STATUTORY INSTRUMENTS

2018 No. 486

The Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018

PART 1

Introduction

Title, commencement and application

1.—(1) These Regulations—

(a) may be cited as the Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018;

(b) come into force on 1st October 2018.

(2) The following provisions of these Regulations apply in England only—

(a) regulations 2 to 24,

(b) regulations 27 to 29, and

(c) Schedules 1 to 8.

Interpretation

2. In these Regulations—

"the Act" means the Animal Welfare Act 2006;

"adult dog" means a dog aged 6 months or more;

"general conditions" means the conditions set out in Schedule 2;

"horse" includes an ass, mule or hinny;

"licence", except as the context otherwise requires in regulation 11(1)(b) and Schedule 8 or where more specifically provided, means a licence to carry on a licensable activity granted or renewed under these Regulations and cognate expressions are to be construed accordingly;

"licence conditions" means—

(a) the general conditions, and

(b) the relevant specific conditions;

"licensable activity" means an activity described in paragraph 2, 4, 6, 8 or 10 of Schedule 1;

"listed" means for the time being listed as authorised to carry out an inspection on the list of veterinarians drawn up by the Royal College of Veterinary Surgeons;

"local authority" means—

(a) a district council,

(b) a London borough council,

(c) the Common Council of the City of London (in their capacity as a local authority),

(d) the Council of the Isles of Scilly, or

(e) a combined authority in England established under section 103 of the Local Democracy, Economic Development and Construction Act 2009 [M1];

"operator" means an individual who—

(a) carries on, attempts to carry on or knowingly allows to be carried on a licensable activity, or

(b) where a licence has been granted or renewed, is the licence holder;

"pet" means an animal mainly or permanently, or intended to be mainly or permanently, kept by a person for—

(a) personal interest,

(b) companionship,

(c) ornamental purposes, or

(d) any combination of (a) to (c).

"puppy" means a dog aged less than 6 months;

"relevant specific conditions" means—

(a) in relation to the activity of selling animals as pets (or with a view to their being later resold as pets) as described in paragraph 2 of Schedule 1, the conditions set out in Schedule 3;

(b) in relation to the activity of providing or arranging for the provision of boarding for cats or dogs as described in paragraph 4 of Schedule 1, the conditions set out in the relevant Part of Schedule 4;

(c) in relation to the activity of hiring out horses as described in paragraph 6 of Schedule 1, the conditions set out in Schedule 5;

(d) in relation to the activity of breeding dogs as described in paragraph 8 of Schedule 1, the conditions set out in Schedule 6;

(e) in relation to the activity of keeping or training animals for exhibition as described in paragraph 10 of Schedule 1, the conditions set out in Schedule 7;

"sleeping area" means a fully-enclosed indoor area in which a dog, or, in the context of Part 1 of Schedule 4, a cat, can rest, sleep or avoid seeing other people or animals;

"veterinarian" means—

(a) a person who is for the time being registered in the register of veterinary surgeons maintained under section 2 of the Veterinary Surgeons Act 1966 [M2], or

(b) a person who is for the time being registered in the supplementary veterinary register maintained under section 8 of that Act;

"working day" means any day other than a Saturday, a Sunday, Christmas Day, Good Friday or a day which is a bank holiday in England and Wales under section 1 of the Banking and Financial Dealings Act 1971 [M3].

Marginal Citations

M1 2008 c.20. Section 103 has been amended by sections 12(2) and 14(2) of the Cities and Local Government Devolution Act 2016 (2016 c.1).

M2 1966 c. 36. Section 2(2) has been amended by article 12 and paragraph 1 of the Schedule to S.I. 2003/2919 and by article 2 and paragraph (2)(a) and (b) of the Schedule to S.I. 2008/1824.

M3 1971 c. 80.

Licensing of operators

3.—(1) Each licensable activity is a specified activity for the purposes of section 13(1) of the Act.

(2) A local authority is the licensing authority for any licensable activity carried on on premises in its area.

Status:
Point in time view as at 01/10/2018.

Changes to legislation:
There are currently no known outstanding effects for the The Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018, PART 1.