



Zoo Licensing Act 1981

1981 CHAPTER 37

Enforcement

[^{F1}16B Zoo closure direction **E+W**]

- (1) The local authority shall make a zoo closure direction in respect of a zoo licensed under this Act where—
 - (a) they have made a direction under section 16A(2) in respect of the zoo;
 - (b) the period specified in the direction by virtue of section 16A(2)(c), including such a direction as varied under section 16A(4), has expired; and
 - (c) they are satisfied, after giving the licence holder an opportunity to be heard, that a condition—
 - (i) specified in that direction and in respect of which the zoo was specified under section 16A(2)(b)(i); and
 - (ii) which requires any conservation measure referred to in section 1A to be implemented at the zoo,is not met in relation to the zoo.
- (2) The authority shall make a zoo closure direction in respect of a zoo licensed under this Act where they are satisfied, after reasonable enquiries have been made, that the licence holder cannot be found.
- (3) The authority shall make a zoo closure direction in respect of a zoo licensed under this Act where, after giving the licence holder an opportunity to be heard—
 - (a) they are satisfied that members of the public have had access to it on fewer than seven days in the period of twelve months ending on the date on which the authority determine that they are so satisfied; and
 - (b) it does not appear to them that it is the licence holder's intention that members of the public will have access to it on seven days or more during any future period of twelve months.
- (4) The authority may make a zoo closure direction in respect of a zoo licensed under this Act where—
 - (a) they have made a direction under section 16A(2) in respect of the zoo;

Status: There are multiple versions of this provision on screen. These apply to different geographical extents. Skip to: E+W - England and Wales extent S - Scotland extent
Changes to legislation: There are currently no known outstanding effects for the Zoo Licensing Act 1981, Section 16B. (See end of Document for details)

- (b) the period specified in that direction by virtue of section 16A(2)(c), including such a direction as varied under section 16A(4), has expired; and
 - (c) they are satisfied, after giving the licence holder an opportunity to be heard, that a condition specified in that direction, other than one which requires any conservation measure referred to in section 1A to be implemented at the zoo, is not met in relation to—
 - (i) if the zoo was specified in that direction, the zoo or any section of it; or
 - (ii) if a section of the zoo was specified in that direction, that section, any part of that section, any larger section which includes that section, or the whole zoo.
- (5) The authority may, after giving the licence holder an opportunity to be heard, make a zoo closure direction in respect of a zoo licensed under this Act if—
- (a) any reasonable requirements relating to the premises or conduct of the zoo notified by them to the licence holder in consequence of the report of any inspection under this Act are not complied with within such time as is reasonable in the circumstances;
 - (b) they are satisfied that the zoo has been conducted in a disorderly manner or so as to cause a nuisance;
 - (c) the licence holder (or, where the licence holder is a body corporate, the body or any director, manager, secretary or other similar officer of the body) is convicted of any offence mentioned in section 4(4); or
 - (d) any person who, to the knowledge of the licence holder, has been so convicted is employed as a keeper in the zoo.
- (6) But the authority may not make a zoo closure direction under subsection (5) if a direction under section 16A(2) is in force in respect of the zoo and—
- (a) when that direction was made there were grounds upon which the authority could have made a zoo closure direction under subsection (5) in respect of the zoo, but they chose not to do so; and
 - (b) the grounds upon which they would make a zoo closure direction under subsection (5) are the same as any of those upon which they could have made one when they made the direction under section 16A(2) instead.
- (7) No zoo closure direction may be made under subsection (5)(a) or (b) on grounds involving the care or treatment of animals unless the authority have first consulted such persons on the list as the Secretary of State may nominate for the purposes of this subsection.
- (8) Where the authority make a zoo closure direction in respect of a zoo under this section, the zoo's licence is revoked from the date on which the direction has effect (in accordance with section 18(10)).]

