

## SCHEDULE 9

Regulation 25

### Repeals and consequential amendments

#### **Performing Animals (Regulation) Act 1925**

1.—(1) The Performing Animals (Regulation) Act 1925 is amended as follows.

(2) Section 1(1) (restriction on exhibition and training of performing animals) ceases to have effect in relation to England.

(3) In section 1—

- (a) in subsection (1), after “animal” insert “in Wales”;
- (b) in subsection (2)—
  - (i) for “Great Britain” substitute “Wales”;
  - (ii) after “districts” insert “in Wales”.

(4) In section 4(1) (offences and legal proceedings), in each of paragraphs (a), (b) and (e), after “animal” insert “in Wales”.

(5) In section 5(1) (interpretation, rules, and expenses)—

- (a) in subsection (1), for the definition of “local authority” substitute—

“The expression “local authority” means a county council in Wales or a county borough council in Wales.”;
- (b) in subsection (3), omit the words from “, and” to the end.

#### **Pet Animals Act 1951**

2.—(1) The Pet Animals Act 1951 is amended as follows.

(2) Section 1(1) (restriction on keeping a pet shop) ceases to have effect in relation to England.

(3) In section 1—

- (a) in subsection (1), after “shop” insert “in Wales”;
- (b) in subsection (2), after “Every local authority” insert “in Wales”;
- (c) in subsection (3), after “shop” and “a local authority” insert “in Wales”;
- (d) in subsection (4), after “local authority” insert “in Wales”.

(4) In section 4(1) (inspection of pet shops), after “A local authority” insert “in Wales”.

(5) In section 6 (power of local authority to prosecute)—

- (a) the existing text becomes subsection (1) and in that text omit “England or”;
- (b) after subsection (1) insert—

“(2) A local authority in England may prosecute proceedings for an offence under section 2 committed in the area of the authority.”.

#### **Animal Boarding Establishments Act 1963**

3.—(1) The Animal Boarding Establishments Act 1963 is amended as follows.

(2) Section 1(1) (licensing of boarding establishments for animals) ceases to have effect in relation to England.

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(1) Subsections (1) and (3) were amended by section 16 of, and paragraph 17 of Schedule 8 to, the Local Government Act 1985 (1985 c. 51).

*Status: This is the original version (as it was originally made).*

- (3) In section 1(1) after “animals” insert “in Wales”.
- (4) In section 4 (power of local authorities to prosecute) omit “in England or Wales”.
- (5) In section 5(2) (interpretation), in the definition of “local authority”, for the words from “means the” to “London” substitute—  
“means a county council in Wales or a county borough council in Wales”.

#### **Riding Establishments Act 1964**

- 4.—(1) The Riding Establishments Act 1964 is amended as follows.
- (2) Section 1(1) (licensing of riding establishments) ceases to have effect in relation to England.
- (3) In section 1(1) after “establishment” insert “in Wales”.
- (4) In section 5 (power of local authorities to prosecute)—
  - (a) in subsection (1), omit “in England or Wales”.
  - (b) in subsection (2), omit “In England and Wales”.
- (5) In section 6 (interpretation)—
  - (a) in subsection (1) omit paragraph (c);
  - (b) in subsection (4), in the definition of “local authority”(2), for the words from “means the council of a district” to “county borough”, substitute—  
“means a county council in Wales or a county borough council in Wales”.

#### **Breeding of Dogs Act 1973**

- 5. The Breeding of Dogs Act 1973 is repealed.

#### **Local Government Act 1974**

- 6. In the Local Government Act 1974(3), in Schedule 7 (minor and consequential amendments), paragraph 15 is omitted.

#### **Dangerous Wild Animals Act 1976**

- 7.—(1) The Dangerous Wild Animals Act 1976(4) is amended as follows.
- (2) In section 5(5) (exemptions)—
  - (a) after paragraph (2), insert—  
“(2A) premises in England on which the activity described in paragraph 2 of Schedule 1 to the Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018 (read with paragraph 3 of that Schedule: selling animals as pets etc) is carried on under a licence under those Regulations;”;
  - (b) in paragraph (3), after “premises” insert “in Wales”.
- (3) In section 6(6) (penalties)—

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(2) This definition has been amended by section 251(2) and 272(1) of, and Schedule 29 and paragraph 42 of Schedule 30 to, the Local Government Act 1972 and by section 22(3) of, and paragraph 7 of Schedule 9 to, the Local Government (Wales) Act 1994. There is another amendment but it is not relevant.

(3) 1974 c. 7.

(4) 1976 c. 38.

(5) Section 5 has been amended but the amendments are not relevant.

