
(ii) by inhalation	(ii) All animals up to 1 kg bodyweight except reptiles, diving birds and diving mammals.
(iii) by immersion.	(iii) Fishes Amphibia up to 250 g bodyweight.
(Followed by destruction of the brain in cold-blooded vertebrates and by exsanguination or by dislocation of the neck in warm blooded vertebrates except where rigor mortis has been confirmed).	
2. Dislocation of the neck. (Followed by destruction of the brain in fishes).	Rodents up to 500g bodyweight other than guinea-pigs. Guinea-pigs and lagomorphs up to 1 kg bodyweight. Birds up to 3 kg bodyweight. Fishes up to 250g bodyweight.
3. Concussion by striking the back of the head. (Followed by exsanguination or dislocation of the neck in rodents and birds and destruction of the brain in fishes).	Rodents up to 1 kg bodyweight. Birds up to 250 g bodyweight. Fishes.
4. Decapitation followed by destruction of the brain.	Cold-blooded vertebrates.
5. Exposure to carbon dioxide in a rising concentration using a suitable technique followed by exsanguination or by dislocation of the neck except where rigor mortis has been confirmed.	Rodents over 10 days of age up to 1 1/2 kg bodyweight. Birds over 1 week of age up to 3 kg bodyweight.
<b><i>B. Foetal, larval and embryonic forms</i></b>	

<i>method</i>	<i>Animals for which appropriate</i>
1. Overdose of anaesthetic suitable for the species—	
(i) by injection	(i) All animals.
(ii) by immersion.	(ii) Fishes Amphibia.
2. Decapitation.	Mammals.

## SCHEDULE 2

Sections 7 and 10.

ANIMALS TO BE OBTAINED ONLY FROM DESIGNATED  
BREEDING OR SUPPLYING ESTABLISHMENTS

Mouse  
Rat  
Guinea-pig  
Hamster  
Rabbit  
Dog  
Cat  
Primate

## SCHEDULE 3

Section 27(2).

## CONSEQUENTIAL AMENDMENTS

- 1 In section 1(3) of the Protection of Animals Act 1911 for the words " the Cruelty to Animals Act 1876 " there shall be substituted the words " the Animals (Scientific Procedures) Act 1986 " .
- 2 In section 1(3) of the Protection of Animals (Scotland) Act 1912 for the words " the Cruelty to Animals Act 1876 " there shall be substituted the words " the Animals (Scientific Procedures) Act 1986 " .
- 3 In paragraph 1 of Schedule 1 to the Protection of Animals (Anaesthetics) Act 1954 for the words " Any experiment duly authorised under the Cruelty to Animals Act 1876 " there shall be substituted the words " Any procedure duly authorised under the Animals (Scientific Procedures) Act 1986 " .
- 4 In section 12 of the Pests Act 1954 for the words " any experiment duly authorised under the Cruelty to Animals Act 1876 " there shall be substituted the words " any procedure duly authorised under the Animals (Scientific Procedures) Act 1986 " .
- 5 In section 19(4)(a) of the Veterinary Surgeons Act 1966 for the words " any experiment duly authorised under the Cruelty to Animals Act 1876 " there shall be substituted the words " any procedure duly authorised under the Animals (Scientific Procedures) Act 1986 " .
- 6 In section 1(2A)(b) of the Slaughter of Poultry Act 1967 for the words " an experiment in respect of which restrictions are imposed by the Cruelty to Animals

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Act 1876, being an experiment performed subject to any restrictions so imposed" there shall be substituted the words " a procedure duly authorised under the Animals (Scientific Procedures) Act 1986 " .

7 In section 1(2) of the Agriculture (Miscellaneous Provisions) Act 1968 for the words " the Cruelty to Animals Act 1876 " there shall be substituted the words " the Animals (Scientific Procedures) Act 1986 " .

8 In sections 1(2) and 15(a) of, and paragraph 1 of Schedule 1 to, the Welfare of Animals Act (Northern Ireland) 1972 for the words " the Cruelty to Animals Act 1876 " there shall be substituted the words " the Animals (Scientific Procedures) Act 1986 " .

9 In section 8(3) of the Badgers Act 1973 for the words from " something done" onwards there shall be substituted the words " doing anything which is authorised under the Animals (Scientific Procedures) Act 1986 " .

10 In section 5(4) of the Dangerous Wild Animals Act 1976 for the words " registered pursuant to the Cruelty to Animals Act 1876 for the purpose of performing experiments " there shall be substituted the words " which is a designated establishment within the meaning of the Animals (Scientific Procedures) Act 1986 " .

#### SCHEDULE 4

Section 27(4).

#### TRANSITIONAL PROVISIONS

##### *Existing licences*

1 Any licence which immediately before the coming into force of section 3 of this Act is in force under the Cruelty to Animals Act 1876 (in this Schedule referred to as "the previous Act" shall until such date as it would have expired under that Act be treated for the purposes of this Act as if it were a personal licence.

##### *Current experiments*

2 (1) Subject to sub-paragraph (2) below, any experiment or series of experiments which is lawfully in progress under the previous Act immediately before the coming into force of section 3 of this Act shall be treated for the purposes of this Act as authorised by a project licence.

(2) The Secretary of State may direct that sub-paragraph (1) above shall cease to have effect on such date as he may specify ; and different dates may be specified in relation to different cases.

##### *Existing certificates*

3 A person shall not by virtue of paragraphs 1 or 2 above be entitled to do anything which would have been unlawful under the previous Act without such a certificate as is mentioned in paragraph (2) or (3) of the proviso to section 3 of that Act or in section 5 of that Act unless immediately before the coming into force of section 3 of this Act he holds the appropriate certificate under that Act.

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*Registered premises*

- 4        Until such date as the Secretary of State may direct there shall be treated as a designated scientific procedure establishment for the purposes of this Act any place registered under the previous-Act or approved by the Secretary of State.

*Inspectors*

- 5        Any person who at the coming into force of section 18 of this Act holds office as an inspector under the previous Act shall be treated for the purposes of this Act as an inspector appointed under that section.