



Protection of Animals (Amendment) Act 1954

1954 CHAPTER 40 2 and 3 Eliz 2

An Act to extend the powers of the courts to disqualify for having custody of animals persons convicted of cruelty to them and to increase the maximum fine for offences of cruelty to animals; and for purposes connected therewith.

F1

[5th July 1954]

Textual Amendments

F1 Act repealed (S.) (6.10.2006) by [Animal Health and Welfare \(Scotland\) Act 2006 \(asp 11\)](#), s. 55(1), [Sch. 2 para. 9\(f\)](#) (with s. 54); S.S.I. 2006/482, art. 2 (with art. 4(1))

Modifications etc. (not altering text)

C1 Words of enactment omitted under authority of [Statute Law Revision Act 1948 \(c. 62\)](#), s. 3

1 Power to disqualify persons convicted of cruelty to animals.

[^{F2}(1) [^{F3}Where a person has been convicted under the Protection of Animals Act 1911 or the Protection of Animals (Scotland) Act 1912 of an offence of cruelty to any animal the court by which he is convicted may], if it thinks fit, in addition to or in substitution for any other punishment, order him to be disqualified, for such period as it thinks fit, for having custody of any animal or any animal of a kind specified in the order.

(2) A court which has ordered the disqualification of a person in pursuance of this section may, if it thinks fit, suspend the operation of the order—

(a) for such period as the court thinks necessary for enabling arrangements to be made for the custody of any animal or animals to which the disqualification relates; or

(b) pending an appeal.

(3) A person who is disqualified by virtue of an order under this section may, at any time after the expiration of twelve months from the date of the order, and from time to time

Status: Point in time view as at 27/03/2007.

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apply to the court by which the order was made to remove the disqualification, and on any such application the court may, as it thinks proper, having regard to the character of the applicant and his conduct subsequent to the order, the nature of the offence of which he was convicted, and any other circumstances of the case, either—

- (a) direct that, as from such date as may be specified in the direction, the disqualification be removed or the order be so varied as to apply only to animals of a kind specified in the direction; or
- (b) refuse the application:

Provided that where on an application under this section the court directs the variation of the order or refuses the application, a further application thereunder shall not be entertained if made within twelve months after the date of the direction or, as the case may be, the refusal.]

Textual Amendments

- F2** S. 1 repealed (E.W.) (27.3.2007 for W., 6.4.2007 for E.) by [Animal Welfare Act 2006 \(c. 45\)](#), s. 68(3), [Sch. 4](#) (with [ss. 1\(2\)](#), [58\(1\)](#), [59](#), [60](#)); S.I. 2007/499, art. 2(2)(m); S.I. 2007/1030, art. 2(1)(m)
- F3** Words substituted by [Protection of Animals \(Amendment\) Act 1988 \(c. 29, SIF 4:5\)](#), s. [1\(1\)\(2\)](#)

2 Breach of disqualification order.

[^{F4}If a person has custody of any animal in contravention of an order made under this Act, he shall be liable on summary conviction to a fine not exceeding [^{F5}level 3 on the standard scale] or to imprisonment for a term not exceeding three months or to both such fine and imprisonment.]

Textual Amendments

- F4** S. 2 repealed (E.W.) (27.3.2007 for W.) by [Animal Welfare Act 2006 \(c. 45\)](#), s. 68(3), [Sch. 4](#) (with [ss. 1\(2\)](#), [58\(1\)](#), [59](#), [60](#)); S.I. 2007/1030, art. 2(1)(m)
- F5** Words substituted by virtue of (E.W.) [Criminal Justice Act 1982 \(c. 48, SIF 39:1\)](#), [ss. 38](#), [46](#) and (S.) [Criminal Procedure \(Scotland\) Act 1975 \(c. 21, SIF 39:1\)](#), [ss. 289F](#), [289G](#)

[^{F6}2A Breach of disqualification order

- (1) If a person has custody of any animal in contravention of an order made under this Act by a court in Scotland, he shall be liable on summary conviction to—
 - (a) imprisonment for a term not exceeding 51 weeks, or
 - (b) a fine not exceeding level 3 on the standard scale.
 or to both.
- (2) This section applies to orders made before, as well as to orders made after, the coming into force of this section.]

Textual Amendments

- F6** S. 2A inserted (E.W.) (27.3.2007 for W., 6.4.2007 for E.) by [Animal Welfare Act 2006 \(c. 45\)](#), s. 68(3), [Sch. 3 para. 4\(1\)](#) (with [ss. 1\(2\)](#), [58\(1\)](#), [59](#), [60](#), [Sch. 3 para. 4\(2\)](#)); S.I. 2007/499, art. 2(2)(l), S.I. 2007/1030, art. 2(1)(l)

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3 F7

Textual Amendments

F7 S. 3 repealed by [Protection of Animals \(Amendment\) Act 1988 \(c. 29, SIF 4:5\)](#), s. 3(2)(3), [Sch.](#)

4 Interpretation, citation, extent and commencement.

- (1) [^{F8}In this Act—
- (a) expressions used have, in relation to England and Wales, the same meanings as in the ^{M1} Protection of Animals Act, 1911, and, in relation to Scotland, the same meanings as in the ^{M2} Protection of Animals (Scotland) Act, 1912; and
 - (b) references to any enactment shall be construed as references to that enactment as amended by any other enactment, including this Act.]
- (2) This Act may be cited as the Protection of Animals (Amendment) Act, 1954.
- (3) This Act shall not extend to Northern Ireland.
- (4) This Act shall come into operation on the first day of January, nineteen hundred and fifty-five.

Textual Amendments

F8 S. 4(1) repealed (E.W.) (27.3.2007 for W., 6.4.2007 for E.) by [Animal Welfare Act 2006 \(c. 45\)](#), s. 68(3), [Sch. 4](#) (with ss. 1(2), 58(1), 59, 60); S.I. 2007/499, art. 2(2)(m); S.I. 2007/1030, art. 2(1)(m)

Marginal Citations

M1 1911 c. 27.

M2 1912 c. 14.

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