



Animal Boarding Establishments Act 1963

1963 CHAPTER 43

3 Offences and disqualifications.

- (1) Any person guilty of an offence under any provision of this Act other than the last foregoing section shall be liable on summary conviction to a fine not exceeding [^{F1}level 2 on the standard scale] or to imprisonment for a term not exceeding three months or to both such fine and such imprisonment.
- (2) Any person guilty of an offence under the last foregoing section shall be liable on summary conviction to a fine not exceeding [^{F2}level 2 on the standard scale].
- (3) Where a person is convicted of any offence under this Act or of any offence under the ^{M1}Protection of Animals Act 1911 or the ^{M2}Protection of Animals (Scotland) Act 1912 or the ^{M3}Pet Animals Act 1951, [^{F3} or of any offence under any of sections 4, 5, 6(1) and (2), 7 to 9 and 11 of the Animal Welfare Act 2006,] the court by which he is convicted may cancel any licence held by him under this Act, and may, whether or not he is the holder of such a licence, disqualify him from keeping a boarding establishment for animals for such period as the court thinks fit.
- (4) A court which has ordered the cancellation of a person's licence, or his disqualification, in pursuance of the last foregoing subsection may, if it thinks fit, suspend the operation of the order pending an appeal.
- [^{F4}(5) Where a person is convicted of any offence under sections 28C or 28F(16) of the Animal Health Act 1981 (c. 22), [^{F5}... sections 19 to 24, 25(7), 29 or 40(11) of the Animal Health and Welfare (Scotland) Act 2006 (asp 11)] [^{F6} or regulation 23 of the Animal Welfare (Licensing of Activities Involving Animals) (Scotland) Regulations 2021], the court by which he is convicted has the same powers under subsections (3) and (4) in relation to such convictions as it has in relation to convictions for offences under this Act.]

Textual Amendments

- F1** Words substituted by virtue of (E.W.) [Criminal Justice Act 1982 \(c. 48, SIF 39:1\)](#), [ss. 38, 46](#) and (S.) [Criminal Procedure \(Scotland\) Act 1975 \(c. 21, SIF 39:1\)](#), [ss. 289F, 289G](#)

Changes to legislation: Animal Boarding Establishments Act 1963, Section 3 is up to date with all changes known to be in force on or before 29 September 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- F2** Words substituted by virtue of (E.W.) Criminal Justice Act 1982 (c. 48, SIF 39:1), **ss. 38**, 46 and (S.) Criminal Procedure (Scotland) Act 1975 (c. 21, SIF 39:1), **ss. 289F**, 289G
- F3** Words in s. 3(3) inserted (27.3.2007 for W., 6.4.2007 for E.) by Animal Welfare Act 2006 (c. 45), s. 68(3), **Sch. 3 para. 5(2)** (with ss. 1(2), 58(1), 59, 60); S.I. 2007/499, art. 2(2)(l); S.I. 2007/1030, art. 2(1)(l)
- F4** S. 3(5) inserted (S.) (3.11.2006) by The Animal Health and Welfare (Scotland) Act 2006 (Consequential Provisions) Order 2006 (S.S.I. 2006/536), art. 1, **Sch. 1 para. 4(3)**
- F5** Word in s. 3(5) omitted (S.) (8.6.2022) by virtue of The Animal Health and Welfare (Scotland) Act 2006 (Consequential Provisions) Order 2022 (S.S.I. 2022/195), art. 1(2), **sch. 1 para. 1(a)**
- F6** Words in s. 3(5) inserted (S.) (8.6.2022) by The Animal Health and Welfare (Scotland) Act 2006 (Consequential Provisions) Order 2022 (S.S.I. 2022/195), art. 1(2), **sch. 1 para. 1(b)**

Modifications etc. (not altering text)

- C1** S. 3 extended by Breeding of Dogs Act 1973 (c. 60,SIF 4:1), **s. 3(3)**

Marginal Citations

- M1** 1911 c. 27.
M2 1912 c. 14.
M3 1951 c. 35.

Changes to legislation:

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[View outstanding changes](#)

Changes and effects yet to be applied to :

- s. 3(1) words repealed by [2003 c. 44 Sch. 37 Pt. 9](#)
- s. 3(2) repealed by [2003 c. 44 Sch. 37 Pt. 9](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

- Act repealed by [2006 asp 11 Sch. 2 para. 9\(h\)](#)