



Zoo Licensing Act 1981

1981 CHAPTER 37

Enforcement

[^{F1}16C Zoo closure direction for zoos without licences **E+W**]

- (1) This section applies to a zoo—
 - (a) which is being operated without a licence;
 - (b) in relation to which no direction under section 14(1)(a) has effect; and
 - (c) which appears to the local authority to have been operated in contravention of this Act because, during the period of twelve months ending with the date on which the authority determine that it so appears to them, members of the public have had access to it on more days than permitted under section 1.
- (2) If the authority are satisfied, after reasonable enquiries have been made, that the operator of a zoo to which this section applies cannot be found, they shall make a zoo closure direction in respect of the zoo.
- (3) Otherwise, unless the authority inform the Secretary of State that in their opinion a direction should be made under section 14(1) in respect of the zoo, and he makes a direction under section 14(1)(a), the authority shall give to the operator at least 35 days' notice in writing of—
 - (a) their intention to make a zoo closure direction in respect of the zoo; and
 - (b) the operator's opportunity to be heard in accordance with subsection (4)(a).
- (4) Where notice has been given under subsection (3)—
 - (a) the authority shall give the operator of the zoo an opportunity to be heard; and
 - (b) if, after the expiration of the period of at least 35 days referred to in subsection (3) and after giving the operator an opportunity to be heard, it does not appear to the authority that the view they reached as mentioned in subsection 1(c) was incorrect, they shall make a zoo closure direction in respect of the zoo, unless before the expiration of that period notice has been given to the authority under section 2(1) of intention to make an application for a licence for the zoo.

*Status: There are multiple versions of this provision on screen. These apply to different geographical extents. **Skip to:** E+W - England and Wales extent S - Scotland extent*
Changes to legislation: There are currently no known outstanding effects for the Zoo Licensing Act 1981, Section 16C . (See end of Document for details)

- (5) Where, before the expiration of the period referred to in subsection (3), notice is given to the authority under section 2(1) of intention to make an application for a licence for the zoo, but—
- (a) an application for a licence for the zoo is not made by the end of a period of three months beginning on the date on which the notice was given under section 2(1); or
 - (b) the application for a licence for that zoo is refused and—
 - (i) no appeal is brought against the refusal within the time mentioned in section 18(2); or
 - (ii) if an appeal is brought against the refusal within the time mentioned in section 18(2), it is abandoned, or the court confirms the decision to refuse the application,
 the authority shall make a zoo closure direction in respect of the zoo.]

Extent Information

- E1** This version of this provision extends to England and Wales only; a separate version has been created for Scotland only

Textual Amendments

- F1** S. 16C inserted (E.) (8.1.2003) by S.I. 2002/3080, **regs. 1(1), 2, 21** (which insertion is extended (W.) (22.4.2003) by virtue of [The Zoo Licensing Act 1981 \(Amendment\) \(Wales\) Regulations 2003](#) (S.I. 2003/992), **regs. 1(1), 2(1), Sch. para. 18** (with reg. 4))

Modifications etc. (not altering text)

- C2** S. 16C restricted (E.) (8.1.2003) by S.I. 2002/3080, **regs. 1(1), 28(3)**(which insertion is extended (W.) (22.4.2003) by virtue of [The Zoo Licensing Act 1981 \(Amendment\) \(Wales\) Regulations 2003](#) (S.I. 2003/992), **regs. 1(1), 2(1), Sch. para. 18** (with reg. 4))
- C3** S. 16C restricted (22.4.2003) by [The Zoo Licensing Act 1981 \(Amendment\) \(Wales\) Regulations 2003](#) (S.I. 2003/992), **regs. 1(1), 4(3)**

[^{F2}16C. Zoo closure direction for zoos without licences **S**

- (1) This section applies where the local authority are of the view that a zoo is being operated without a licence in contravention of the Act.
- (2) If the authority are satisfied, after reasonable enquiries have been made, that the operator of a zoo to which this section applies cannot be found, they shall make a zoo closure direction in respect of the zoo.
- (3) Otherwise, unless the authority inform the Scottish Ministers that in their opinion a direction should be made under section 14(1) and they make a direction under section 14(1)(a) the authority shall give to the operator of the zoo at least 35 days' notice in writing of—
 - (a) their intention to make a zoo closure direction in respect of the zoo; and
 - (b) the operator's opportunity to be heard in accordance with subsection (4)(a).
- (4) Where notice has been given under subsection (3)—
 - (a) the authority shall give the operator of the zoo an opportunity to be heard; and

Status: There are multiple versions of this provision on screen. These apply to different geographical extents. Skip to: E+W - England and Wales extent S - Scotland extent
Changes to legislation: There are currently no known outstanding effects for the Zoo Licensing Act 1981, Section 16C. (See end of Document for details)

- (b) after the period of notice has expired, and after having given the operator an opportunity to be heard, the authority shall make a zoo closure direction in respect of the zoo unless—
- (i) it appears to the authority that the view they reached as mentioned in subsection (1) was incorrect; or
 - (ii) notice under section 2(1) of intention to make an application for a licence for the zoo has been given to the authority before the expiration of the period of notice given under subsection (3).
- (5) Where, before the expiration of the period referred to in subsection (3), notice is given to the authority under section 2(1) of intention to make an application for a licence for the zoo, but—
- (a) an application for a licence for the zoo is not made by the end of a period of three months beginning on the date on which the notice was given under section 2(1); or
 - (b) the application for a licence for that zoo is refused and—
 - (i) no appeal is brought against the refusal within the time mentioned in section 18(2); or
 - (ii) if an appeal is brought against the refusal within the time mentioned in section 18(2), it is abandoned or the court confirms the decision to refuse the application,the authority shall make a zoo closure direction in respect of the zoo.]

Extent Information

- E2** This version of this provision extends to Scotland only; a separate version has been created for England and Wales

Textual Amendments

- F2** Ss. 16A-16G inserted (S.) (1.4.2003) by [The Zoo Licensing Act 1981 Amendment \(Scotland\) Regulations 2003 \(S.S.I. 2003/174\)](#), regs. 1(1), **21**

Modifications etc. (not altering text)

- C4** S. 16C restricted (S.) (1.4.2003) by [The Zoo Licensing Act 1981 Amendment \(Scotland\) Regulations 2003 \(S.S.I. 2003/174\)](#), regs. 1(1), **28(3)**

Status:

There are multiple versions of this provision on screen. These apply to different geographical extents.

Skip to:

- E+W - England and Wales extent
- S - Scotland extent

Changes to legislation:

There are currently no known outstanding effects for the Zoo Licensing Act 1981, Section 16C .