



Zoo Licensing Act 1981

1981 CHAPTER 37

Enforcement

[^{F1}16E Welfare of animals following closure of zoo **E+W**]

- (1) Subsections (2) to (7) apply to a zoo to which this section applies unless the local authority are satisfied, after reasonable enquiries have been made, that the operator of the zoo cannot be found.
- (2) As soon as reasonably practicable after the date from which this section applies, the operator shall give to the authority a plan of the arrangements he proposes to make in relation to the animals kept in the zoo—
 - (a) for their future care; or
 - (b) for their disposal and for their care until they are disposed of.
- (3) The operator shall supply the authority with any information they request about the care or disposal of animals kept in the zoo.
- (4) Where the authority notify the operator that they approve a plan prepared under subsection (2), he shall implement it under the supervision of the authority.
- (5) Except with the agreement of the authority, the operator shall not—
 - (a) dispose of any animal kept in the zoo before a plan prepared under subsection (2) has been approved by the authority; or
 - (b) dispose of any animal kept in the zoo otherwise than in accordance with a plan so approved.
- (6) Where—
 - (a) the authority are not satisfied with a plan prepared under subsection (2);
 - (b) the authority are not satisfied with the way in which such a plan is being implemented;
 - (c) the operator of the zoo has not prepared such a plan within a reasonable period after the date from which this section applies; or
 - (d) the authority consider that urgent steps need to be taken by the operator to safeguard the welfare of animals kept in 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 16E. (See end of Document for details)

the authority may, after giving the operator an opportunity to be heard, make a direction in such terms as they see fit as to the future care of the animals kept in the zoo, or for their disposal and for their care until they are disposed of.

- (7) Where—
- (a) the zoo operator has not complied with a direction under subsection (6) to the satisfaction of the authority; or
 - (b) the authority consider that urgent steps need to be taken by them to safeguard the welfare of animals kept in the zoo,
- the authority shall, after giving the operator an opportunity to be heard, make arrangements for the future care of the animals kept in the zoo, or for their disposal and for their care until they are disposed of.
- (8) Where the authority are satisfied, after reasonable enquiries have been made, that the operator of the zoo cannot be found, they shall make arrangements for the future care of the animals kept in the zoo, or for their disposal and for their care until they are disposed of.
- (9) Subject to section 16G, for the purpose of giving effect to arrangements under subsection (7) or (8) the authority may—
- (a) care for any animal on the premises of the zoo; or
 - (b) remove any animal found on the premises of the zoo and either retain it in the authority's possession or dispose of it.
- (10) Arrangements for the care or disposal of animals under this section shall not be prejudicial to the protection of wild animals and the conservation of biodiversity.
- (11) The authority may make a direction varying or revoking a direction under subsection (6) (including such a direction as varied by a direction under this subsection), but, unless they are satisfied, after reasonable enquiries have been made, that the operator cannot be found, they shall not do so without first giving him an opportunity to be heard.
- (12) Where this section applies by virtue of section 16D(3), references in this section to a zoo shall be read as references to that section of the zoo which is closed permanently to the public.]

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. 16E 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](#)))

[^{F2}16E. Welfare of animals following closure of zoo **S**

- (1) Subsections (2) to (7) apply to a zoo to which this section applies unless the local authority are satisfied, after reasonable enquiries have been made, that the operator of the zoo cannot be found.

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Changes to legislation: There are currently no known outstanding effects for the Zoo Licensing Act 1981, Section 16E. (See end of Document for details)

- (2) As soon as reasonably practicable after the date from which this section applies, the operator of the zoo shall give to the authority a plan of the arrangements the operator proposes to make in relation to all the animals kept in the zoo—
- (a) for their future care; or
 - (b) for their disposal and for their care until they are disposed of.
- (3) The operator of the zoo shall supply the authority with any information they request about the care or disposal of animals kept in the zoo.
- (4) Where the authority notify the operator of the zoo that they approve a plan prepared under subsection (2), the operator shall implement it under the supervision of the authority.
- (5) Except with the agreement of the authority, the operator of the zoo shall not—
- (a) dispose of any animal kept in the zoo before a plan prepared under subsection (2) has been approved by the authority; or
 - (b) dispose of any animal kept in the zoo other than in accordance with a plan so approved.
- (6) Where—
- (a) the authority are not satisfied with a plan prepared under subsection (2);
 - (b) the authority are not satisfied with the way in which such a plan is being implemented;
 - (c) the operator of the zoo has not prepared such a plan within a reasonable period after the date from which this section applies; or
 - (d) the authority consider that urgent steps need to be taken by the operator to safeguard the welfare of animals kept in the zoo,
- the authority may, after giving the operator an opportunity to be heard, make a direction in such terms as they see fit as to the care of animals kept in the zoo or for their disposal and for their care until they are disposed of.
- (7) Where—
- (a) the zoo operator has not complied with a direction under subsection (6) to the satisfaction of the authority; or
 - (b) the authority consider that urgent steps need to be taken by them to safeguard the welfare of animals kept in the zoo,
- the authority shall, after giving the operator an opportunity to be heard, make arrangements in relation to all the animals kept in the zoo for their future care, or for their disposal and for their care until they are disposed of.
- (8) Where the authority are satisfied, after reasonable enquiries have been made, that the operator of the zoo cannot be found, they shall make arrangements for the future care of the animals kept in the zoo, or for their disposal and for their care until they are disposed of.
- (9) For the purpose of giving effect to arrangements under subsection (7) or (8) the authority may—
- (a) care for any animal on the premises of the zoo; or
 - (b) remove any animal found on the premises of the zoo and either retain it in the authority's possession or dispose of it.

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***Changes to legislation:** There are currently no known outstanding effects for the Zoo Licensing Act 1981, Section 16E. (See end of Document for details)*

- (10) Arrangements for the care or disposal of animals under this section shall not be prejudicial to the interests of the protection of wild animals and the conservation of biodiversity.
- (11) The authority may make a direction varying or revoking a direction under subsection (6) (including such a direction as varied by a direction under this subsection), but unless they are satisfied, after reasonable enquiries have been made, that the operator cannot be found, they shall not do so without first giving him an opportunity to be heard.
- (12) Where this section applies by virtue of section 16D(3), references in this section to a zoo shall be read as references to that section of the zoo which is closed permanently to the public.]

Extent Information

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

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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 16E.