
DRAFT SCOTTISH STATUTORY INSTRUMENTS

2009 No.

The Licensing of Animal Dealers (Young Cats and Young Dogs) (Scotland) Regulations 2009

Termination or variation of disqualification

22.—(1) A person who has been disqualified under regulation 21(2) may request the court which made the disqualification to terminate or vary that disqualification.

(2) An application under paragraph (1) may not be made—

- (a) before the expiry of the period of one year beginning with the date on which the disqualification was made;
- (b) where there has been a previous application under that paragraph in relation to the same disqualification, before the expiry of one year beginning with the date on which the previous application was determined; or
- (c) within any period specified under paragraph (5).

(3) On an application under paragraph (1), the court may—

- (a) refuse the application;
- (b) terminate the disqualification; or
- (c) vary the disqualification so as to relax any period of disqualification imposed by it.

(4) In considering the application, the court must have particular regard to—

- (a) the nature of the offence in relation to which the disqualification was made;
- (b) the character of the applicant; and
- (c) the applicant's conduct since the disqualification.

(5) Where the court refuses an application made under paragraph (1), the court may specify a period in excess of one year during which the applicant may not make a further application under paragraph (1).