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STATUTORY INSTRUMENTS

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**2018 No. 486**

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

**PART 1**

Introduction

**Title, commencement and application**

- 1.—(1) These Regulations—
- (a) may be cited as the Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018;
  - (b) come into force on 1st October 2018.
- (2) The following provisions of these Regulations apply in England only—
- (a) regulations 2 to 24,
  - (b) regulations 27 to 29, and
  - (c) Schedules 1 to 8.

**Interpretation**

2. In these Regulations—
- “the Act” means the Animal Welfare Act 2006;
- “adult dog” means a dog aged 6 months or more;
- “general conditions” means the conditions set out in Schedule 2;
- “horse” includes an ass, mule or hinny;
- “licence”, except as the context otherwise requires in regulation 11(1)(b) and Schedule 8 or where more specifically provided, means a licence to carry on a licensable activity granted or renewed under these Regulations and cognate expressions are to be construed accordingly;
- “licence conditions” means—
- (a) the general conditions, and
  - (b) the relevant specific conditions;
- “licensable activity” means an activity described in paragraph 2, 4, 6, 8 or 10 of Schedule 1;
- “listed” means for the time being listed as authorised to carry out an inspection on the list of veterinarians drawn up by the Royal College of Veterinary Surgeons;
- “local authority” means—
- (a) a district council,
  - (b) a London borough council,

- (c) the Common Council of the City of London (in their capacity as a local authority),
- (d) the Council of the Isles of Scilly, or
- (e) a combined authority in England established under section 103 of the Local Democracy, Economic Development and Construction Act 2009 <sup>M1</sup>;

“operator” means an individual who—

- (a) carries on, attempts to carry on or knowingly allows to be carried on a licensable activity, or
- (b) where a licence has been granted or renewed, is the licence holder;

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

- (a) personal interest,
- (b) companionship,
- (c) ornamental purposes, or
- (d) any combination of (a) to (c).

“puppy” means a dog aged less than 6 months;

“relevant specific conditions” means—

- (a) in relation to the activity of selling animals as pets (or with a view to their being later resold as pets) as described in paragraph 2 of Schedule 1, the conditions set out in Schedule 3;
- (b) in relation to the activity of providing or arranging for the provision of boarding for cats or dogs as described in paragraph 4 of Schedule 1, the conditions set out in the relevant Part of Schedule 4;
- (c) in relation to the activity of hiring out horses as described in paragraph 6 of Schedule 1, the conditions set out in Schedule 5;
- (d) in relation to the activity of breeding dogs as described in paragraph 8 of Schedule 1, the conditions set out in Schedule 6;
- (e) in relation to the activity of keeping or training animals for exhibition as described in paragraph 10 of Schedule 1, the conditions set out in Schedule 7;

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

“veterinarian” means—

- (a) a person who is for the time being registered in the register of veterinary surgeons maintained under section 2 of the Veterinary Surgeons Act 1966 <sup>M2</sup>, or
- (b) a person who is for the time being registered in the supplementary veterinary register maintained under section 8 of that Act;

“working day” means any day other than a Saturday, a Sunday, Christmas Day, Good Friday or a day which is a bank holiday in England and Wales under section 1 of the Banking and Financial Dealings Act 1971 <sup>M3</sup>.

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#### **Marginal Citations**

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

- M2** 1966 c. 36. Section 2(2) has been amended by article 12 and paragraph 1 of the Schedule to [S.I. 2003/2919](#) and by article 2 and paragraph (2)(a) and (b) of the Schedule to [S.I. 2008/1824](#).
- M3** 1971 c. 80.

### **Licensing of operators**

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

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

**Changes to legislation:**

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