
DRAFT STATUTORY INSTRUMENTS

2023 No.

**The Animal Welfare (Primate
Licences) (England) Regulations 2023**

PART 1

General

Citation, commencement, extent and application

1.—(1) These Regulations may be cited as the Animal Welfare (Primate Licences) (England) Regulations 2023.

(2) Except as provided by paragraph (3), these Regulations come into force on 6th April 2026.

(3) The following provisions come into force on 6th April 2025—

- (a) this Part, other than regulation 4;
- (b) Part 2 and Schedule 1;
- (c) Part 4 and Schedule 2; and
- (d) regulation 20.

(4) These Regulations extend to England and Wales.

(5) These Regulations apply to the keeping of a primate in England.

General Interpretation

2. In these Regulations—

“the Act” means the Animal Welfare Act 2006;

“keep” has the meaning given in regulation 3;

“licence conditions” means the conditions set out in Schedule 1;

“licence period”, in relation to a primate licence, means the period for which the licence has effect;

“primate” means an animal of any species, other than *homo sapiens*, which belongs to the order Primates;

“primate licence” means a licence under Part 2;

“suitable person”, in relation to an inspection arranged by a local authority, means—

- (a) a veterinarian; or
- (b) any other person who, in the view of the local authority, is suitably qualified and competent to carry out the inspection;

“veterinarian” means a person registered in the register of veterinary surgeons or the supplementary veterinary register kept under the Veterinary Surgeons Act 1966(1).

Meaning of “keep”

3.—(1) For the purposes of these Regulations, a person “keeps” a primate if the person has it in their possession, except where the person has it in their possession for the purposes of—

- (a) preventing it from causing damage;
- (b) restoring it to its owner;
- (c) enabling it to undergo veterinary examination or treatment; or
- (d) transporting it on behalf of another person.

(2) Where a primate ceases to be in the possession of a person who kept it in England and the primate remains in England, that person is to be regarded as continuing to keep it for the purposes of these Regulations until another person does so.

Keeping primates: licensable activity

4. Section 13(1) of the Act applies to the keeping of a primate other than where the primate is kept in—

- (a) a zoo within the meaning of the Zoo Licensing Act 1981(2) and a licence in respect of that zoo is in force under that Act; or
- (b) a place specified in a licence under section 2C of the Animals (Scientific Procedures) Act 1986(3).

Licensing authority

5.—(1) The licensing authority for the purposes of these Regulations is the local authority in whose area the premises at which a primate is kept or is to be kept are situated.

(2) Where any premises are partly in the area of one local authority and partly in the area of another local authority, the premises are treated for the purposes of paragraph (1) as being in the area of the local authority in which the major part of the premises is situated.

(1) 1966 c. 36; section 2(2) was amended by paragraph 1 of the Schedule to S.I. 2003/2919, paragraph 2 of the Schedule to S.I. 2008/1824 and regulation 2(3) of S.I. 2019/454.

(2) 1981 c. 37; “zoo” has the meaning given by section 1(2). Section 1(2) was amended by section 8(2) of the Wild Animals and Circuses (Wales) Act 2020 (asc 2) and regulation 4(a) of S.I. 2002/3080.

(3) 1986 c. 14; section 2C was inserted by regulation 6 of S.I. 2012/3039 and amended by regulation 2(2) of S.I. 2019/72.