



# Serious Organised Crime and Police Act 2005

## 2005 CHAPTER 15

### PART 5

#### MISCELLANEOUS

##### *Protection of activities of certain organisations*

#### **145 Interference with contractual relationships so as to harm animal research organisation**

- (1) A person (A) commits an offence if, with the intention of harming an animal research organisation, he—
- (a) does a relevant act, or
  - (b) threatens that he or somebody else will do a relevant act,
- in circumstances in which that act or threat is intended or likely to cause a second person (B) to take any of the steps in subsection (2).
- (2) The steps are—
- (a) not to perform any contractual obligation owed by B to a third person (C) (whether or not such non-performance amounts to a breach of contract);
  - (b) to terminate any contract B has with C;
  - (c) not to enter into a contract with C.
- (3) For the purposes of this section, a “relevant act” is—
- (a) an act amounting to a criminal offence, or
  - (b) a tortious act causing B to suffer loss or damage of any description;
- but paragraph (b) does not include an act which is actionable on the ground only that it induces another person to break a contract with B.

*Status: Point in time view as at 01/03/2017.*

*Changes to legislation: Serious Organised Crime and Police Act 2005, Cross Heading: Protection of activities of certain organisations is up to date with all changes known to be in force on or before 15 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

- (4) For the purposes of this section, “contract” includes any other arrangement (and “contractual” is to be read accordingly).
- (5) For the purposes of this section, to “harm” an animal research organisation means—
- (a) to cause the organisation to suffer loss or damage of any description, or
  - (b) to prevent or hinder the carrying out by the organisation of any of its activities.
- (6) This section does not apply to any act done wholly or mainly in contemplation or furtherance of a trade dispute.
- (7) In subsection (6) “trade dispute” has the same meaning as in Part 4 of the Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), except that section 218 of that Act shall be read as if—
- (a) it made provision corresponding to section 244(4) of that Act, and
  - (b) in subsection (5), the definition of “worker” included any person falling within paragraph (b) of the definition of “worker” in section 244(5).

#### Commencement Information

**II** S. 145 in force at 1.7.2005 by S.I. 2005/1521, art. 3(1)(t)

### 146 Intimidation of persons connected with animal research organisation

- (1) A person (A) commits an offence if, with the intention of causing a second person (B) to abstain from doing something which B is entitled to do (or to do something which B is entitled to abstain from doing)—
- (a) A threatens B that A or somebody else will do a relevant act, and
  - (b) A does so wholly or mainly because B is a person falling within subsection (2).
- (2) A person falls within this subsection if he is—
- (a) an employee or officer of an animal research organisation;
  - (b) a student at an educational establishment that is an animal research organisation;
  - (c) a lessor or licensor of any premises occupied by an animal research organisation;
  - (d) a person with a financial interest in, or who provides financial assistance to, an animal research organisation;
  - (e) a customer or supplier of an animal research organisation;
  - (f) a person who is contemplating becoming someone within paragraph (c), (d) or (e);
  - (g) a person who is, or is contemplating becoming, a customer or supplier of someone within paragraph (c), (d), (e) or (f);
  - (h) an employee or officer of someone within paragraph (c), (d), (e), (f) or (g);
  - (i) a person with a financial interest in, or who provides financial assistance to, someone within paragraph (c), (d), (e), (f) or (g);
  - (j) a spouse, civil partner, friend or relative of, or a person who is known personally to, someone within any of paragraphs (a) to (i);
  - (k) a person who is, or is contemplating becoming, a customer or supplier of someone within paragraph (a), (b), (h), (i) or (j); or

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- (l) an employer of someone within paragraph (j).
- (3) For the purposes of this section, an “officer” of an animal research organisation or a person includes—
  - (a) where the organisation or person is a body corporate, a director, manager or secretary;
  - (b) where the organisation or person is a charity, a <sup>F1</sup>charity trustee (within the meaning of the Charities Act 2011)];
  - (c) where the organisation or person is a partnership, a partner.
- (4) For the purposes of this section—
  - (a) a person is a customer or supplier of another person if he purchases goods, services or facilities from, or (as the case may be) supplies goods, services or facilities to, that other; and
  - (b) “supplier” includes a person who supplies services in pursuance of any enactment that requires or authorises such services to be provided.
- (5) For the purposes of this section, a “relevant act” is—
  - (a) an act amounting to a criminal offence, or
  - (b) a tortious act causing B or another person to suffer loss or damage of any description.
- (6) The Secretary of State may by order amend this section so as to include within subsection (2) any description of persons framed by reference to their connection with—
  - (a) an animal research organisation, or
  - (b) any description of persons for the time being mentioned in that subsection.
- (7) This section does not apply to any act done wholly or mainly in contemplation or furtherance of a trade dispute.
- (8) In subsection (7) “trade dispute” has the meaning given by section 145(7).

