



Animals (Scientific Procedures) Act 1986

1986 CHAPTER 14

An Act to make new provision for the protection of animals used for experimental or other scientific purposes. [20th May 1986]

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Extent Information

E1 Act extends to Northern Ireland but the operation of s. 29 is limited by application as mentioned in s. 29(2)

Modifications etc. (not altering text)

C1 Act excluded (23.1.1995) by *S.I. 1994/3249*, **art. 3(5)**

Commencement Information

I1 Act not in force at Royal Assent see **s.30(3)**; Act wholly in force at 1.1.1990.

Preliminary

1 Protected animals.

- (1) Subject to the provisions of this section, “a protected animal” for the purposes of this Act means any living vertebrate other than man.
- (2) Any such vertebrate in its foetal, larval or embryonic form is a protected animal only from the stage of its development when—
 - (a) in the case of a mammal, bird or reptile, half the gestation or incubation period for the relevant species has elapsed; and
 - (b) in any other case, it becomes capable of independent feeding.
- (3) The Secretary of State may by order—

Status: Point in time view as at 19/12/2012.

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- (a) extend the definition of protected animal so as to include invertebrates of any description;
 - (b) alter the stage of development specified in subsection (2) above;
 - (c) make provision in lieu of subsection (2) above as respects any animal which becomes a protected animal by virtue of an order under paragraph (a) above.
- (4) For the purposes of this section an animal shall be regarded as continuing to live until the permanent cessation of circulation or the destruction of its brain.
- (5) In this section “vertebrate” means any animal of the Sub-phylum Vertebrata of the Phylum Chordata and “invertebrate” means any animal not of that Sub-phylum.

Extent Information

E2 In its application to Northern Ireland, this section has effect subject to the modifications set out in s. 29, see s. 29(1)

2 Regulated procedures.

- (1) Subject to the provision of this section, “a regulated procedure” for the purposes of this Act means any experimental or other scientific procedure applied to a protected animal which may have the effect of causing that animal pain, suffering, distress or lasting harm.
- (2) An experimental or other scientific procedure applied to an animal is also a regulated procedure if—
- (a) it is part of a series or combination of such procedures (whether the same or different) applied to the same animal; and
 - (b) the series or combination may have the effect mentioned in subsection (1) above; and
 - (c) the animal is a protected animal throughout the series or combination or in the course of it attains the stage of its development when it becomes such an animal.
- (3) Anything done for the purpose of, or liable to result in, the birth or hatching of a protected animal is also a regulated procedure if it may as respects that animal have the effect mentioned in subsection (1) above.
- (4) In determining whether any procedure may have the effect mentioned in subsection (1) above the use of an anaesthetic or analgesic, decerebration and any other procedure for rendering an animal insentient shall be disregarded; and the administration of an anaesthetic or analgesic to a protected animal, or decerebration or any other such procedure applied to such an animal, for the purposes of any experimental or other scientific procedure shall itself be a regulated procedure.
- (5) The ringing, tagging or marking of an animal, or the application of any other humane procedure for the sole purpose of enabling an animal to be identified, is not a regulated procedure if it causes only momentary pain or distress and no lasting harm.
- [^{F1}(6) The administration of any substance or article to an animal is not a regulated procedure if the substance or article is administered for research purposes in accordance with an animal test certificate granted under the Veterinary Medicines Regulations 2006.]

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- (7) Killing a protected animal is a regulated procedure only if it is killed for experimental or other scientific use, the place where it is killed is a designated establishment and the method employed is not one appropriate to the animal under Schedule 1 to this Act.
- (8) In this section references to a scientific procedure do not include references to any recognised veterinary, agricultural or animal husbandry practice.
- (9) Schedule 1 to this Act may be amended by orders made by the Secretary of State.

Extent Information

- E3** In its application to Northern Ireland, this section has effect subject to the modifications set out in s. 29, see s. 29(1)

Textual Amendments

- F1** S. 2(6) substituted (1.10.2006) by [The Veterinary Medicines Regulations 2006 \(S.I. 2006/2407\)](#) , [reg. 1](#) , [Sch. 9 para. 6](#) (with [regs. 2\(4\)](#) , [3](#))

Personal and project licences

3 Prohibition of unlicensed procedures.

No person shall apply a regulated procedure to an animal unless—

- (a) he holds a personal licence qualifying him to apply a regulated procedure of that description to an animal of that description;
- (b) the procedure is applied as part of a programme of work specified in a project licence authorising the application, as part of that programme, of a regulated procedure of that description to an animal of that description; and
- (c) the place where the procedure is carried out is a place specified in the personal licence and the project licence.

4 Personal licences.

- (1) A personal licence is a licence granted by the Secretary of State qualifying the holder to apply specified regulated procedures to animals of specified descriptions at a specified place or specified places.
- (2) An application for a personal licence shall be made to the Secretary of State in such form and shall be supported by such information as he may reasonably require.
- (3) Except where the Secretary of State dispenses with the requirements of this subsection any such application shall be endorsed by a person who—
 - (a) is himself the holder of a personal licence or a licence treated as such a licence by virtue of Schedule 4 to this Act; and
 - (b) has knowledge of the biological or other relevant qualifications and of the training, experience and character of the applicant;and the person endorsing an application shall, if practicable, be a person occupying a position of authority at a place where the applicant is to be authorised by the licence to carry out the procedures specified in it.
- (4) No personal licence shall be granted to a person under the age of eighteen.

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- [^{F2}(4A) The Secretary of State shall not grant a personal licence to a person unless he is satisfied that the person—
- (a) has appropriate education and training (including instruction in a relevant scientific discipline) for the purpose of applying the regulated procedures to be specified in the licence; and
 - (b) is competent to apply those procedures in accordance with the conditions which are to be included in the licence and to handle and take care of laboratory animals.]
- (5) A personal licence shall continue in force until revoked but the Secretary of State shall review each personal licence granted by him at intervals not exceeding five years and may for that purpose require the holder to furnish him with such information as he may reasonably require.

Extent Information

- E4** In its application to Northern Ireland, this section has effect subject to the modifications set out in s. 29, see s. 29(1)

Textual Amendments

- F2** S. 4(4A) inserted (5.9.1998) by [S.I. 1998/1974, reg. 2, Sch. para. 2](#)

5 Project licences.

- (1) A project licence is a licence granted by the Secretary of State specifying a programme of work and authorising the application, as part of that programme, of specified regulated procedures to animals of specified descriptions at a specified place or specified places.
 - (2) A project licence shall not be granted except to a person who undertakes overall responsibility for the programme to be specified in the licence.
 - (3) A project licence shall not be granted for any programme unless the Secretary of State is satisfied that it is undertaken for one or more of the following purposes—
 - (a) the prevention (whether by the testing of any product or otherwise) or the diagnosis or treatment of disease, ill-health or abnormality, or their effects, in man, animals or plants;
 - (b) the assessment, detection, regulation or modification of physiological conditions in man, animals or plants;
 - (c) the protection of the natural environment in the interests of the health or welfare of man or animals;
 - (d) the advancement of knowledge in biological or behavioural sciences;
 - (e) education or training otherwise than in primary or secondary schools;
 - (f) forensic enquiries;
 - (g) the breeding of animals for experimental or other scientific use.
 - (4) In determining whether and on what terms to grant a project licence the Secretary of State shall weigh the likely adverse effects on the animals concerned against the benefit likely to accrue as a result of the programme to be specified in the licence.
- [^{F3}(5) The Secretary of State shall not grant a project licence unless he is satisfied—

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- (a) that the purpose of the programme to be specified in the licence cannot be achieved satisfactorily by any other reasonably practicable method not entailing the use of protected animals; and
 - (b) that the regulated procedures to be used are those which use the minimum number of animals, involve animals with the lowest degree of neurophysiological sensitivity, cause the least pain, suffering, distress or lasting harm, and are most likely to produce satisfactory results.]
- (6) The Secretary of State shall not grant a project licence authorising the use of cats, dogs, primates or equidae unless he is satisfied that animals of no other species are suitable for the purposes of the programme to be specified in the licence or that it is not practicable to obtain animals of any other species that are suitable for those purposes.
- (7) Unless revoked and subject to subsection (8) below, a project licence shall continue in force for such period as is specified in the licence and may be renewed for further periods but (without prejudice to the grant of a new licence in respect of the programme in question) no such licence shall be in force for more than five years in all.
- (8) A project licence shall terminate on the death of the holder but if—
- (a) the holder of a certificate under section 6 below in respect of a place specified in the licence; or
 - (b) where by virtue of subsection (2) of that section the licence does not specify a place in respect of which there is such a certificate, the holder of a personal licence engaged on the programme in question,
- notifies the Secretary of State of the holder's death within seven days of its coming to his knowledge the licence shall, unless the Secretary of State otherwise directs, continue in force until the end of the period of twenty-eight days beginning with the date of the notification.

