
SCOTTISH STATUTORY INSTRUMENTS

2009 No. 141

**The Licensing of Animal Dealers (Young Cats
and Young Dogs) (Scotland) Regulations 2009**

Applications for animal dealing licences

4.—(1) Subject to paragraph (2), the licensing authority must consider an application for an animal dealing licence where—

- (a) the application is made to the authority in writing; and
- (b) the required fee has been paid.

(2) The licensing authority must not grant an application from an applicant who is for the time being subject to an order for disqualification under—

- (a) section 5(3) of the Pet Animals Act 1951 (offences and disqualifications)(**1**);
- (b) section 1(1) of the Protection of Animals (Amendment) Act 1954 (power to disqualify persons convicted of cruelty to animals)(**2**);
- (c) section 3(3) of the Animal Boarding Establishments Act 1963 (offences and disqualifications)(**3**);
- (d) section 3(3)(b) or (c) of the Breeding of Dogs Act 1973 (offences and disqualifications)(**4**);
- (e) section 28F(1) and (2) of the Animal Health Act 1981 (deliberate infection: disqualification orders)(**5**);
- (f) section 34(1) and (2), (3) or (4) of the Animal Welfare Act 2006 (disqualification)(**6**);
- (g) section 40(1) and (2) of the Animal Health and Welfare (Scotland) Act 2006 (disqualification orders); or
- (h) regulation 21(2).

(1) 1951 c. 35.

(2) 1954 c. 40; amended by the Animal Welfare Act 2006 (c. 45), Schedule 4.

(3) 1963 c. 43; amended by the Criminal Justice Act 2003 (c. 44), Schedule 37, Part 9, the Animal Welfare Act 2006 (c. 45), Schedule 3, paragraph 5 and S.S.I. 2006/536.

(4) 1973 c. 60; amended by the Breeding and Sale of Dogs (Welfare) Act 1999 (c. 11), section 5.

(5) 1981 c. 22. Section 28F was inserted by the Animal Health and Welfare (Scotland) Act 2006 (asp 11), section 10.

(6) 2006 c. 45; section 40 of that Act extends its provisions to Scotland.