
DRAFT SCOTTISH STATUTORY INSTRUMENTS

2021 No.

ANIMALS

**The Animal Welfare (Licensing of Activities
Involving Animals) (Scotland) Regulations 2021**

Made - - - - 2021

Coming into force 1st September 2021

**THE ANIMAL WELFARE (LICENSING OF ACTIVITIES
INVOLVING ANIMALS) (SCOTLAND) REGULATIONS 2021**

PART 1

Introduction

1. Title and commencement
2. Interpretation

PART 2

Licensing of activities involving animals

3. Licensing of activities involving animals
4. Application for a licence
5. Authority of a licence

PART 3

Grant, renewal and variation of a licence and inspection of premises

6. Conditions of grant or renewal of a licence
7. Notices arising from an application
8. Period of licence
9. Power to take samples from animals
10. Duty to assist in the taking of samples from animals
11. Variation of a licence on the application, or with the consent, of a licence holder
12. Inspector's report
13. Persons who may not apply for a licence
14. Death of a licence holder
15. Fees

16. Guidance

PART 4

Enforcement and notices

- 17. Grounds for suspension, variation (without consent) or revocation of a licence
- 18. Procedure for suspension or variation without consent
- 19. Reinstatement of a suspended licence by a licensing authority
- 20. Revocation
- 21. Notices of revocation and variation upon reinstatement
- 22. Obstruction of inspectors
- 23. Offences and penalties
- 24. Powers of entry
- 25. Post-conviction powers
- 26. Notices

PART 5

Appeals

27. Appeals

PART 6

Duty to publish register of licences

28. Duty to publish register of licences

PART 7

Revocation

29. Revocation of the Licensing of Animal Dealers (Young Cats and Young Dogs) (Scotland) Regulations 2009

PART 8

Transitional and saving provisions

30. Transitional and saving provisions
Signature

SCHEDULE 1 — Licensable activities

PART 1 — Selling animals as pets

- 1. Selling animals as pets (or with the expectation of their...)
- 2. The activity described in paragraph 1 does not include selling...
- 3. The circumstances which a licensing authority must take into account...

PART 2 — Engaging in animal rehoming activities (other than in the course of operating an animal welfare establishment)

- 4. Subject to paragraphs 6 and 7, engaging in animal rehoming...
- 5. For the purposes of these Regulations, “engaging in animal rehoming...”
- 6. The activity described in paragraph 4 (engaging in animal rehoming...)
- 7. The activity described in paragraph 4 (engaging in animal rehoming...)

PART 3 — Operating an animal welfare establishment

8. Subject to paragraph 10, operating an animal welfare establishment.
9. In this Part of schedule 1, “animal welfare establishment” means...
10. The activity described in paragraph 8 (operating an animal welfare...)
11. A person does not keep an animal for its care...
12. If any relevant animal kept in an animal welfare establishment...
13. In this Part of this schedule— “care” includes, but is...
 - PART 4 — Breeding dogs
14. Breeding three or more litters of puppies in any 12...
15. If any dog bred or used in the course of...
16. The activity described in paragraph 14 (breeding dogs) does not...
 - PART 5 — Breeding cats
17. Breeding three or more litters of kittens in any 12...
18. If any cat bred or used in the course of...
19. The activity described in paragraph 17 (breeding cats) does not...
 - PART 6 — Breeding rabbits
20. Breeding six or more litters of kits in any 12...
21. If any rabbit bred or used in the course of...
22. The activity described in paragraph 20 (breeding rabbits) does not...

SCHEDULE 2 — General conditions

1. Licence display
2. Records
3. Number of animals
4. Staffing
5. Suitable environment
6. Suitable diet
7. Enrichment and training of animals
8. Animal handling and interactions
9. Protection from suffering, injury and disease
10. Emergencies

SCHEDULE 3 — Specific conditions: selling animals as pets

1. Interpretation
2. Records and advertisements
3. Prospective sales: pet care and advice
4. Suitable accommodation
5. Training and exercise
6. Sale of animals
7. Protection from suffering, injury and disease

SCHEDULE 4 — Specific conditions: engaging in animal rehoming activities (other than in the course of operating an animal welfare establishment)

1. Supply of animals
2. Protection from suffering, injury and disease
3. Pet care and advice
4. Return of animals

SCHEDULE 5 — Specific conditions: operating an animal welfare establishment

1. Interpretation
2. Records and advertisements
3. Rehoming: pet care and advice
4. Release of animals into the wild
5. Dangerous wild animals: duty to notify

6. Suitable accommodation

SCHEDULE 6 — Specific conditions: breeding dogs

1. Interpretation
2. Advertisements and sales
3. Number of breeding bitches and litters produced
4. Suitable environment
5. Suitable diet
6. Monitoring of behaviour, exercise and training
7. Housing with or apart from other dogs
8. Protection from suffering, injury and disease

SCHEDULE 7 — Specific conditions: breeding cats

1. Interpretation
2. Advertisements and sales
3. Number of breeding female cats and litters produced
4. Suitable environment
5. Suitable diet
6. Training and exercise
7. Housing with or apart from other cats
8. Protection from suffering, injury and disease

SCHEDULE 8 — Specific conditions: breeding rabbits

1. Interpretation
2. Advertisements and sales
3. Number of breeding female rabbits
4. Suitable environment
5. Training and exercise
6. Suitable diet
7. Protection from suffering, injury and disease

Explanatory Note