Extent Information

E5 In its application to Northern Ireland, this section has effect subject to the modifications set out in s. 29, see s. 29(1)

Textual Amendments

F3 S. 5(5) substituted (5.9.1998) by S.I. 1998/1974, reg. 2, Sch. para. 3

Designated establishments

6 Scientific procedure establishments.

- (1) Subject to subsection (2) below, no place shall be specified in a project licence unless it is a place designated by a certificate issued by the Secretary of State under this section as a scientific procedure establishment.
- (2) Subsection (1) above shall not apply in any case in which it appears to the Secretary of State that the programme or procedures authorised by the licence require him to specify a different place.
- (3) An application for a certificate in respect of a scientific procedure establishment shall be made to the Secretary of State in such form and shall be supported by such information as he may reasonably require.

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- (4) A certificate shall not be issued under this section—
- (a) except to a person occupying a position of authority at the establishment in question; and
 - (b) unless the application nominates for inclusion in the certificate pursuant to subsection (5) below a person or persons appearing to the Secretary of State to be suitable for that purpose.
- (5) A certificate under this section shall specify—
- (a) a person to be responsible for the day-to-day care of the protected animals kept for experimental or other scientific purposes at the establishment; and
 - (b) a veterinary surgeon or other suitably qualified person to provide advice on their health and welfare;
- and the same person may, if the Secretary of State thinks fit, be specified under both paragraphs of this subsection.
- (6) If it appears to any person specified in a certificate pursuant to subsection (5) above that the health or welfare of any such animal as is mentioned in that subsection gives rise to concern he 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 him, take steps to ensure that the animal is cared for and, if it is necessary for it to be killed, that it is killed by a method which is appropriate under Schedule 1 to this Act or approved by the Secretary of State.
- (7) In any case to which subsection (6) above applies the person specified in the certificate pursuant to paragraph (a) of subsection (5) above 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.
- (8) A certificate under this section shall continue in force until revoked.

Extent Information

- E6** In its application to Northern Ireland, this section has effect subject to the modifications set out in s. 29, see s. 29(1)

7 Breeding and supplying establishments.

- (1) A person shall not at any place breed for use in regulated procedures (whether there or elsewhere) protected animals of a description specified in Schedule 2 to this Act unless that place is designated by a certificate issued by the Secretary of State under this section as a breeding establishment.
- (2) A person shall not at any place keep any such protected animals which have not been bred there but are to be supplied for use elsewhere in regulated procedures unless that place is designated by a certificate issued by the Secretary of State under this section as a supplying establishment.
- (3) An application for a certificate in respect of a breeding or supplying establishment shall be made to the Secretary of State in such form and shall be supported by such information as he may reasonably require.

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- (4) A certificate shall not be issued under this section unless the application nominates for inclusion in the certificate pursuant to subsection (5) below a person or persons appearing to the Secretary of State to be suitable for that purpose.
- (5) A certificate under this section shall specify—
- (a) a person to be responsible for the day-to-day care of the animals bred or kept for breeding at the establishment or, as the case may be, kept there for the purpose of being supplied for use in regulated procedures; and
 - (b) a veterinary surgeon or other suitably qualified person to provide advice on their health and welfare;
- and the same person may, if the Secretary of State thinks fit, be specified under both paragraphs of this subsection.
- (6) If it appears to any person specified in a certificate pursuant to subsection (5) above that the health or welfare of any such animal as is mentioned in that subsection gives rise to concern he shall take steps to ensure that it is cared for and, if it is necessary for it to be killed, that it is killed by a method appropriate under Schedule 1 to this Act or approved by the Secretary of State.
- (7) In any case to which subsection (6) above applies the person specified in the certificate pursuant to paragraph (a) of subsection (5) above 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.
- (8) A certificate under this section shall continue in force until revoked.
- (9) Schedule 2 to this Act may be amended by orders made by the Secretary of State.

Extent Information

E7 In its application to Northern Ireland, this section has effect subject to the modifications set out in s. 29, see s. 29(1)

8 Fees.

The holder of a certificate issued under section 6 or 7 above shall pay such periodical fees to the Secretary of State as may be prescribed by or determined in accordance with an order made by him.

Extent Information

E8 In its application to Northern Ireland, this section has effect subject to the modifications set out in s. 29, see s. 29(1)

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Licences and designation certificates: general provisions

9 Consultation.

- (1) Before granting a licence or issuing a certificate under this Act the Secretary of State shall consult one of the inspectors appointed under this Act and may also consult an independent assessor or the Animal Procedures Committee established by this Act.
- (2) Where the Secretary of State proposes to consult an independent assessor he shall notify the applicant of that fact, and in selecting the assessor he shall have regard to any representations made by the applicant.

Extent Information

- E9** In its application to Northern Ireland, this section has effect subject to the modifications set out in s. 29, see s. 29(1)

10 Conditions.

- (1) Subject to the provisions of this section, a licence or certificate under this Act may contain such conditions as the Secretary of State thinks fit.
- (2) The conditions of a personal licence shall include—
 - (a) a condition to the effect that the holder shall take precautions to prevent or reduce to the minimum consistent with the purposes of the authorised procedures any pain, distress or discomfort to the animals to which those procedures may be applied; and
 - (b) an inviolable termination condition, that is to say, a condition specifying circumstances in which a protected animal which is being or has been subjected to a regulated procedure must in every case be immediately killed by a method appropriate to the animal under Schedule 1 to this Act or by such other method as may be authorised by the licence.

[^{F4}(2A) Without prejudice to subsection (2)(a) above, the conditions of a personal licence shall include such conditions as the Secretary of State considers appropriate to ensure that the authorised procedures are carried out in accordance with Article 8 of Council Directive No. 86/609/EEC^{F5}, the text of which is set out in Schedule 2A to this Act.]

- (3) The conditions of a project licence shall, unless the Secretary of State considers that an exception is justified, include a condition to the effect—
 - (a) that no cat or dog shall be used under the licence unless it has been bred and obtained from a designated breeding establishment; and
 - (b) that no other protected animal of a description specified in Schedule 2 to this Act shall be used under the licence unless it has been bred at a designated breeding establishment or obtained from a designated supplying establishment; [^{F6}; and
 - (c) that no vertebrate of an endangered species shall be used under the licence;]
[^{F7}and
 - (d) that no protected animal taken from the wild shall be used under the licence;] but no exception shall be made from the condition required by paragraph (a) [^{F8}or (d)] above unless the Secretary of State is satisfied that no animal suitable for the

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purpose of the programme specified in the licence can be obtained in accordance with that condition [^{F9} and no exception shall be made from the condition required by paragraph (c) above unless the Secretary of State is satisfied that the use of animals of the species in question will be in conformity with the Council Regulation and that the purposes of the programme of work specified in the licence are either research aimed at the preservation of the species in question or essential bio-medical purposes where the species in question exceptionally proves to be the only one suitable for those purposes]

[^{F10}(3A) In subsection (3) above—

“endangered species” means a species listed in Appendix 1 of the Convention on International Trade in Endangered Species of Fauna and Flora (which is set out in Annex A to the Council Regulation) or in Annex C.1 to the Council Regulation; and

“essential bio-medical purposes” has the same meaning as in Council Directive No. 86/609/EEC^{F11}, and in subsection (3) above and this subsection “the Council Regulation” means Council Regulation (EEC) No. 3626/82^{F12} as amended by Commission Regulation (EEC) No. 869/88^{F13} and Commission Regulation (EEC) No. 1970/92^{F14}.]

[^{F15}(3B) Where a project licence authorises the setting free of a protected animal in the course of a series of regulated procedures, that licence shall include a condition requiring the prior consent of the Secretary of State to the setting free of the animal.

