



Performing Animals (Regulation) Act 1925

1925 CHAPTER 38 15 and 16 Geo 5

4 Offences and legal proceedings. **E+W+S**

(1) If any person—

- (a) not being registered under this Act exhibits or trains any performing animal [^{F1}in Wales]; or
- (b) being registered under this Act exhibits or trains any performing animal [^{F2}in Wales] with respect to which or in a manner with respect to which he is not registered; or
- (c) being a person against whom an order by a court of summary jurisdiction has been made on complaint under this Act, contravenes or fails to comply with the order in any part of Great Britain, whether within or without the area of jurisdiction of that court; or
- (d) obstructs or wilfully delays any constable or officer of a local authority in the execution of his powers under this Act as to entry or inspection; or
- (e) conceals any animal [^{F3}in Wales] with a view to avoiding such inspection; or
- (f) being a person registered under this Act, on being duly required in pursuance of this Act to produce his certificate under this Act fails without reasonable excuse so to do; or
- (g) applies to be registered under this Act when prohibited from being so registered;

he shall be guilty of an offence against this Act and shall be liable on summary conviction upon a complaint made by a constable or an officer of a local authority to a fine not exceeding [^{F4}level 3 on the standard scale].

^{F5}(2) Where a person is convicted of an offence against this Act, or against the ^{M1}Protection of Animals Act, 1911, as amended by any subsequent enactment [^{F5}or of an offence under any of sections 4, 5, 6(1) and (2), 7 to 9 and 11 of the Animal Welfare Act 2006], the court before which he is convicted may in addition to or in lieu of imposing any other penalty—

Changes to legislation: Performing Animals (Regulation) Act 1925, Section 4 is up to date with all changes known to be in force on or before 31 May 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) View outstanding changes

- (a) if such person is registered under this Act order that his name be removed from the register;
- (b) order that such person shall either permanently or for such time as may be specified in the order be disqualified for being registered under this Act;

and where such an order is made, the provisions of subsections (2), (3) and (4) of section two of this Act shall apply to the order as they apply to an order made under that section.

[^{F6}(2A) Where a person is convicted of any offence under sections 28C or 28F(16) of the Animal Health Act, 1981 (c. 22) , or sections 19 to 24, 25(7), 29 or 40(11) of the [Animal Health and Welfare \(Scotland\) Act, 2006 \(asp 11\)](#) , the court by which he is convicted has the same powers under subsection (2) in relation to such convictions as it has in relation to convictions for offences under this Act.]

Textual Amendments

- F1** Words in s. 4(1)(a) inserted (E.W.) (1.10.2018) by [The Animal Welfare \(Licensing of Activities Involving Animals\) \(England\) Regulations 2018 \(S.I. 2018/486\)](#), reg. 1(1)(b), **Sch. 9 para. 1(4)** (with reg. 27)
- F2** Words in s. 4(1)(b) inserted (E.W.) (1.10.2018) by [The Animal Welfare \(Licensing of Activities Involving Animals\) \(England\) Regulations 2018 \(S.I. 2018/486\)](#), reg. 1(1)(b), **Sch. 9 para. 1(4)** (with reg. 27)
- F3** Words in s. 4(1)(e) inserted (E.W.) (1.10.2018) by [The Animal Welfare \(Licensing of Activities Involving Animals\) \(England\) Regulations 2018 \(S.I. 2018/486\)](#), reg. 1(1)(b), **Sch. 9 para. 1(4)** (with reg. 27)
- F4** 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**
- F5** Words in s. 4(2) inserted (E.W.) (27.3.2007 for W. and 6.4.2007 for E.) by [Animal Welfare Act 2006 \(c. 45\)](#), s. 68(3), **Sch. 3 para. 1** (with ss. 1(2), 58(1), 59, 60); S.I. 2007/499, art. 2(2)(l); S.I. 2007/1030, art. 2(1)(l)
- F6** S. 4(2A) inserted (S.) (3.11.2006) by [The Animal Health and Welfare \(Scotland\) Act 2006 \(Consequential Provisions\) Order 2006 \(No. 536\)](#), art. 1, **Sch. para. 1**

Marginal Citations

- M1** 1911 c. 27.

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

- Act repealed by [2006 asp 11 Sch. 2 para. 9\(b\)](#)