SCOTTISH STATUTORY INSTRUMENTS

# 2021 No. 84

## ANIMALS

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

> Made - - -Coming into force

17th February 2021 1st September 2021

# THE ANIMAL WELFARE (LICENSING OF ACTIVITIES INVOLVING ANIMALS) (SCOTLAND) REGULATIONS 2021

#### PART 1

#### Introduction

- 1. Title and commencement
- 2. Interpretation

#### PART 2

#### Licensing of activities involving animals

- 3. Licensing of activities involving animals
- 4. Application for a licence
- 5. Authority of a licence

#### PART 3

#### Grant, renewal and variation of a licence and inspection of premises

- 6. Conditions of grant or renewal of a licence
- 7. Notices arising from an application
- 8. Period of licence
- 9. Power to take samples from animals
- 10. Duty to assist in the taking of samples from animals
- 11. Variation of a licence on the application, or with the consent, of a licence holder
- 12. Inspector's report
- 13. Persons who may not apply for a licence
- 14. Death of a licence holder
- 15. Fees

#### 16. Guidance

#### PART 4

#### Enforcement and notices

- 17. Grounds for suspension, variation (without consent) or revocation of a licence
- 18. Procedure for suspension or variation without consent
- 19. Reinstatement of a suspended licence by a licensing authority
- 20. Revocation
- 21. Notices of revocation and variation upon reinstatement
- 22. Obstruction of inspectors
- 23. Offences and penalties
- 24. Powers of entry
- 25. Post-conviction powers
- 26. Notices

#### PART 5

#### Appeals

27. Appeals

#### PART 6

#### Duty to publish register of licences

28. Duty to publish register of licences

#### PART 7

#### Revocation

29. Revocation of the Licensing of Animal Dealers (Young Cats and Young Dogs) (Scotland) Regulations 2009

#### PART 8

#### Transitional and saving provisions

30. Transitional and saving provisions Signature

SCHEDULE 1 Licensable activities

PART 1 Selling animals as pets

1. Selling animals as pets (or with the expectation of their...

- 2. The activity described in paragraph 1 does not include selling...
- 3. The circumstances which a licensing authority must take into account...

PART 2 Engaging in animal rehoming activities (other than in the course of operating an animal welfare establishment)

- 4. Subject to paragraphs 6 and 7, engaging in animal rehoming...
- 5. For the purposes of these Regulations, "engaging in animal rehoming...
- 6. The activity described in paragraph 4 (engaging in animal rehoming...
- 7. The activity described in paragraph 4 (engaging in animal rehoming...

PART 3 Operating an animal welfare establishment

- 8. Subject to paragraph 10, operating an animal welfare establishment.
- 9. In this Part of schedule 1, "animal welfare establishment" means...
- 10. The activity described in paragraph 8 (operating an animal welfare...
- 11. A person does not keep an animal for its care...
- 12. If any relevant animal kept in an animal welfare establishment...
- 13. In this Part of this schedule— "care" includes, but is...

#### PART 4 Breeding dogs

- 14. Breeding three or more litters of puppies in any 12...
- 15. If any dog bred or used in the course of...
- 16. The activity described in paragraph 14 (breeding dogs) does not...

### PART 5 Breeding cats

- 17. Breeding three or more litters of kittens in any 12...
- 18. If any cat bred or used in the course of...
- 19. The activity described in paragraph 17 (breeding cats) does not...

PART 6 Breeding rabbits

- 20. Breeding six or more litters of kits in any 12...
- 21. If any rabbit bred or used in the course of...
- 22. The activity described in paragraph 20 (breeding rabbits) does not... SCHEDULE 2 General conditions
- 1. Licence display
- 2. Records
- 3. Number of animals
- 4. Staffing
- 5. Suitable environment
- 6. Suitable diet
- 7. Enrichment and training of animals
- 8. Animal handling and interactions
- 9. Protection from suffering, injury and disease
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#### SCHEDULE 3 Specific conditions: selling animals as pets

- 1. Interpretation
- 2. Records and advertisements
- 3. Prospective sales: pet care and advice
- 4. Suitable accommodation
- 5. Training and exercise
- 6. Sale of animals
- 7. Protection from suffering, injury and disease

SCHEDULE 4 Specific conditions: engaging in animal rehoming activities (other than in the course of operating an animal welfare establishment)

Specific conditions: operating an animal welfare

- 1. Supply of animals
- 2. Protection from suffering, injury and disease
- 3. Pet care and advice
- 4. Return of animals

SCHEDULE 5

establishment

- 1. Interpretation
- 2. Records and advertisements
- 3. Rehoming: pet care and advice
- 4. Release of animals into the wild
- 5. Dangerous wild animals: duty to notify
- 6. Suitable accommodation

- 7. Supply of animals
- SCHEDULE 6 Specific conditions: breeding dogs
- 1. Interpretation
- 2. Advertisements and sales
- 3. Number of breeding bitches and litters produced
- 4. Suitable environment
- 5. Suitable diet
- 6. Monitoring of behaviour, exercise and training
- 7. Housing with or apart from other dogs
- 8. Protection from suffering, injury and disease
  - SCHEDULE 7 Specific conditions: breeding cats
- 1. Interpretation
- 2. Advertisements and sales
- 3. Number of breeding female cats and litters produced
- 4. Suitable environment
- 5. Suitable diet
- 6. Training and exercise
- 7. Housing with or apart from other cats
- 8. Protection from suffering, injury and disease SCHEDULE 8 Specific conditions: breeding rabbits
- 1. Interpretation
- 2. Advertisements and sales
- 3. Number of breeding female rabbits
- 4. Suitable environment
- 5. Training and exercise
- 6. Suitable diet
- 7. Protection from suffering, injury and disease Explanatory Note

**Changes to legislation:** There are currently no known outstanding effects for the The Animal Welfare (Licensing of Activities Involving Animals) (Scotland) Regulations 2021.