(3C) The Secretary of State shall not give his consent to the setting free of an animal in pursuance of a condition included in a project licence under subsection (3B) above unless he is satisfied—

- (a) that the maximum possible care has been taken to safeguard the animal’s well-being;
- (b) that the animal’s state of health allows it to be set free; and
- (c) that the setting free of the animal poses no danger to public health or the environment.

(3D) The conditions of a project licence shall include such conditions as the Secretary of State considers appropriate to ensure—

- (a) that where a protected animal has been subjected to a series of regulated procedures for a particular purpose, at the conclusion of the series a veterinary surgeon or, if none is available, another suitably qualified person determines whether the animal should be killed or kept alive;
- (b) that, if that person considers that it is likely to remain in lasting pain or distress, the animal is killed by a method appropriate to the animal under Schedule 1 to this Act, or by such other method as may be authorised by the personal licence of the person by whom the animal is killed; and
- (c) that where the animal is to be kept alive, it is kept at a designated establishment (subject to subsection (6D) below).]

(4) If the conditions of a personal licence permit the holder to use assistants to perform, under his direction, tasks not requiring technical knowledge nothing done by an assistant in accordance with such a condition shall constitute a contravention of section 3 above.

(5) The conditions of a certificate issued under section 6 above shall include a condition prohibiting the killing otherwise than by a method which is appropriate under

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Schedule 1 to this Act or approved by the Secretary of State of any protected animal kept at the establishment for experimental or other scientific purposes but not subjected to a regulated procedure or required to be killed by virtue of section 15 below; and the conditions of a certificate issued under section 7 above shall include a condition prohibiting the killing otherwise than by such a method of an animal of a description specified in Schedule 2 to this Act which is bred or kept for breeding or, as the case may be, kept at the establishment for the purposes of being supplied for use in regulated procedures but not used, or supplied for use, for that purpose.

[^{F16}(5A) The conditions of a certificate issued under section 6 above shall include such conditions as the Secretary of State considers appropriate to ensure—

- (a) that sufficient trained staff are provided at the establishment; and
- (b) that the persons who take care of protected animals at the establishment and those who supervise such persons have appropriate education and training.]

(6) The conditions of a certificate issued under section 6 or 7 above shall include conditions requiring the holder of the certificate—

- (a) to secure that a person competent to kill animals in the manner specified by conditions imposed in accordance with subsection (5) above will be available to do so; and
- (b) to keep records as respects the source and disposal of and otherwise relating to the animals kept at the establishment for experimental or other scientific purposes or, as the case may be, bred or kept for breeding there or kept there for the purposes of being supplied for use in regulated procedures.

[^{F17}(6A) The conditions of a certificate issued under section 6 or 7 above shall, if the certificate permits dogs, cats or primates to be kept or bred at the establishment in question, include conditions requiring the holder of the certificate to ensure—

- (a) that particulars of the identity and origin of each dog, cat or primate kept or bred at the establishment are entered in the records referred to in subsection (6) (b) above;
- (b) that before it is weaned, every dog, cat or primate in the establishment not falling within paragraph (c) below is provided with an individual identification mark in the least painful manner possible;
- (c) that where a dog, cat or primate is transferred from one establishment to another before it is weaned and it is not practicable to mark it beforehand, the records kept by the establishment receiving the animal identify that animal's mother until the animal is provided with an individual identification mark; and
- (d) that any unmarked dog, cat or primate which is taken into the establishment after being weaned is provided as soon as possible thereafter with an individual identification mark.

(6B) The conditions of a certificate issued under section 6 or 7 above shall include such conditions relating to the general care and accommodation of protected animals bred, kept or used at the establishment as the Secretary of State considers appropriate in order to ensure—

- (a) that the environment, housing, freedom of movement, food, water and care provided for each such animal are appropriate for the animal's health and well-being;
- (b) that any restrictions on the extent to which each such animal can satisfy its physiological and ethological needs are kept to the absolute minimum;

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- (c) that the environmental conditions in which such animals are bred, kept or used are checked daily;
 - (d) that the well-being and state of health of such animals are monitored by a suitably qualified person in order to prevent pain or avoidable suffering, distress or lasting harm; and
 - (e) that arrangements are made to ensure that any defect or suffering discovered is eliminated as quickly as possible.
- (6C) When considering what conditions are appropriate to ensure the matters specified in subsection (6B)(a) and (b) above, the Secretary of State shall have regard to the guidance in Annex II to Council Directive No. [86/609/EEC](#).
- (6D) The conditions of a certificate issued under section 6 or 7 above shall include such conditions as the Secretary of State considers appropriate to ensure that any animal kept alive after being subjected to a series of regulated procedures will continue to be kept at the establishment under the supervision of a veterinary surgeon or other suitably qualified person unless it is moved to another designated establishment or a veterinary surgeon certifies that it will not suffer if it ceases to be kept at a designated establishment.]
- (7) Breach of a condition in a licence or certificate shall not invalidate the licence or certificate but shall be a ground for its variation or revocation.

Extent Information

- E10** In its application to Northern Ireland, this section has effect subject to the modifications set out in s. 29, see s. 29(1)

Textual Amendments

- F4** S. 10(2A) inserted (5.9.1998) by [S.I. 1998/1974](#), reg. 2, [Sch. para. 4\(2\)](#)
- F5** OJ No. L358, 18.12.86, p.1.
- F6** S. 10(3)(c) and word 'and' preceding it inserted (1.10.1993) by [S.I. 1993/2102](#), [reg. 2\(2\)\(a\)](#)
- F7** S. 10(3)(d) and word preceding it inserted (5.9.1998) by [S.I. 1998/1974](#), reg. 2, [Sch. para. 4\(3\)\(a\)](#)
- F8** Words in s. 10(3) inserted (5.9.1998) by [S.I. 1998/1974](#), reg. 2, [sch. para. 4\(3\)\(b\)](#)
- F9** Words in s. 10(3) added (1.10.1993) by [S.I. 1993/2102](#), [reg. 2\(2\)\(b\)](#)
- F10** S. 10(3A) inserted (1.10.1993) by [S.I. 1993/2102](#), [reg. 2\(3\)](#)
- F11** OJ No. L358, 18.12.86, p.1.
- F12** OJ No. L384, 31.12.82, p.1.
- F13** OJ No. L087, 31.3.88, p.67.
- F14** OJ No. L201, 20.7.92, p.1.
- F15** S. 10(3B)-(3D) inserted (5.9.1998) by [S.I. 1998/1974](#), reg. 2, [Sch. para. 4\(4\)](#)
- F16** S. 10(5A) inserted (5.9.1998) by [S.I. 1998/1974](#), reg. 2, [Sch. para. 4\(5\)](#)
- F17** S. 10(6A)-(6D) inserted (5.9.1998) by [S.I. 1998/1974](#), reg. 2, [Sch. para. 4\(6\)](#)

11 Variation and revocation.

A licence or certificate under this Act may be varied or revoked by the Secretary of State—

- (a) on the ground mentioned in section 10(7) above;
- (b) in any other case in which it appears to the Secretary of State appropriate to do so; or
- (c) at the request of the holder.

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Extent Information

E11 In its application to Northern Ireland, this section has effect subject to the modifications set out in s. 29, see s. 29(1)

12 Right to make representations.

- (1) Where the Secretary of State proposes—
 - (a) to refuse a licence or certificate under this Act; or
 - (b) to vary or revoke such a licence or certificate otherwise than at the request of the holder,
 he shall serve on the applicant or the holder a notice of his intention to do so.
- (2) The notice shall state the reasons for which the Secretary of State proposes to act and give particulars of the rights conferred by subsection (3) below.
- (3) A person on whom a notice is served under subsection (1) above may make written representations and, if desired, oral representations to a person appointed for that purpose by the Secretary of State if before such date as is specified in the notice (not being less than twenty-eight days after the date of service) he notifies the Secretary of State of his wish to do so.
- (4) The holder of a licence or certificate who is dissatisfied with any condition contained in it may, if he notifies the Secretary of State of his wish to do so, make written representations and, if desired, oral representations to a person appointed for that purpose by the Secretary of State; but the making of such representations shall not affect the operation of any condition unless and until it is varied under section 11 above.
- (5) The person appointed to receive any representations under this section shall be a person who holds or has held judicial office in the United Kingdom or
 - ^[F18]^[F19](a) a person who satisfies the judicial-appointment eligibility condition on a 5-year basis;
 - (b) an advocate or solicitor in Scotland of at least ^[F20]5 years' standing; or
 - (c) a member of the Bar of Northern Ireland or ^[F21]solicitor of the Court of Judicature of Northern Ireland] of at least ^[F22]5 years' standing,]
 and the Secretary of State may, if he thinks fit, appoint a person with scientific or other appropriate qualifications to assist the person receiving the representations in his consideration of them.
- (6) The person appointed to receive any such representations shall after considering them make a report to the Secretary of State; and the Secretary of State shall furnish a copy of the report to the person who made the representations and take it into account in deciding whether to refuse the application or to vary or revoke the licence or certificate, as the case may be.
- (7) The Secretary of State may by order make rules with respect to the procedure to be followed in the making and consideration of representations under this section, including provision requiring any such representations to be made within a specified time.
- (8) A notice under subsection (1) above may be served either personally or by post.

