
STATUTORY INSTRUMENTS

2012 No. 3039

**The Animals (Scientific Procedures)
Act 1986 Amendment Regulations 2012**

Licensing of undertakings

6. After section 2A insert—

“Licensing of undertakings

2B Prohibition of unlicensed undertakings

(1) A person must not, whether for profit or otherwise, carry on at any place an undertaking which involves one or more of the activities mentioned in subsection (2) unless the person is authorised to do so by a licence under section 2C.

(2) The activities are—

- (a) the applying of regulated procedures to protected animals;
- (b) the breeding of relevant protected animals with a view to—
 - (i) their use in regulated procedures, or
 - (ii) the use of their tissues or organs for scientific purposes,or the breeding of protected animals (other than relevant protected animals) primarily for purposes within sub-paragraph (i) or (ii);
- (c) the keeping of relevant protected animals which have been bred elsewhere and are to be supplied with a view to —
 - (i) their use elsewhere in regulated procedures, or
 - (ii) the use elsewhere of their tissues or organs for scientific purposes.

(3) In this section “relevant protected animal” means a protected animal of a description specified in Schedule 2 to this Act.

2C Licensing of undertakings

(1) A licence under this section is a licence granted by the Secretary of State which authorises the holder to carry on at a specified place an undertaking which involves the activities mentioned in subsection (2) of section 2B or such of those activities as are specified in the licence.

(2) The Secretary of State may grant a licence under this section only if satisfied that the person who is to be the holder and the place that is to be specified are in compliance with the requirements of the Animals Directive.

(3) An application for a licence under this section shall be made to the Secretary of State in such form and shall be supported by such information as the Secretary of State may reasonably require.

(4) A licence under this section shall not be granted unless the application nominates for inclusion in the licence pursuant to subsection (5) persons appearing to the Secretary of State to be suitable for that purpose.

(5) A licence under this section shall specify—

- (a) a person to be responsible for overseeing the welfare and care of the animals kept at the place specified in the licence;
- (b) a veterinary surgeon with expertise in laboratory animal medicine, or other suitably qualified person, to provide advice on the welfare and treatment of those animals;
- (c) a person to be responsible for ensuring that the persons dealing with those animals have access to any information they need about the species concerned;
- (d) a person to be responsible for ensuring that the persons dealing with those animals are adequately educated and trained and are supervised until they have demonstrated the requisite competence; and
- (e) a person to be responsible for ensuring that the conditions of the licence are complied with.

(6) If the Secretary of State thinks fit, the same person may be specified under two or more of the paragraphs of subsection (5).

(7) If it appears to any person specified in a licence pursuant to paragraph (a) or (b) of subsection (5) that the health or welfare of any animal kept at the place specified in the licence gives rise to concern, that person shall—

- (a) notify the person holding a personal licence who is in charge of the animal; or
- (b) if there is no such person or it is not practicable to notify that person, take steps to ensure that the animal is cared for and, if it is necessary for it to be killed, that it is killed in accordance with section 15A (manner in which protected animals are to be killed).

(8) In any case to which subsection (7) applies the person specified in the licence pursuant to paragraph (a) of subsection (5) may also notify the person (if different) specified pursuant to paragraph (b) of that subsection; and the person specified pursuant to either paragraph of that subsection may also notify one of the inspectors appointed under this Act.

(9) A licence under this section shall continue in force until revoked.

(10) Where—

- (a) there has been or is to be a significant change to the structure or function of the place specified in a licence under this section, and
- (b) the change may have a negative effect on animal welfare,

the Secretary of State shall vary the licence as appropriate (or if necessary revoke it).”