



# Dangerous Wild Animals Act 1976

## 1976 CHAPTER 38

### 1 Licences

- (1) Subject to section 5 of this Act, no person shall keep any dangerous wild animal except under the authority of a licence granted in accordance with the provisions of this Act by a local authority.
- (2) A local authority shall not grant a licence under this Act unless an application for it—
  - (a) specifies the species (whether one or more) of animal, and the number of animals of each species, proposed to be kept under the authority of the licence;
  - (b) specifies the premises where any animal concerned will normally be held;
  - (c) is made to the local authority in whose area those premises are situated;
  - (d) is made by a person who is neither under the age of 18 nor disqualified under this Act from keeping any dangerous wild animal; and
  - (e) is accompanied by such fee as the authority may stipulate (being a fee which is in the authority's opinion sufficient to meet the direct and indirect costs which it may incur as a result of the application).
- (3) A local authority shall not grant a licence under this Act unless it is satisfied that—
  - (a) it is not contrary to the public interest on the grounds of safety, nuisance or otherwise to grant the licence ;
  - (b) the applicant for the licence is a suitable person to hold a licence under this Act;
  - (c) any animal concerned will at all times of its being kept only under the authority of the licence—
    - (i) be held in accommodation which secures that the animal will not escape, which is suitable as regards construction, size, temperature, lighting, ventilation, drainage and cleanliness and which is suitable for the number of animals proposed to be held in the accommodation, and
    - (ii) be supplied with adequate and suitable food, drink and bedding material and be visited at suitable intervals;
  - (d) appropriate steps will at all such times be taken for the protection of any animal concerned in case of fire or other emergency;

- (e) all reasonable precautions will be taken at all such times to prevent and control the spread of infectious diseases;
  - (f) while any animal concerned is at the premises where it will normally be held, its accommodation is such that it can take adequate exercise.
- (4) A local authority shall not grant a licence under this Act unless the application for it is made by a person who both owns and possesses, or proposes both to own and to possess, any animal concerned, except where the circumstances are in the authority's opinion exceptional.
- (5) A local authority shall not grant a licence under this Act unless a veterinary surgeon or veterinary practitioner authorised by the authority to do so under section 3 of this Act has inspected the premises where any animal will normally be held in pursuance of the licence and the authority has received and considered a report by the surgeon or practitioner, containing such particulars as in the authority's opinion enable it to decide whether the premises are such that any animal proposed to be kept under the authority of the licence may suitably be held there, and describing the condition of the premises and of any animal or other thing found there.
- (6) Subject to subsections (2) to (5) of this section, a local authority may grant or refuse a licence under this Act as it thinks fit, but where it decides to grant such a licence it shall specify as conditions of the licence—
- (a) conditions that, while any animal concerned is being kept only under the authority of the licence,—
    - (i) the animal shall be kept by no person other than such person or persons as is or are specified (whether by name or description) in the licence;
    - (ii) the animal shall normally be held at such premises as are specified in the licence;
    - (iii) the animal shall not be moved from those premises or shall only be moved from them in such circumstances as are specified in the licence;
    - (iv) the person to whom the licence is granted shall hold a current insurance policy which insures him and any other person entitled to keep the animal under the authority of the licence against liability for any damage which may be caused by the animal; and
    - (v) the terms of any such policy shall be satisfactory in the opinion of the authority;
  - (b) conditions restricting the species (whether one or more) of animal, and number of animals of each species, which may be kept under the authority of the licence ;
  - (c) a condition that the person to whom the licence is granted shall at all reasonable times make available a copy of the licence to any person entitled to keep any animal under the authority of the licence;
  - (d) such other conditions as in the opinion of the authority are necessary or desirable for the purpose of securing the objects specified in paragraphs (c) to (f) of subsection (3) of this section.
- (7) Subject to subsection (6) of this section, a local authority may, in granting a licence under this Act, specify such conditions of the licence as it thinks fit.
- (8) Where a local authority proposes to insert in a licence under this Act a provision permitting any animal to be, for any continuous period exceeding 72 hours, at premises

outside the area of the authority, the authority shall consult the local authority in whose area those premises are situated.

- (9) A local authority which grants a licence under this Act may at any time vary the licence by specifying any new condition of the licence or varying or revoking any condition of it (including any condition specified, or previously varied, under this subsection); but any condition of a licence specified by virtue of subsection (6) of this section may not be revoked and any condition specified by virtue of paragraph (a)(ii) of that subsection may not be varied.
- (10) Where a local authority varies a licence under subsection (9) of this section, then—
- (a) if the variation was requested by the person to whom the licence was granted, the variation shall take effect immediately after the authority decides to make it;
  - (b) in any other case, the variation shall not take effect until the person to whom the licence was granted has become aware of the variation and had a reasonable time to comply with it.