Status: Point in time view as at 19/12/2012.

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Extent Information

- E12** In its application to Northern Ireland, this section has effect subject to the modifications set out in s. 29, see s. 29(1)

Textual Amendments

- F18** S. 12(5)(a) substituted (21.7.2008) by [Tribunals, Courts and Enforcement Act 2007 \(c. 15\)](#), s. 148, [Sch. 10 para. 18\(2\)](#); S.I. 2008/1653, art. 2(d) (with arts. 34)
- F19** S. 2(5)(a)(b)(c) substituted by [Courts and Legal Services Act 1990 \(c. 41, SIF 37\)](#), s. 71(2)(5), [Sch. 10 para. 66](#)
- F20** Word in s. 12(5)(b) substituted (21.7.2008) by [Tribunals, Courts and Enforcement Act 2007 \(c. 15\)](#), s. 148, [Sch. 10 para. 18\(3\)](#); S.I. 2008/1653, art. 2(d) (with arts. 34)
- F21** Words in Act substituted (1.10.2009) by [Constitutional Reform Act 2005 \(c. 4\)](#), s. 148(1), [Sch. 11 para. 5](#); S.I. 2009/1604, art. 2(d)
- F22** Word in s. 12(5)(c) substituted (21.7.2008) by [Tribunals, Courts and Enforcement Act 2007 \(c. 15\)](#), s. 148, [Sch. 10 para. 18\(3\)](#); S.I. 2008/1653, art. 2(d) (with arts. 34)

13 Suspension in cases of urgency.

- (1) If it appears to the Secretary of State to be urgently necessary for the welfare of any protected animals that a licence or certificate under this Act should cease to have effect forthwith he shall by notice served on the holder suspend its operation for a period not exceeding three months.
- (2) If during that period a notice of proposed variation or revocation of the licence or certificate is served under section 12 above but at the end of that period—
- (a) the time for notifying the Secretary of State under subsection (3) of that section has not expired; or
 - (b) representations are to be or are being made in accordance with that subsection; or
 - (c) such representations have been made but the Secretary of State has not received or has not completed his consideration of the report of the person to whom the representations were made,
- he may by notice served on the holder further suspend the licence or certificate until he is able to decide whether to vary or revoke it but no further suspension shall be for longer than three months at a time.
- (3) A notice under this section may be served personally or by post.

Extent Information

- E13** In its application to Northern Ireland, this section has effect subject to the modifications set out in s. 29, see s. 29(1)

Status: Point in time view as at 19/12/2012.

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Additional controls

[^{F23}14 Re-use of protected animals

- (1) A protected animal that has been subjected to one or more regulated procedures must not be used for a further regulated procedure unless the Secretary of State has consented to such further use and the following conditions are met.
- (2) The first condition is that—
 - (a) the actual severity of the regulated procedure, or each of the regulated procedures, previously applied to the animal has been classified in accordance with conditions included in a project licence by virtue of paragraph 23 of Schedule 2C, and
 - (b) in a case where more than one regulated procedure has previously been applied to the animal, the actual severity of no more than one of those procedures has been classified as “severe”.
- (3) The second condition is that a veterinary surgeon with knowledge of the lifetime experience of the animal has advised that the animal’s general state of health and well-being has been fully restored following the application of the previous procedure or procedures.
- (4) The third condition is that—
 - (a) the further procedure is to be applied as part of a programme of work specified in a project licence; and
 - (b) the likely severity of the further procedure was classified by the Secretary of State under section 5B(3)(c) as “non-recovery”, “mild” or “moderate”.
- (5) For the purposes of subsection (1), the consent of the Secretary of State may relate to the specific animal concerned or may relate to animals used in specified procedures or specified circumstances.
- (6) But in the case of an animal that has been subjected to a regulated procedure the actual severity of which has been classified as “severe”, the consent of the Secretary of State must relate to the specific animal concerned and the Secretary of State may give consent only if—
 - (a) the Secretary of State has consulted a veterinary surgeon who has examined the animal about whether consent should be given; and
 - (b) the Secretary of State is satisfied that there are exceptional circumstances that justify the animal being used for the further regulated procedure.
- (7) For the purposes of this section, a series of regulated procedures applied to an animal for a particular purpose is to be treated as constituting a single regulated procedure.]

Textual Amendments

F23 S. 14 substituted (19.12.2012 for specified purposes) by [The Animals \(Scientific Procedures\) Act 1986 Amendment Regulations 2012 \(S.I. 2012/3039\)](#) , reg. 1(2)(3)(a)**14** (with Sch. 3)

15 Killing animals at conclusion of regulated procedures.

- (1) Where a protected animal—

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- (a) has been subjected to a series of regulated procedures for a particular purpose; and
 - (b) at the conclusion of the series is suffering or likely to suffer adverse effects, the person who applied those procedures, or the last of them, shall cause the animal to be immediately killed by a method appropriate to the animal under Schedule 1 to this Act or by such other method as may be authorised by the personal licence of the person by whom the animal is killed.
- (2) Subsection (1) above is without prejudice to any condition of a project licence requiring an animal to be killed at the conclusion of a regulated procedure in circumstances other than those mentioned in that subsection.

16 Prohibition of public displays.

- (1) No person shall carry out any regulated procedure as an exhibition to the general public or carry out any such procedure which is shown live on television for general reception.
- (2) No person shall publish a notice or advertisement announcing the carrying out of any regulated procedure in a manner that would contravene subsection (1) above.

17 Neuro-muscular blocking agents.

No person shall in the course of a regulated procedure—

- (a) use any neuromuscular blocking agent unless expressly authorised to do so by the personal and project licences under which the procedure is carried out; or
- (b) use any such agent instead of an anaesthetic.

[^{F24}17A Setting free and re-homing protected animals

- (1) A person who holds a licence under this Act must not set free a relevant protected animal, or permit any person acting on their behalf to do so, unless—
 - (a) the Secretary of State has consented to the setting free of the animal; or
 - (b) the animal is set free during the course of a series of regulated procedures.
- (2) A person who holds a licence under this Act must not re-home a relevant protected animal, or permit any person acting on their behalf to do so, unless the Secretary of State has consented to the re-homing of the animal.
- (3) The Secretary of State must not consent to the setting free or re-homing of a relevant protected animal unless satisfied—
 - (a) that the animal's state of health allows it to be set free or re-homed;
 - (b) that the setting free or re-homing of the animal poses no danger to public health, animal health or the environment;
 - (c) that there is an adequate scheme in place for ensuring the socialisation of the animal upon being set free or re-homed; and
 - (d) that other appropriate measures have been taken to safeguard the animal's well-being upon being set free or re-homed.
- (4) The Secretary of State must not consent to the setting free of a relevant protected animal which has been taken from the wild unless the Secretary of State is also

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satisfied that the animal has undergone a programme of rehabilitation or that it would be inappropriate for the animal to be required to undergo such a programme.

- (5) For the purposes of this section—
- (a) “relevant protected animal” has the same meaning as in section 15A(11);
 - (b) a reference to a person who holds a licence under this Act includes a reference to a person who held a licence under this Act which is no longer in force;
 - (c) an animal is not to be treated as being “re-homed” if it is moved to live in a place which is for the time being specified in a section 2C licence.]

