



Pet Animals Act 1951

1951 CHAPTER 35 14 and 15 Geo 6

1 Licensing of pet shops.

- (1) ^[F1]^[F2]No person shall keep a pet shop ^[F3]in Wales] except under the authority of a licence granted in accordance with the provisions of this Act.]]
- (2) Every local authority ^[F4]in Wales] may, on application being made to them for that purpose by a person who is not for the time being disqualified from keeping a pet shop, and on payment of such fee . . . ^{F5} as may be determined by the local authority, grant a licence to that person to keep a pet shop at such premises in their area as may be specified in the application and subject to compliance with such conditions as may be specified in the licence.

^[F6](2A) Where a person is for the time being disqualified under section 28F(1) and (2) of the Animal Health Act 1981 (c. 22), or section 40(1) and (2) of the [Animal Health and Welfare \(Scotland\) Act 2006 \(asp 11\)](#), notwithstanding subsection (2), a local authority shall not grant a licence to keep a pet shop to that person.]

- (3) In determining whether to grant a licence for the keeping of a pet shop ^[F7]in Wales] by any person at any premises, a local authority ^[F7]in Wales] shall in particular (but without prejudice to their discretion to withhold a licence on other grounds) have regard to the need for securing—
 - (a) that animals will at all times be kept in accommodation suitable as respects size, temperature, lighting, ventilation and cleanliness;
 - (b) that animals will be adequately supplied with suitable food and drink and (so far as necessary) visited at suitable intervals;
 - (c) that animals, being mammals, will not be sold at too early an age;
 - (d) that all reasonable precautions will be taken to prevent the spread among animals of infectious diseases;
 - (e) that appropriate steps will be taken in case of fire or other emergency;

and shall specify such conditions in the licence, if granted by them, as appear to the local authority necessary or expedient in the particular case for securing all or any of the objects specified in paragraphs (a) to (e) of this subsection.

Changes to legislation: There are currently no known outstanding effects for the Pet Animals Act 1951, Section 1. (See end of Document for details)

- [^{F8}(3A) No condition may be specified under subsection (3) of this section in so far as it relates to any matter in relation to which requirements or prohibitions are or could be imposed by or under the Regulatory Reform (Fire Safety) Order 2005.]
- [^{F9}(3A) No condition may be specified under subsection (3) of this section which relates to any matter in relation to which requirements or prohibitions are or could be imposed by virtue of Part 3 of the [Fire \(Scotland\) Act 2005 \(asp 5\)](#) .]
- (4) Any person aggrieved by the refusal of a local authority [^{F10}in Wales] to grant such a licence, or by any condition subject to which such a licence is proposed to be granted, may appeal to a court of summary jurisdiction having jurisdiction in the place in which the premises are situated; and the court may on such an appeal give such directions with respect to the issue of a licence or, as the case may be, with respect to the conditions subject to which a licence is to be granted as they think proper.
- (5) Any such licence shall (according to the applicants' requirements) relate to the year in which it is granted or to the next following year. In the former case, the licence shall come into force at the beginning of the day on which it is granted, and in the latter case it shall come into force at the beginning of the next following year.
- (6) Subject to the provisions hereinafter contained with respect to cancellation, any such licence shall remain in force until the end of the year to which it related and shall then expire.
- (7) Any person who contravenes the provisions of subsection (1) of this section shall be guilty of an offence; and if any condition subject to which a licence is granted in accordance with the provisions of this Act is contravened or not complied with the person to whom the licence was granted shall be guilty of an offence.
- (8) In the application of this section to Scotland, in subsection (4) for the reference to a court of summary jurisdiction there shall be substituted a reference to the sheriff.

Textual Amendments

- F1** S. 1(1) ceases to have effect (W.) (10.9.2021) by virtue of [The Animal Welfare \(Licensing of Activities Involving Animals\) \(Wales\) Regulations 2021 \(S.I. 2021/416\)](#), reg. 1(2), **Sch. 5 para. 1** (with reg. 25)
- F2** S. 1(1) ceases to have effect (E.) (1.10.2018) by virtue of [The Animal Welfare \(Licensing of Activities Involving Animals\) \(England\) Regulations 2018 \(S.I. 2018/486\)](#), reg. 1(1)(b), **Sch. 9 para. 2(2)** (with reg. 27)
- F3** Words in s. 1(1) inserted (E.W.) (1.10.2018) by [The Animal Welfare \(Licensing of Activities Involving Animals\) \(England\) Regulations 2018 \(S.I. 2018/486\)](#), reg. 1(1)(b), **Sch. 9 para. 2(3)(a)** (with reg. 27)
- F4** Words in s. 1(2) inserted (E.W.) (1.10.2018) by [The Animal Welfare \(Licensing of Activities Involving Animals\) \(England\) Regulations 2018 \(S.I. 2018/486\)](#), reg. 1(1)(b), **Sch. 9 para. 2(3)(b)** (with reg. 27)
- F5** Words repealed by [Local Government \(Scotland\) Act 1973 \(c. 65\)](#), s. 209(1), Sch. 25 para. 26, **Sch. 29** and [Local Government Act 1974 \(c. 7\)](#), s. 35, Sch. 6 para. 8, **Sch. 8**
- F6** S. 1(2A) 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. 3(2)**
- F7** Words in s. 1(3) inserted (E.W.) (1.10.2018) by [The Animal Welfare \(Licensing of Activities Involving Animals\) \(England\) Regulations 2018 \(S.I. 2018/486\)](#), reg. 1(1)(b), **Sch. 9 para. 2(3)(c)** (with reg. 27)
- F8** S. 1(3A) inserted (E.W.) (1.10.2006) by [Regulatory Reform \(Fire Safety\) Order 2005 \(S.I. 2005/1541\)](#), art. 1(3), **Sch. 2 para. 3** (with art. 49) (as amended by [The Regulatory Reform \(Fire Safety\) Subordinate Provisions Order 2006 \(S.I. 2006/484\)](#), arts. 1(1), 2)
- F9** S. 1(3A) inserted (S.) (1.10.2006) by [Fire \(Scotland\) Act 2005 \(Consequential Modifications and Savings\) Order 2006 \(S.S.I. 2006/475\)](#), art. 1, **Sch. 1 para. 2**

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F10 Words in s. 1(4) inserted (E.W.) (1.10.2018) by [The Animal Welfare \(Licensing of Activities Involving Animals\) \(England\) Regulations 2018 \(S.I. 2018/486\)](#), reg. 1(1)(b), **Sch. 9 para. 2(3)(d)** (with reg. 27)

Modifications etc. (not altering text)

- C1** S. 1: functions of local authority not to be responsibility of an executive of the authority (E.) (16.11.2000) by virtue of [S.I. 2000/2853](#), reg. 2(1), **Sch. 1**
- C2** S. 1(1) power to repeal conferred (E.W.) (27.3.2007 for W., 6.4.2007 for E.) by [Animal Welfare Act 2006 \(c. 45\)](#), **ss. 13(8)(b)**, 68(3) (with ss. 1(2), 58(1), 59, 60); [S.I. 2007/499](#), art. 2(2)(f); [S.I. 2007/1030](#), art. 2(1)(d)
- C3** Power to amend s. 1(2) (S.) given by [Local Government \(Scotland\) Act 1966 \(c. 51\)](#), s. 42(2), **Sch. 4 Pt. II**

Changes to legislation:

There are currently no known outstanding effects for the Pet Animals Act 1951, Section 1.