



Animals (Scientific Procedures) Act 1986

1986 CHAPTER 14

F1
...

12 Right to make representations.

- [^{F1}(1) Where the Secretary of State proposes—
- (a) to refuse a licence under this Act;
 - (b) to revoke or vary a licence under this Act otherwise than at the request of the holder; or
 - (c) to suspend a licence, otherwise than at the request of the holder, under section 11,
- he shall serve on the applicant or the holder a notice of his intention to do so.]
- (2) The notice shall state the reasons for which the Secretary of State proposes to act and give particulars of the rights conferred by subsection (3) below.
- (3) A person on whom a notice is served under subsection (1) above may make written representations and, if desired, oral representations to a person appointed for that purpose by the Secretary of State if before such date as is specified in the notice (not being less than twenty-eight days after the date of service) he notifies the Secretary of State of his wish to do so.
- (4) The holder of a licence ^{F2}... who is dissatisfied with any condition contained in it may, if he notifies the Secretary of State of his wish to do so, make written representations and, if desired, oral representations to a person appointed for that purpose by the Secretary of State; but the making of such representations shall not affect the operation of any condition unless and until it is varied under section 11 above.
- (5) The person appointed to receive any representations under this section shall be a person who holds or has held judicial office in the United Kingdom or
- [^{F3}[^{F4}(a) a person who satisfies the judicial-appointment eligibility condition on a 5-year basis;]
- (b) an advocate or solicitor in Scotland of at least [^{F5}] years' standing; or
 - (c) a member of the Bar of Northern Ireland or [^{F6}solicitor of the Court of Judicature of Northern Ireland] of at least [^{F7}] years' standing,]

Changes to legislation: There are currently no known outstanding effects for the Animals (Scientific Procedures) Act 1986, Section 12. (See end of Document for details)

and the Secretary of State may, if he thinks fit, appoint a person with scientific or other appropriate qualifications to assist the person receiving the representations in his consideration of them.

- (6) The person appointed to receive any such representations shall after considering them make a report to the Secretary of State; and the Secretary of State shall furnish a copy of the report to the person who made the representations and take it into account in deciding whether to refuse the application or to ^{F8}revoke, suspend or vary the licence], as the case may be.

[^{F9}(6A) Where subsection (1)(c) applies and the suspension is for a specified period of twelve months or less, this section has effect as if—

- (a) in subsection (3), for the words “may make written representations and, if desired, oral representations to a person appointed for that purpose by the Secretary of State” there were substituted “may make written representations to the Secretary of State”; and
- (b) subsections (5) and (6) were omitted.]

- (7) The Secretary of State may by order make rules with respect to the procedure to be followed in the making and consideration of representations under this section, including provision requiring any such representations to be made within a specified time.

- (8) A notice under subsection (1) above may be served either personally or by post.

Extent Information

- E1** In its application to Northern Ireland, this section has effect subject to the modifications set out in s. 29, see s. 29(1)

Textual Amendments

- F1** S. 12(1) substituted (1.1.2013) by [The Animals \(Scientific Procedures\) Act 1986 Amendment Regulations 2012 \(S.I. 2012/3039\)](#), regs. 1(2), **12(2)** (with Sch. 3)
- F2** Words in s. 12(4) omitted (1.1.2013) by virtue of [The Animals \(Scientific Procedures\) Act 1986 Amendment Regulations 2012 \(S.I. 2012/3039\)](#), regs. 1(2), **12(3)** (with Sch. 3)
- F3** S. 12(5)(a) substituted (21.7.2008) by [Tribunals, Courts and Enforcement Act 2007 \(c. 15\)](#), s. 148, **Sch. 10 para. 18(2)**; S.I. 2008/1653, art. 2(d) (with arts. 34)
- F4** S. 2(5)(a)(b)(c) substituted by [Courts and Legal Services Act 1990 \(c. 41, SIF 37\)](#), s. 71(2)(5), **Sch. 10 para. 66**
- F5** Word in s. 12(5)(b) substituted (21.7.2008) by [Tribunals, Courts and Enforcement Act 2007 \(c. 15\)](#), s. 148, **Sch. 10 para. 18(3)**; S.I. 2008/1653, art. 2(d) (with arts. 34)
- F6** Words in Act substituted (1.10.2009) by [Constitutional Reform Act 2005 \(c. 4\)](#), s. 148(1), **Sch. 11 para. 5**; S.I. 2009/1604, art. 2(d)
- F7** Word in s. 12(5)(c) substituted (21.7.2008) by [Tribunals, Courts and Enforcement Act 2007 \(c. 15\)](#), s. 148, **Sch. 10 para. 18(3)**; S.I. 2008/1653, art. 2(d) (with arts. 34)
- F8** Words in s. 12(6) substituted (1.1.2013) by [The Animals \(Scientific Procedures\) Act 1986 Amendment Regulations 2012 \(S.I. 2012/3039\)](#), regs. 1(2), **12(4)** (with Sch. 3)
- F9** S. 12(6A) inserted (1.1.2013) by [The Animals \(Scientific Procedures\) Act 1986 Amendment Regulations 2012 \(S.I. 2012/3039\)](#), regs. 1(2), **12(5)** (with Sch. 3)

Changes to legislation:

There are currently no known outstanding effects for the *Animals (Scientific Procedures) Act 1986*, Section 12.