Textual Amendments

F24 S. 17A inserted (19.12.2012 for specified purposes, 1.1.2013 in so far as not already in force) by [The Animals \(Scientific Procedures\) Act 1986 Amendment Regulations 2012 \(S.I. 2012/3039\)](#), reg. 1(2)(3) (b), **18** (with Sch. 3)

[^{F25} The inspectorate and the committee

Textual Amendments

F25 S. 14 substituted (5.9.1998) by [S.I. 1998/1974](#), reg. 2, [Sch. para. 5](#)

18 Inspectors.

- (1) The Secretary of State shall, with the consent of the Treasury as to numbers and remuneration, appoint as inspectors for the purposes of this Act persons having such medical or veterinary qualifications as he thinks requisite.
- (2) It shall be the duty of an inspector—
 - (a) to advise the Secretary of State on applications for personal and project licences, on requests for their variation or revocation and on their periodical review;
 - (b) to advise him on applications for certificates under this Act and on requests for their variation or revocation;
 - (c) to visit places where regulated procedures are carried out for the purpose of determining whether those procedures are authorised by the requisite licences and whether the conditions of those licences are being complied with;
 - (d) to visit designated establishments for the purpose of determining whether the conditions of the certificates in respect of those establishments are being complied with;
 - (e) to report to the Secretary of State any case in which any provision of this Act or any condition of a licence or certificate under this Act has not been or is not being complied with and to advise him on the action to be taken in any such case.
- (3) If an inspector considers that a protected animal is undergoing excessive suffering he may require it to be immediately killed by a method appropriate to the animal under Schedule 1 to this Act or by such other method as may be authorised by any personal licence held by the person to whom the requirement is addressed.

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Extent Information

E14 In its application to Northern Ireland, this section has effect subject to the modifications set out in s. 29, see s. 29(1)

19 The Animal Procedures Committee.

- (1) There shall be a committee to be known as the Animal Procedures Committee.
- (2) The Committee shall consist of a chairman and at least twelve other members appointed by the Secretary of State.
- (3) Of the members other than the chairman—
 - (a) at least two-thirds shall be persons having such a qualification as is mentioned in subsection (4) below; and
 - (b) at least one shall be a barrister, solicitor or advocate,but so that at least half of those members are persons who neither hold nor within the previous six years have held any licence under this Act or under the ^{M1} Cruelty to Animals Act 1876; and in making appointments to the Committee the Secretary of State shall have regard to the desirability of ensuring that the interests of animal welfare are adequately represented.
- (4) The qualifications referred to in subsection (3)(a) above are full registration as a medical practitioner, registration as a veterinary surgeon or qualifications or experience in a biological subject approved by the Secretary of State as relevant to the work of the Committee.
- (5) Members of the Committee shall be appointed for such periods as the Secretary of State may determine but no such period shall exceed four years and no person shall be reappointed more than once.
- (6) Any member may resign by notice in writing to the Secretary of State; and the chairman may by such a notice resign his office as such.
- (7) The Secretary of State may terminate the appointment of a member if he is satisfied that—
 - (a) for a period of six months beginning not more than nine months previously he has, without the consent of the other members, failed to attend the meetings of the Committee;
 - (b) he is an undischarged bankrupt or [^{F26}a moratorium period under a debt relief order (under Part 7A of the Insolvency Act 1986) applies in relation to him or her] has made an arrangement with his creditors;
 - (c) he is by reason of physical or mental illness, or for any other reason, incapable of carrying out his duties; or
 - (d) he has been convicted of such a criminal offence, or his conduct has been such, that it is not in the Secretary of State's opinion fitting that he should remain a member.
- (8) The Secretary of State may make payments to the chairman by way of remuneration and make payments to him and the other members in respect of expenses incurred by them in the performance of their duties.
- (9) The Secretary of State may also defray any other expenses of the Committee.

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Extent Information

E15 In its application to Northern Ireland, this section has effect subject to the modifications set out in s. 29, see s. 29(1)

Textual Amendments

F26 Words in s. 19(7)(b) inserted (1.10.2012) by [The Tribunals, Courts and Enforcement Act 2007 \(Consequential Amendments\) Order 2012 \(S.I. 2012/2404\)](#), art. 1, **Sch. 2 para. 22** (with art. 5)

Marginal Citations

M1 1876 c. 77.

20 Functions of the Committee.

- (1) It shall be the duty of the Animal Procedures Committee to advise the Secretary of State on such matters concerned with this Act and his functions under it as the Committee may determine or as may be referred to the Committee by the Secretary of State.
- (2) In its consideration of any matter the Committee shall have regard both to the legitimate requirements of science and industry and to the protection of animals against avoidable suffering and unnecessary use in scientific procedures.
- (3) The Committee may perform any of its functions by means of sub-committees and may co-opt as members of any sub-committee any persons considered by the Committee to be able to assist that sub-committee in its work.
- (4) The Committee may promote research relevant to its functions and may obtain advice or assistance from other persons with knowledge or experience appearing to the Committee to be relevant to those functions.
- (5) The Committee shall in each year make a report on its activities to the Secretary of State who shall lay copies of the report before Parliament.

Extent Information

E16 In its application to Northern Ireland, this section has effect subject to the modifications set out in s. 29, see s. 29(1)

Miscellaneous and supplementary

21 Guidance, codes of practice and statistics.

- (1) The Secretary of State shall publish information to serve as guidance with respect to the manner in which he proposes to exercise his power to grant licences and certificates under this Act and with respect to the conditions which he proposes to include in such licences and certificates.
- (2) The Secretary of State shall issue codes of practice as to the care of protected animals and their use for regulated procedures and may approve such codes issued by other persons.

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- (3) The Secretary of State shall consult the Animal Procedures Committee before publishing or altering any information under subsection (1) above or issuing, approving, altering or approving any alteration in any code issued or approved under subsection (2) above.
- (4) A failure on the part of any person to comply with any provision of a code issued or approved under subsection (2) above shall not of itself render that person liable to criminal or civil proceedings but—
- (a) any such code shall be admissible in evidence in any such proceedings; and
 - (b) if any of its provisions appears to the court conducting the proceedings to be relevant to any question arising in the proceedings it shall be taken into account in determining that question.
- (5) The Secretary of State shall lay before Parliament—
- (a) copies of any information published or code issued by him under subsection (1) or (2) above and of any alteration made by him in any such information or code; and
 - (b) copies of any code approved by him under subsection (2) above and of any alteration approved by him in any such code;
- and if either House of Parliament passes a resolution requiring the information, code or alteration mentioned in paragraph (a) above, or the approval mentioned in paragraph (b) above, to be withdrawn the Secretary of State shall withdraw it accordingly; and where he withdraws information published or a code issued by him or his approval of a code he shall publish information or issue or approve a code, as the case may be, in substitution for the information or code previously published, issued or approved.
- (6) No resolution shall be passed by either House under subsection (5) above in respect of any information, code or alteration after the end of the period of forty days beginning with the day on which a copy of the information, code or alteration was laid before that House; but for the purposes of this subsection no account shall be taken of any time during which Parliament is dissolved or prorogued or during which both Houses are adjourned for more than four days.
- (7) The Secretary of State shall in each year publish and lay before Parliament such information as he considers appropriate with respect to the use of protected animals in the previous year for experimental or other scientific purposes.

Extent Information

E17 In its application to Northern Ireland, this section has effect subject to the modifications set out in s. 29, see s. 29(1)

22 Penalties for contraventions.

- (1) Any person who contravenes section 3 above shall be guilty of an offence and liable—
- (a) on conviction on indictment, to imprisonment for a term not exceeding two years or to a fine or to both;
 - (b) on summary conviction, to imprisonment for a term not exceeding six months or to a fine not exceeding the statutory maximum or to both.
- (2) Any person who, being the holder of a project licence—

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- (a) procures or knowingly permits a person under his control to carry out a regulated procedure otherwise than as part of the programme specified in the licence; or
- (b) procures or knowingly permits a person under his control to carry out a regulated procedure otherwise than in accordance with that person's personal licence,

shall be guilty of an offence and liable to the penalties specified in subsection (1) above.

(3) Any person who—

- (a) contravenes section 7(1) or (2), 14, 15, 16, or 17 above; or
 - (b) fails to comply with a requirement imposed on him under section 18(3) above,
- shall be guilty of an offence and liable on summary conviction to imprisonment for a term not exceeding three months or to a fine not exceeding the fourth level on the standard scale or to both.

