



Dangerous Wild Animals Act 1976

1976 CHAPTER 38

2 Provisions supplementary to section 1.

(1) Where—

- (a) a person is aggrieved by the refusal of a local authority to grant a licence under this Act, or
- (b) a person to whom such a licence has been granted is aggrieved by a condition of the licence (whether specified at the time the licence is granted or later) or by the variation or revocation of any condition of the licence,

he may appeal to a magistrates' court; and the court may on such appeal give such directions with respect to the grant of a licence or, as the case may be, with respect to the conditions of the licence as it thinks proper, having regard to the provisions of this Act.

(2)

(2) ^{F1}Subject to subsection (3A)(a) of this section, any licence under this Act shall come into force immediately upon being granted.

(3) Subject to subsection (3A)(b) of this section and the provisions of this Act with respect to cancellation, any licence granted under this Act shall remain in force for two years and shall then expire.

(3A) Where, before the expiry of a licence granted under this Act ("the existing licence"), an application is made for a licence to be granted by way of renewal of the existing licence—

- (a) if a licence is so granted, it shall come into force from the date of expiry of the existing licence, whether it is granted before, on or after that date;
- (b) if the grant or refusal of that application occurs after the date of expiry of the existing licence, the existing licence shall be deemed to be still in force until the grant or refusal.

(3B) For the purposes of subsection (3A) of this section, a licence is not granted by way of renewal of an existing licence unless it is granted in respect of any species in respect

Changes to legislation: There are currently no known outstanding effects for the Dangerous Wild Animals Act 1976, Section 2. (See end of Document for details)

of which the existing licence was granted (whether or not either licence also relates to some other species).]

- (4) In the event of the death of anyone to whom a licence has been granted under this Act the said licence shall continue in force for a period of twenty-eight days as if it had been granted to the personal representatives of the deceased and if application is made for a new licence within the said period the said licence shall be deemed to be still in force pending the grant or refusal of that application.
- (5) Any person who contravenes the provisions of section 1(1) of this Act shall be guilty of an offence.
- (6) If any condition of a licence under this Act is contravened or not complied with, then,
 - (a) the person to whom the licence was granted, and
 - (b) any other person who is entitled to keep any animal under the authority of the licence and who was primarily responsible for the contravention or failure to comply,shall, subject to subsection (7) of this section, be guilty of an offence.
- (7) In any proceedings for an offence under subsection (6) of this section, it shall be a defence for the person charged to prove that he took all reasonable precautions and exercised all due diligence to avoid the commission of such an offence.
- (8) In the application of this section to Scotland, in subsection (1) for any reference to a magistrates' court there shall be substituted a reference to the sheriff.

Textual Amendments

- F1** S. 2(2)-(3B) substituted for s. 2(2) (E.W.) (18.3.2010) by [Legislative Reform \(Dangerous Wild Animals\) \(Licensing\) Order 2010 \(S.I. 2010/839\)](#), arts. 1(c), 2

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