Extent Information

- E1** This version of this provision extends to England and Wales only; a separate version has been created for Scotland only
-

Textual Amendments

- F1** S. 16B inserted (E.) (8.1.2003) by S.I. 2002/3080, **regs. 1(1), 2, 21** (which insertion is extended (W.) (22.4.2003) by virtue of [The Zoo Licensing Act 1981 \(Amendment\) \(Wales\) Regulations 2003](#) (S.I. 2003/992), **regs. 1(1), 2(1), Sch. para. 18** (with reg. 4))

Status: There are multiple versions of this provision on screen. These apply to different geographical extents. Skip to: E+W - England and Wales extent S - Scotland extent
Changes to legislation: There are currently no known outstanding effects for the Zoo Licensing Act 1981, Section 16B. (See end of Document for details)

[^{F2}16B. Zoo closure direction **S**

- (1) The local authority shall make a zoo closure direction in respect of a zoo licensed under this Act where—
 - (a) they have made a direction under section 16A(2) in respect of the zoo;
 - (b) the period specified in the direction by virtue of section 16A(2)(c), including such a direction as varied under section 16A(4), has expired; and
 - (c) they are satisfied, after giving the licence holder an opportunity to be heard, that a condition—
 - (i) specified in that direction and in respect of which the zoo was specified under section 16A(2)(b)(i), and
 - (ii) which requires any conservation measure referred to in section 1A to be implemented at the zoo,is not met in relation to the zoo.
- (2) The authority shall make a zoo closure direction in respect of a zoo licensed under this Act where they are satisfied, after reasonable enquiries have been made, that the operator cannot be found.
- (3) The authority shall make a zoo closure direction in respect of a zoo licensed under this Act where, after giving the licence holder an opportunity to be heard—
 - (a) they are satisfied that members of the public have had access to it on fewer than seven days in the period of 12 months ending on the date on which the authority determine that they are so satisfied; and
 - (b) it does not appear to them that it is the licence holder's intention that members of the public will have access to it on seven days or more during any future period of 12 months.
- (4) The authority may make a zoo closure direction in respect of a zoo licensed under this Act where—
 - (a) they have made a direction under section 16A(2) in respect of a zoo;
 - (b) the period specified in that direction by virtue of section 16A(2)(c), including such a direction as varied under section 16A(4), has expired; and
 - (c) they are satisfied, after giving the licence holder an opportunity to be heard, that a condition specified in that direction, other than one which requires any conservation measure referred to in section 1A to be implemented at the zoo, is not met in relation to—
 - (i) if the zoo was specified in that direction, the zoo or any section of it; or
 - (ii) if a section of the zoo was specified in that direction, that section, any part of that section, any larger section which includes that section, or the whole zoo.
- (5) The authority may, after giving the licence holder an opportunity to be heard, make a zoo closure direction in respect of a zoo licensed under this Act if—
 - (a) any reasonable requirements relating to the premises or conduct of the zoo notified by them to the licence holder in consequence of the report of any inspection under this Act are not complied with within such time as is reasonable in the circumstances;
 - (b) they are satisfied that the zoo has been conducted in a disorderly manner or so as to cause a nuisance;

*Status: There are multiple versions of this provision on screen. These apply to different geographical extents. **Skip to:** E+W - England and Wales extent S - Scotland extent*
***Changes to legislation:** There are currently no known outstanding effects for the Zoo Licensing Act 1981, Section 16B. (See end of Document for details)*

- (c) the licence holder (or where the licence holder is a body corporate, the body or any director, manager or secretary or similar officer of the body) is convicted of any offence mentioned in section 4(4); or
 - (d) any person who, to the knowledge of the licence holder, has been so convicted is employed as a keeper in the zoo.
- (6) But the authority may not make a zoo closure direction under subsection (5) if a direction under section 16A(2) is in force in respect of the zoo and—
- (a) when that direction was made there were grounds upon which the authority could have made a zoo closure direction under subsection (5) in respect of the zoo, but they chose not to do so; and
 - (b) the grounds upon which they would make a zoo closure direction under subsection (5) are the same as any of the grounds upon which they could have made a zoo closure direction when they made the direction under section 16A(2) instead.
- (7) No zoo closure direction may be made under subsection (5)(a) or (b) on grounds involving the care or treatment of animals unless the authority have first consulted such persons on the list as the Scottish Ministers may nominate for the purposes of this subsection.
- (8) Where the authority make a zoo closure direction in respect of a zoo under this section, the zoo's licence is revoked from the date on which the direction has effect.]

Extent Information

- E2** This version of this provision extends to Scotland only; a separate version has been created for England and Wales

Textual Amendments

- F2** Ss. 16A-16G inserted (S.) (1.4.2003) by [The Zoo Licensing Act 1981 Amendment \(Scotland\) Regulations 2003 \(S.S.I. 2003/174\)](#), regs. 1(1), **21**

Status:

There are multiple versions of this provision on screen. These apply to different geographical extents.

Skip to:

- E+W - England and Wales extent
- S - Scotland extent

Changes to legislation:

There are currently no known outstanding effects for the Zoo Licensing Act 1981, Section 16B.