(4) A person shall not be guilty of an offence under section 3 or 17(a) above by reason only that he acted without the authority of a project licence if he shows that he reasonably believed, after making due enquiry, that he had such authority.

(5) A person guilty of an offence under [^{F27}any of sections 4, 5, 6(1) and (2), 7 and 8 of the Animal Welfare Act 2006][^{F28}or section 1 of the ^{M2}Protection of Animals (Scotland) Act 1912] in respect of an animal at a designated establishment shall be liable to the penalties specified in subsection (1) above [^{F29}(rather than any penalty by way of imprisonment or fine provided for in those Acts)].

[^{F30}(5A) A person guilty of an offence under sections 28C or 28F(16) of the Animal Health Act 1981 (c. 22), or sections 19 to 24, 25(7), 29 or 40(11) of the [Animal Health and Welfare \(Scotland\) Act 2006 \(asp 11\)](#), in respect of an animal at a designated establishment shall be liable to the penalties specified in subsection (1) above.]

Extent Information

E18 In its application to Northern Ireland, this section has effect subject to the modifications set out in s. 29, see s. 29(1)

Textual Amendments

F27 Words in s. 22(5) substituted (27.3.2007 for W., 6.4.2007 for E.) by [Animal Welfare Act 2006 \(c. 45\)](#), s. 68(3), **Sch. 3 para. 12(1)(a)** (with ss. 1(2), 58(1), 59, 60); S.I. 2007/499, art. 2(2)(l); S.I. 2007/1030, art. 2(1)(l)

F28 Words in s. 22(5) omitted (S.) (3.11.2006) by virtue of [The Animal Health and Welfare \(Scotland\) Act 2006 \(Consequential Provisions\) Order 2006 \(S.S.I. 2006/536\)](#), art. 1, **Sch. 1 para. 11(2)**

F29 Words in s. 22(5) inserted (27.3.2007 for W., 6.4.2007 for E.) by [Animal Welfare Act 2006 \(c. 45\)](#), s. 68(3), **Sch. 3 para. 12(1)(b)** (with ss. 1(2), 58(1), 59, 60); S.I. 2007/499, art. 2(2)(l); S.I. 2007/1030, art. 2(1)(l)

F30 S. 22(5A) 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. 11(3)**

Marginal Citations

M2 1912 c. 14.

Status: Point in time view as at 19/12/2012.

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23 False statements.

- (1) A person is guilty of an offence if for the purpose of obtaining or assisting another person to obtain a licence or certificate under this Act he furnishes information which he knows to be false or misleading in a material particular or recklessly furnishes information which is false or misleading in a material particular.
- (2) A person guilty of an offence under this section shall be liable on summary conviction to imprisonment for a term not exceeding three months or to a fine not exceeding the fourth level on the standard scale or to both.

24 Protection of confidential information.

- (1) A person is guilty of an offence if otherwise than for the purpose of discharging his functions under this Act he discloses any information which has been obtained by him in the exercise of those functions and which he knows or has reasonable grounds for believing to have been given in confidence.
- (2) A person guilty of an offence under this section shall be liable—
 - (a) on conviction on indictment, to imprisonment for a term not exceeding two years or to a fine or to both;
 - (b) on summary conviction, to imprisonment for a term not exceeding six months or to a fine not exceeding the statutory maximum or to both.

25 Powers of entry.

- (1) If a justice of the peace or in Scotland a sheriff is satisfied by information on oath that there are reasonable grounds for believing that an offence under this Act has been or is being committed at any place, he may issue a warrant authorising a constable to enter that place if need be by such force as is reasonably necessary, to search it and to require any person found there to give his name and address.
- (2) A warrant under this section may authorise a constable to be accompanied by an inspector appointed under this Act and shall require him to be accompanied by such an inspector if the place in question is a designated establishment.
- (3) Any person who—
 - (a) intentionally obstructs a constable or inspector in the exercise of his powers under this section; or
 - (b) refuses on demand to give his name and address or gives a false name or address,shall be guilty of an offence and liable on summary conviction to imprisonment for a term not exceeding three months or to a fine not exceeding the fourth level on the standard scale or to both.

26 Prosecutions.

- (1) No proceedings for—
 - (a) an offence under this Act; or
 - (b) an offence under [F31 any of sections 4, 5, 6(1) and (2) and 7 to 9 of the Animal Welfare Act 2006] which is alleged to have been committed in respect of an animal at a designated establishment, shall be brought in England and Wales except by or with the consent of the Director of Public Prosecutions.

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- (2) Summary proceedings for an offence under this Act may (without prejudice to any jurisdiction exercisable apart from this subsection) be taken against any person at any place at which he is for the time being.
- (3) Notwithstanding anything in section 127(1) of the ^{M3}Magistrates' Courts Act 1980, an information relating to an offence under this Act which is triable by a magistrates' court in England and Wales may be so tried if it is laid at any time within three years after the commission of the offence and within six months after the date on which evidence sufficient in the opinion of the Director of Public Prosecutions to justify the proceedings comes to his knowledge.
- (4) Notwithstanding anything in [^{F32}section 136 of the Criminal Procedure (Scotland) Act 1995], summary proceedings for an offence under this Act may be commenced in Scotland at any time within three years after the commission of the offence and within six months after the date on which evidence sufficient in the opinion of the Lord Advocate to justify the proceedings comes to his knowledge; and subsection (3) of that section shall apply for the purposes of this subsection as it applies for the purposes of that section.
- (5) For the purposes of subsections (3) and (4) above a certificate of the Director of Public Prosecutions or, as the case may be, the Lord Advocate as to the date on which such evidence as is there mentioned came to his knowledge shall be conclusive evidence of that fact.

Textual Amendments

F31 Words in s. 26(1)(b) substituted (27.3.2007 for W., 6.4.2007 for E.) by [Animal Welfare Act 2006](#) (c. 45), s. 68(3), **Sch. 3 para. 12(2)** (with ss. 1(2), 58(1), 59, 60); S.I. 2007/499, art. 2(2)(1); S.I. 2007/1030, art. 2(1)(l)

F32 Words in s. 26(4) substituted (1.4.1996) by 1995 c. 40, ss. 5, 7(2), **Sch. 4 para. 59**

Marginal Citations

M3 1980 c. 43.

27 Repeal, consequential amendments and transitional provisions.

- (1) The ^{M4}Cruelty to Animals Act 1876 is hereby repealed.
- (2) The enactments mentioned in Schedule 3 to this Act shall have effect with the amendments there specified, being amendments consequential on the provisions of this Act.
- (3) The ^{M5}Breeding of Dogs Act 1973 shall not apply to the breeding of dogs for use in regulated procedures if they are bred at a designated breeding establishment.
- (4) Schedule 4 to this Act shall have effect with respect to the transitional matters there mentioned.
- (5) The Secretary of State may by order make such further transitional provisions as he considers necessary or expedient.

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Extent Information

E19 In its application to Northern Ireland, this section has effect subject to the modifications set out in s. 29, see s. 29(1)

Marginal Citations

M4 1876 c. 77 .

M5 1973 c. 60 .

28 Orders.

- (1) Any power of the Secretary of State to make an order under this Act shall be exercisable by statutory instrument.
- (2) A statutory instrument containing an order under any of the foregoing provisions of this Act shall be subject to annulment in pursuance of a resolution of either House of Parliament.

Extent Information

E20 In its application to Northern Ireland, this section has effect subject to the modifications set out in s. 29, see s. 29(1)

29 Application to Northern Ireland.

- (1) This Act applies to Northern Ireland with the following modifications.
- (2) For any reference to the Secretary of State in any provision of this Act except sections 19 and 20(1) there shall be substituted a reference to the Department of Health and Social Services for Northern Ireland; and for the reference in section 18(1) above to the Treasury there shall be substituted a reference to the Department of Finance and Personnel for Northern Ireland.
- (3) The functions of the Secretary of State under sections 19 and 20(1) shall be exercisable by him jointly with the Department of Health and Social Services for Northern Ireland; and any notice under section 19(6) or advice under section 20(1) may be given to either of them.
- (4) In section 20(5) above for the reference to Parliament there shall be substituted a reference to the Northern Ireland Assembly; and in section 21 above—
 - (a) for the references to Parliament or either House of Parliament there shall be substituted references to the Assembly;
 - (b) in subsection (5) after the word “if” there shall be inserted the words “within the statutory period (within the meaning of the Interpretation Act (Northern Ireland) 1954)”; and
 - (c) subsection (6) shall be omitted.
- ^[F33](5) In section 22(5) above for the reference to sections 4, 5, 6(1) and (2), 7 and 8 of the Animal Welfare Act 2006 there shall be substituted a reference to ^[F34]sections 13 and 14 of the Welfare of Animals Act (Northern Ireland) 1972^[F34]sections 4, 5, 6(1) and (2), 7 and 8 of the Welfare of Animals Act (Northern Ireland) 2011].