#### Textual Amendments

- F1** Words in s. 146(3)(b) substituted (14.3.2012) by [Charities Act 2011 \(c. 25\), s. 355, Sch. 7 para. 103](#) (with s. 20(2), Sch. 8)

#### Commencement Information

- I2** S. 146 in force at 1.7.2005 by [S.I. 2005/1521, art. 3\(1\)\(t\)](#)

## 147 Penalty for offences under sections 145 and 146

- (1) A person guilty of an offence under section 145 or 146 is liable—
  - (a) on summary conviction, to imprisonment for a term not exceeding 12 months or to a fine not exceeding the statutory maximum, or to both;
  - (b) on conviction on indictment, to imprisonment for a term not exceeding five years or to a fine, or to both.
- (2) No proceedings for an offence under either of those sections may be instituted except by or with the consent of the Director of Public Prosecutions.

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### Commencement Information

**I3** S. 147 in force at 1.7.2005 by S.I. 2005/1521, art. 3(1)(t)

## 148 Animal research organisations

(1) For the purposes of sections 145 and 146 “animal research organisation” means any person or organisation falling within subsection [<sup>F2</sup>(1A),] (2) or (3).

[<sup>F3</sup>(1A) A person or organisation falls within this subsection if the person or organisation holds a licence granted under section 2C of the 1986 Act (licensing of undertakings involving the use of animals for scientific procedures).]

(2) A person or organisation falls within this subsection if he or it is the owner, lessee or licensee of premises constituting or [<sup>F4</sup>including a place specified in a licence granted under that section or under section 5 of the 1986 Act (licensing of projects involving the use of animals for scientific procedures).]

(3) A person or organisation falls within this subsection if he or it employs, or engages under a contract for services, any of the following in his capacity as such—

- [<sup>F5</sup>(za) the holder of a licence granted under section 2C of the 1986 Act,
- (zb) a person specified under section 2C(5) of that Act,]
- (a) the holder of a personal licence granted under section 4 of the 1986 Act, [<sup>F6</sup>or]
- (b) the holder of a project licence granted under section 5 of that Act,
- <sup>F7</sup>(c) .....
- <sup>F7</sup>(d) .....

(4) The Secretary of State may by order amend this section so as to include a reference to any description of persons whom he considers to be involved in, or to have a direct connection with persons who are involved in, the application of regulated procedures.

(5) In this section—

“the 1986 Act” means the Animals (Scientific Procedures) Act 1986 (c. 14);

“organisation” includes any institution, trust, undertaking or association of persons;

“premises” includes any place within the meaning of the 1986 Act;

“regulated procedures” has the meaning given by section 2 of the 1986 Act.

### Textual Amendments

**F2** Word in s. 148(1) inserted (1.1.2013) by [The Animals \(Scientific Procedures\) Act 1986 Amendment Regulations 2012 \(S.I. 2012/3039\)](#), regs. 1(2), **28(2)** (with Sch. 3)

**F3** S. 148(1A) inserted (1.1.2013) by [The Animals \(Scientific Procedures\) Act 1986 Amendment Regulations 2012 \(S.I. 2012/3039\)](#), regs. 1(2), **28(3)** (with Sch. 3)

**F4** Words in s. 148(2) substituted (1.1.2013) by [The Animals \(Scientific Procedures\) Act 1986 Amendment Regulations 2012 \(S.I. 2012/3039\)](#), regs. 1(2), **28(4)** (with Sch. 3)

**F5** S. 148(3)(za)(zb) inserted (1.1.2013) by [The Animals \(Scientific Procedures\) Act 1986 Amendment Regulations 2012 \(S.I. 2012/3039\)](#), regs. 1(2), **28(5)(a)** (with Sch. 3)

**F6** Word in s. 148(3)(a) inserted (1.1.2013) by [The Animals \(Scientific Procedures\) Act 1986 Amendment Regulations 2012 \(S.I. 2012/3039\)](#), regs. 1(2), **28(5)(b)** (with Sch. 3)

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- F7** S. 148(3)(c)(d) omitted (1.1.2013) by virtue of [The Animals \(Scientific Procedures\) Act 1986 Amendment Regulations 2012 \(S.I. 2012/3039\)](#), regs. 1(2), **28(5)(c)** (with Sch. 3)

**Commencement Information**

- I4** S. 148 in force at 1.7.2005 by [S.I. 2005/1521](#), **art. 3(1)(t)**

**149 Extension of sections 145 to 147**

- (1) The Secretary of State may by order provide for sections 145, 146 and 147 to apply in relation to persons or organisations of a description specified in the order as they apply in relation to animal research organisations.
- (2) The Secretary of State may, however, only make an order under this section if satisfied that a series of acts has taken place and—
  - (a) that those acts were directed at persons or organisations of the description specified in the order or at persons having a connection with them, and
  - (b) that, if those persons or organisations had been animal research organisations, those acts would have constituted offences under section 145 or 146.
- (3) In this section “organisation” and “animal research organisation” have the meanings given by section 148.

**Commencement Information**

- I5** S. 149 in force at 1.7.2005 by [S.I. 2005/1521](#), **art. 3(1)(t)**

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**Changes to legislation:**

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