
DRAFT SCOTTISH STATUTORY INSTRUMENTS

2021 No.

The Animal Welfare (Licensing of Activities Involving Animals) (Scotland) Regulations 2021

PART 2

Licensing of activities involving animals

Licensing of activities involving animals

3. A person must not carry on a licensable activity without the authority of a licence granted under regulation 6.

Application for a licence

4.—(1) A person may apply to an appropriate licensing authority for the grant or renewal of a licence to carry on a licensable activity.

(2) An application for a licence to carry on a licensable activity must be—

- (a) addressed, and sent, to an appropriate licensing authority, and
- (b) in writing, and
- (c) in the form required by the appropriate licensing authority.

(3) The appropriate licensing authority for any of the licensable activities described in paragraphs 1, 8, 14, 17 and 20 of schedule 1 is the local authority for the area in which the licensable activity is carried on.

(4) Subject to paragraph (5), an appropriate licensing authority for the licensable activity described in paragraph 4 of schedule 1 (engaging in animal rehoming activities) is a local authority for an area in which the applicant resides or has a place of business.

(5) If the applicant neither resides nor has a place of business in Scotland, the appropriate licensing authority for the licensable activity described in paragraph 4 of schedule 1 (engaging in animal rehoming activities) is the Scottish Ministers.

(6) In this regulation, if the applicant is not an individual, “place of business” includes a registered office or other official address.

Authority of a licence

5.—(1) A licence granted or renewed under regulation 6 authorises the carrying on of the licensable activity—

- (a) on the premises specified in the licence, in the case of a licence for any of the licensable activities described in paragraphs 1, 8, 14, 17 and 20 of schedule 1,
- (b) throughout Scotland, in the case of the licensable activity described in paragraph 4 of schedule 1 (engaging in animal rehoming activities).

(2) If a licence authorises the carrying on of a licensable activity which involves supply of an animal, the supply is not to be treated as carrying on the licensable activity outwith the premises specified in the licence by reason that the supply is negotiated or agreed when the recipient of the animal, or the supplier, is not physically present at the premises specified in the licence provided that the condition mentioned in paragraph (3) is met.

(3) The condition referred to in paragraph (2) is that the animal being supplied is not removed from the premises for the purpose of the supply until the supply of the animal has been agreed.