Status: Point in time view as at 19/12/2012.

Changes to legislation: Animals (Scientific Procedures) Act 1986 is up to date with all changes known to be in force on or before 26 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- (5A) In section 26(1)(b) above for the reference to sections 4, 5, 6(1) and (2) and 7 to 9 of the Animal Welfare Act 2006 there shall be substituted a reference to [F35sections 13 and 14 of the Welfare of Animals Act (Northern Ireland) 1972][F35sections 4, 5, 6(1) and (2) and 7 to 9 of the Welfare of Animals Act (Northern Ireland) 2011].]
- (6) In section 25(1) above for the reference to information on oath there shall be substituted a reference to a complaint on oath.
- (7) In section 26 above—
- (a) in subsections (1) and (3) for the words “England and Wales” there shall be substituted the words “Northern Ireland”;
 - (b) in subsections (1), (3) and (5) for the references to the Director of Public Prosecutions there shall be substituted references to the Director of Public Prosecutions for Northern Ireland; and
 - (c) in subsection (3) for the reference to section 127(1) of the Magistrates’ Courts Act 1980 there shall be substituted a reference to Article 19(1) of the M6Magistrates’ Courts (Northern Ireland) Order 1981.
- (8) In section 27(3) above for the reference to the Breeding of Dogs Act 1973 there shall be substituted a reference to Articles 12, 13 and 43 of the M7Dogs (Northern Ireland) Order 1983.
- (9) Section 28 above shall not apply and any order made by the Department of Health and Social Services for Northern Ireland under this Act shall be a statutory rule for the purposes of the M8Statutory Rules (Northern Ireland) Order 1979 and shall be subject to negative resolution within the meaning of section 41(6) of the M9Interpretation Act (Northern Ireland) 1954.

Extent Information

- E21** S. 29 extends to Northern Ireland but the operation of s. 29 is limited by application as mentioned in s. 29(2)

Textual Amendments

- F33** S. 29(5)(5A) substituted for s. 29(5) (27.3.2007 for W., 6.4.2007 for E.) by [Animal Welfare Act 2006](#) (c. 45) , s. 68(3) , [Sch. 3 para. 12\(3\)](#) (with ss. 1(2) , 58(1) , 59 , 60) ; S.I. 2007/499 , art. 2(2)(l) ; S.I. 2007/1030 , art. 2(1)(l)
- F34** Words in s. 29(5) substituted (N.I.) (11.7.2011) by [Welfare of Animals Act \(Northern Ireland\) 2011](#) (c. 16) , s. 59 , [Sch. 4 para. 3\(a\)](#) (with ss. 1(2) , 52(1) , 53 , 54) ; S.R. 2011/245 , art. 2 , Sch. 1
- F35** Words in s. 29(5A) substituted (N.I.) (11.7.2011) by [Welfare of Animals Act \(Northern Ireland\) 2011](#) (c. 16) , s. 59 , [Sch. 4 para. 3\(b\)](#) (with ss. 1(2) , 52(1) , 53 , 54) ; S.R. 2011/245 , art. 2 , Sch. 1

Marginal Citations

- M6** S.I. 1981/1675 (N.I.26) .
- M7** S.I. 1983/1764 (N.I.8) .
- M8** S.I. 1979/1573 (N.I.12) .
- M9** 1954 c. 33 (N.I.)

30 Short title, interpretation and commencement.

- (1) This Act may be cited as the Animals (Scientific Procedures) Act 1986.

Status: Point in time view as at 19/12/2012.

Changes to legislation: Animals (Scientific Procedures) Act 1986 is up to date with all changes known to be in force on or before 26 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

(2) In this Act—

“ designated ”, in relation to an establishment, means designated by a certificate under section 6 or 7 above;

“ personal licence ” means a licence granted under section 4 above;

“ place ” includes any place within the seaward limits of the territorial waters of the United Kingdom, including any vessel other than a ship which is not a British ship;

“ project licence ” means a licence granted under section 5 above;

“ protected animal ” has the meaning given in section 1 above but subject to any order under subsection (3) of that section;

“ regulated procedure ” has the meaning given in section 2 above.

(3) This Act shall come into force on such date as the Secretary of State may by order appoint; and different dates may be appointed for different provisions or different purposes.]

Extent Information

E22 In its application to Northern Ireland, this section has effect subject to the modifications set out in s. 29, see s. 29(1)

Modifications etc. (not altering text)

C2 The power of appointment conferred by s. 30(3) fully exercised: [S.R. 1986/364](#) , [S.I. 1986/2088](#) , [S.R. 1989/496](#) , [S.I. 1989/2306](#)

Status: Point in time view as at 19/12/2012.

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SCHEDULES

F36 [SCHEDULE 1

Sections 2, 6, 7, 10, 15(1) and 18(3)

APPROPRIATE METHODS OF HUMANE KILLING

Textual Amendments

F36 Sch. 1 substituted (E.W.S.) (1.3.1997) and (N.I.) (9.6.1997) by [S.I. 1996/3278, art. 2, Sch.](#); [S.R. 1997/226, art. 2, Sch.](#)

F37₁ Subject to paragraph 2 below, the methods of humane killing listed in Tables A and B below are appropriate for the animals listed in the corresponding entries in those tables only if the process of killing is completed by one of the methods listed in sub-paragraphs (a) to (f) below:

- (a) confirmation of permanent cessation of the circulation
- (b) destruction of the brain
- (c) dislocation of the neck
- (d) exsanguination
- (e) confirming the onset of rigor mortis
- (f) instantaneous destruction of the body in a macerator.

F38₂ Paragraph 1 above does not apply in those cases where Table A specifies one of the methods listed in that paragraph as an appropriate method of humane killing.

Textual Amendments

F38 Sch. 1 para. 2: Sch. 1 substituted (E.W.S.) (1.3.1997) and (N.I.) (9.6.1997) by [S.I. 1996/3278, art. 2, Sch.](#); [S.R. 1997/226, art. 2, Sch.](#)

Table A

F39	Animals for which appropriate
[A. Methods for animals other than foetal, larval and embryonic forms	
1. Overdose of an anaesthetic using a route and an anaesthetic agent appropriate for the size and species of animal.	All animals
2. Exposure to carbon dioxide gas in a rising concentration.	Rodents, Rabbits and Birds up to 1.5 kg
3. Dislocation of the neck.	Rodents up to 500g Rabbits up to 1 kg Birds up to 3 kg

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4. Concussion of the brain by striking the cranium.	Rodents and Rabbits up to 1 kg Birds up to 250g Amphibians and reptiles (with destruction of the brain before the return of consciousness) up to 1 kg Fishes (with destruction of the brain before the return of consciousness)
5. One of the recognised methods of slaughter set out below which is appropriate to the animal and is performed by a registered veterinary surgeon, or, in the case of the methods described in paragraph (ii) below, performed by the holder of a current licence granted under the ^{F40} Welfare of Animals (Slaughter or Killing) Regulations 1995. (i) Destruction of the brain by free bullet, or (ii) captive bolt, percussion or electrical stunning followed by destruction of the brain or exsanguination before return of consciousness.	Ungulates]

Table B

F41	Animals for which appropriate
B. Methods for foetal, larval and embryonic forms	
1. Overdose of an anaesthetic using a route and anaesthetic agent appropriate for the size, stage of development and species of animal.	All animals
2. Refrigeration, or disruption of membranes, or maceration in apparatus approved under appropriate slaughter legislation, or exposure to carbon dioxide in near 100% concentration until they are dead.	Birds Reptiles
3. Cooling of foetuses followed by immersion in cold tissue fixative.	Mice, Rats and Rabbits
4. Decapitation.	Mammals and Birds up to 50g.]

