

SCOTTISH STATUTORY INSTRUMENTS

**2021 No. 84**

**The Animal Welfare (Licensing of Activities Involving Animals) (Scotland) Regulations 2021**

**PART 4**

Enforcement and notices

**Offences and penalties**

- 23.**—(1) It is an offence for a person without reasonable excuse—
- (a) subject to the exceptions provided for in paragraph (2), to breach a standard licence condition,
  - (b) to fail to comply with regulations 3 (carrying on a licensable activity without the authority of a licence), 10 (duty to assist in the taking of samples from animals) or 22 (obstruction of inspectors),
  - (c) to provide to an inspector information required by or under these Regulations which the person knows, or ought reasonably to have known, is to a material extent false or misleading, or
  - (d) for the purposes of obtaining or holding a licence under these Regulations—
    - (i) to make a statement required by or under these Regulations to the licensing authority (or someone acting on its behalf) which the person knows, or ought reasonably to have known, is to a material extent false or misleading, or
    - (ii) recklessly to make a statement required by or under these Regulations to the licensing authority (or someone acting on its behalf) which is to a material extent false or misleading.
- (2) A person does not commit an offence by reason of breaching the licence conditions provided for in—
- (a) paragraph 3 of schedule 6,
  - (b) paragraph 3 of schedule 7,
  - (c) paragraph 3 of schedule 8.
- (3) A person who commits an offence under—
- (a) paragraph (1)(a) is liable on summary conviction to a fine not exceeding level 5 on the standard scale,
  - (b) paragraph (1)(b) to (d) is liable on summary conviction to a fine not exceeding £40,000, or to imprisonment for a term not exceeding 12 months, or both.

**Commencement Information**

**II** [Reg. 23](#) in force at 1.9.2021, see [reg. 1](#)

**Changes to legislation:**

There are currently no known outstanding effects for the The Animal Welfare (Licensing of Activities Involving Animals) (Scotland) Regulations 2021, Section 23.