(6) Subsection (2) was amended by section 64 of, and paragraphs 9(b) to (d) of Schedule 3 to, the Act. Subsection (3A) was inserted, in relation to Scotland, by article 2(1) of, and paragraph 8 of Schedule 1 to, SSI 2006/536. Subsection (3B) was inserted, in relation to Wales, by regulation 26 of, and paragraph 4 of Schedule 2 to, SI 2014/3266 (W.333).

- (a) in subsection (2) omit “or the Breeding of Dogs Act 1973,”;
- (b) at the end insert—

“(3C) Where a person is convicted of an offence under section 13(6) of the Animal Welfare Act 2006 arising from the contravention of section 13(1) of that Act in relation to the carrying on of an activity in England, or of an offence under the Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018, subsections (2) and (3) apply as they do to convictions under this Act.”.

### **Zoo Licensing Act 1981**

8. In section 4(5) of the Zoo Licensing Act 1981(7) (grant or refusal of licence)—

- (a) after the entry which begins “section 13(6)” insert—

“section 13(6) of the Animal Welfare Act 2006, so far as the offence arises from the contravention of section 13(1) of that Act in relation to the carrying on of an activity in England;”;

- (b) at the end insert—

“.

the Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018.”.

### **Animals (Scientific Procedures) Act 1986**

9. In the Animals (Scientific Procedures) Act 1986(8), section 27(3) (repeal, consequential amendments and transitional provisions) is omitted.

### **Breeding of Dogs Act 1991**

10. The Breeding of Dogs Act 1991(9) is repealed.

### **Breeding and Sale of Dogs (Welfare) Act 1999**

11. The Breeding and Sale of Dogs (Welfare) Act 1999(10) is repealed.

### **Local Authorities (Functions and Responsibilities) (England) Regulations 2000**

12. Paragraph B of Schedule 1 to the Local Authorities (Functions and Responsibilities) (England) Regulations 2000(11) (licensing and registration functions not to be the responsibility of an authority’s executive) is amended as follows—

- (a) in column (1) (function)—

- (i) for “29. Power to license premises for the breeding of dogs.” substitute “29. Power to grant or renew a licence for a licensable activity under the Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018 (selling animals as pets, providing or arranging for the provision of boarding for cats or dogs, hiring out horses, breeding dogs or keeping or training animals for exhibition).”;

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(7) 1981 c. 37. Subsection (5) was amended by section 64 of, and paragraphs 11(a) to (c) of Schedule 3 to, the Act and, in relation to Wales, by regulation 26 of, and paragraph 5 of Schedule 2 to, [SI 2014/3266 \(W.333\)](#). There were other amendments to section 4 but they are not relevant.

(8) 1986 c. 14. Section 27(3) was amended by regulations 2 and 26(14) of [S.I. 2012/3039](#).

(9) 1991 c. 64.

(10) 1999 c. 11.

(11) [S.I. 2013/2190](#). Schedule 1 has been amended but the amendments are not relevant.

*Status: This is the original version (as it was originally made).*

- (ii) omit “30. Power to license pet shops and other establishments where animals are bred or kept for the purposes of carrying on a business” and “31. Power to register animal trainers and exhibitors”;
- (b) in column (2) (provision of Act or statutory instrument)—
  - (i) in relation to the entry relating to item 29, for “Section 1 of the Breeding of Dogs Act 1973 (c. 60), and section 1 of the Breeding and Sale of Dogs (Welfare) Act 1999 (c. 11).” substitute “Regulation 4 of those Regulations.”;
  - (ii) omit the entries relating to items 30 and 31.

### **Courts Act 2003**

**13.** In the Courts Act 2003(12), paragraphs 171 and 383 of Schedule 8 (minor and consequential amendments) are omitted.

### **Criminal Justice Act 2003**

**14.** In the Criminal Justice Act 2003(13), paragraph 72 of Schedule 25 (summary offences no longer punishable with imprisonment) is omitted.

### **Regulatory Enforcement and Sanctions Act 2008**

**15.—(1)** The Regulatory Enforcement and Sanctions Act 2008(14) is amended as follows.

(2) In Schedule 3 (enactments specified for the purpose of Part 1), the following entries are omitted—

- (a) “Breeding and Sale of Dogs (Welfare) Act 1999 (c 11)”;
- (b) “Breeding of Dogs Act 1973 (c 60)”;
- (c) “Breeding of Dogs Act 1991 (c 64)”.

(3) in Schedule 6 (enactments specified for the purposes of orders under Part 3), the following entries are omitted—

- (a) “Breeding of Dogs Act 1973 (c 60)”;
- (b) “Breeding of Dogs Act 1991 (c 64)”.

### **Deregulation Act 2015**

**16.** In the Deregulation Act 2015(15), paragraphs 35, 36 and 41 of Schedule 23 (legislation no longer of practical use) are omitted.

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(12) 2003 c. 39.

(13) 2003 c. 44.

(14) 2008 c. 13.

(15) 2015 c. 20.