Textual Amendments

F41 Sch. 1 Table B: Sch. 1 substituted (E.W.S.) (1.3.1997) and (N.I.) (9.6.1997) by [S.I. 1996/3278, art. 2, Sch.](#); [S.R. 1997/226, art. 2, Sch.](#)

Status: Point in time view as at 19/12/2012.

Changes to legislation: *Animals (Scientific Procedures) Act 1986 is up to date with all changes known to be in force on or before 26 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

SCHEDULE 2

Sections 7 and 10.

ANIMALS TO BE OBTAINED ONLY FROM DESIGNATED BREEDING OR SUPPLYING ESTABLISHMENTS

Mouse

Rat

Guinea-pig

Hamster

Rabbit

Dog

Cat

Primate

[^{F42} Any bird of the species *Coturnix coturnix* (quail).]

Textual Amendments

F42 Words in Sch. 2 added (1.10.1993) by [S.I. 1993/2103, art. 4](#); (and for N.I. (15.11.1993) by [S.R. 1993/407, art. 2\(2\)](#))

[^{F43} Pig, if genetically modified

Textual Amendments

F43 Words in Sch. 2 inserted (N.I.) (1.1.1999) by [S.R. 1998/331, reg. 2](#)

Sheep, if genetically modified

Ferret

Gerbil]

[^{F44} SCHEDULE 2A

Section 10(2A).

ARTICLE 8 OF COUNCIL DIRECTIVE No. [86/609/EEC](#)

Textual Amendments

F44 [Sch. 2A](#) inserted (5.9.1998) by [S.I. 1998/1974, reg. 2, Sch. para. 6](#)

^{F45}₁ All experiments shall be carried out under general or local anaesthesia.

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Textual Amendments

F45 Sch. 2A para. 1 inserted (5.9.1998) by S.I. 1998/1974, reg. 2, Sch. para. 6

- ^{F46}2 Paragraph 1 above does not apply when:
- (a) anaesthesia is judged to be more traumatic to the animal than the experiment itself;
 - (b) anaesthesia is incompatible with the object of the experiment. In such cases appropriate legislative and/or administrative measures shall be taken to ensure that no such experiment is carried out unnecessarily.

Textual Amendments

F46 Sch. 2A para. 2 inserted (5.9.1998) by S.I. 1998/1974, reg. 2, Sch. 6 para. 6

- ^{F47}3 If anaesthesia is not possible, analgesics or other appropriate methods should be used in order to ensure as far as possible that pain, suffering, distress or harm are limited and that in any event the animal is not subject to severe pain, distress or suffering.

Textual Amendments

F47 Sch. 2A para. 3 inserted (5.9.1998) by S.I. 1998/1974, reg. 2, Sch. 6 para. 6

- ^{F48}4 Provided such action is compatible with the object of the experiment, an anaesthetised animal, which suffers considerable pain once anaesthesia has worn off, shall be treated in good time with pain-relieving means or, if this is not possible, shall be immediately killed by a humane method.]

Textual Amendments

F48 Sch. 2A para. 4 inserted (5.9.1998) by S.I. 1998/1974, reg. 2, Sch. 6 para. 6

SCHEDULE 3

Section 27(2).

CONSEQUENTIAL AMENDMENTS

- ^{F49}1

Textual Amendments

F49 Sch. 3 para. 1 repealed (E.W.) (27.3.2007 for W., 6.4.2007 for E.) by Animal Welfare Act 2006 (c. 45), s. 68(3), Sch. 4 (with ss. 1(2), 58(1), 59, 60); S.I. 2007/499, art 2(2)(m); S.I. 2007/1030, art. 2(1)(m)

- ^{F50}2

Status: Point in time view as at 19/12/2012.

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Textual Amendments

F50 Sch. 3 para. 2 repealed (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. 3**

- 3 In paragraph 1 of Schedule 1 to the ^{M10}Protection of Animals (Anaesthetics) Act 1954 for the words “Any experiment duly authorised under the Cruelty to Animals Act 1876” there shall be substituted the words “Any procedure duly authorised under the Animals (Scientific Procedures) Act 1986”.

Marginal Citations

M10 1954 c. 46.

- 4 In section 12 of the ^{M11}Pests Act 1954 for the words “any experiment duly authorised under the Cruelty to Animals Act 1876” there shall be substituted the words “any procedure duly authorised under the Animals (Scientific Procedures) Act 1986”.

Marginal Citations

M11 1954 c. 68.

- 5 In section 19(4)(a) of the ^{M12}Veterinary Surgeons Act 1966 for the words “any experiment duly authorised under the Cruelty to Animals Act 1876” there shall be substituted the words “any procedure duly authorised under the Animals (Scientific Procedures) Act 1986”.

Marginal Citations

M12 1966 c. 36.

- 6 In section 1(2A)(b) of the ^{M13}Slaughter of Poultry Act 1967 for the words “an experiment in respect of which restrictions are imposed by the Cruelty to Animals Act 1876, being an experiment performed subject to any restrictions so imposed” there shall be substituted the words “a procedure duly authorised under the Animals (Scientific Procedures) Act 1986”.

Marginal Citations

M13 1967 c. 24.

F51F527

Textual Amendments

F51 Sch. 3 para. 7 repealed (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. 3**

F52 Sch. 3 para. 7 repealed (E.W.) (27.3.2007 for W., 6.4.2007 for E.) by [Animal Welfare Act 2006 \(c. 45\)](#), s. 68(3), **Sch. 4** (with ss. 1(2), 58(1), 59, 60); [S.I. 2007/499](#), **art. 2(2)(m)**; [S.I. 2007/1030](#), **art. 2(1)(m)**

Status: Point in time view as at 19/12/2012.

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F53g

Textual Amendments

F53 Sch. 3 para. 8 repealed (N.I.) (2.4.2012) by [Welfare of Animals Act \(Northern Ireland\) 2011 \(c. 16\)](#), s. 59, [Sch. 5](#) (with ss. 1(2), 52(1), 53, 54); S.R. 2012/154, art. 2(b), Sch. 2

F54g

Textual Amendments

F54 Sch. 3 para. 9 repealed (E.W.S.) (16.10.1992) by [Protection of Badgers Act 1992 \(c.51\)](#), s. 15(2)(3), [Sch.](#)

10 In section 5(4) of the ^{M14}Dangerous Wild Animals Act 1976 for the words “registered pursuant to the Cruelty to Animals Act 1876 for the purpose of performing experiments” there shall be substituted the words “which is a designated establishment within the meaning of the Animals (Scientific Procedures) Act 1986”.

Marginal Citations

M14 1976 c. 38.

SCHEDULE 4

Section 27(4).

TRANSITIONAL PROVISIONS

Extent Information

E25 In its application to Northern Ireland, this Schedule has effect subject to the modifications set out in s. 29, see [s. 29\(1\)](#)

Existing licences

1 Any licence which immediately before the coming into force of section 3 of this Act is in force under the Cruelty to Animals Act 1876 (in this Schedule referred to as “the previous Act”) shall until such date as it would have expired under that Act be treated for the purposes of this Act as if it were a personal licence.

Current experiments

2 (1) Subject to sub-paragraph (2) below, any experiment or series of experiments which is lawfully in progress under the previous Act immediately before the coming into force of section 3 of this Act shall be treated for the purposes of this Act as authorised by a project licence.

Status: Point in time view as at 19/12/2012.

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- (2) The Secretary of State may direct that sub-paragraph (1) above shall cease to have effect on such date as he may specify; and different dates may be specified in relation to different cases.

Existing certificates

- 3 A person shall not by virtue of paragraphs 1 or 2 above be entitled to do anything which would have been unlawful under the previous Act without such a certificate as is mentioned in paragraph (2) or (3) of the proviso to section 3 of that Act or in section 5 of that Act unless immediately before the coming into force of section 3 of this Act he holds the appropriate certificate under that Act.

Registered premises

- 4 Until such date as the Secretary of State may direct there shall be treated as a designated scientific procedure establishment for the purposes of this Act any place registered under the previous Act or approved by the Secretary of State.

Inspectors

- 5 Any person who at the coming into force of section 18 of this Act holds office as an inspector under the previous Act shall be treated for the purposes of this Act as an inspector appointed under that section.

Status:

Point in time view as at 19/12/2012.

Changes to legislation:

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