

Dangerous Wild Animal Conditions of the licence

(depending on species and premise - additional conditions may be made)

The Legislative Reform (Dangerous Wild Animals)(Licensing) Order 2010 modifies provisions of the Dangerous Wild Animals Act 1976 which provides standard conditions that must be specified on a licence. The Council may impose other conditions as it sees fit. The reform extends the license period to a maximum of two years where after it must be renewed.

As part of the licence conditions, you are required to ensure that you have adequate Public Liability Insurance which provides cover for the animal(s) which you have on site.

You must ensure that any policy you take out provides sufficient cover against any damage which may be caused by the animal should it escape. The level of insurance will depend on many factors which may include the species and number of animals you wish to keep.

The Council may at any time vary the licence by specifying any new conditions of the licence or varying or revoking any condition of it (exceptions apply to those conditions specified by section 1(6) of the DWA Act 1976).

Rights of entry

Local authorities may authorise competent persons to enter premises either licensed under the Act or specified in an application for a licence, at all reasonable times, producing if required their authority, and the authorised officers may inspect these premises and any animal in them.

Powers of seizure

As well as powers of inspection, the Dangerous Wild Animals Act 1976 also gives officers powers to seize any animal being kept on premises which are unlicensed or failing to comply with a condition of their licence.

Animals may then be either retained in our possession or be destroyed or otherwise disposed of and we shall not be liable to pay compensation to any person in respect of these powers.

Where the Council incurs any expense in seizing, retaining or disposing of an animal then the person who was the keeper of the animal shall be liable for those costs.

Offences and penalties

The following offences and penalties apply:

- any person found guilty of failing to comply with any licence condition shall be subject to a fine not exceeding level 5 (currently £5000)

- any person found guilty of obstructing or delaying an Inspector or Authorised Veterinary Practitioner or Veterinary Surgeon shall be subject to a fine not exceeding level 5 (currently £5000).
- Where a person is convicted of any offence under the Dangerous Wild Animals Act 1976, or of any offence under:
 - The Protection of Animals Acts 1911
 - The Performing Animals (Regulation) Act 1925
 - The Pet Animals Act 1951
 - The Animals (Cruel Poisons) Act 1962
 - The Animal Boarding Establishments Act 1963
 - The Riding Establishments Acts 1964 and 1970
 - Breeding of Dogs Act 1973
- Animal Welfare Act 2006, Sections 4,5,6(1)(2), 7 to 9 and 11.

The court by which he/she is convicted may cancel any licence held by him under the Dangerous Wild Animals Act 1976, and may, whether or not he is the holder of such a licence, disqualify him from keeping any dangerous wild animal for such period as the court thinks fit. The cancellation or disqualification may be suspended by the Court in the event of an appeal.

Information is also available from DEFRA, Wildlife Species Conservation Division on 0117 372 8209 at: Defra, Zone 1/10, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6EB zoos.branch@defra.gsi.gov.uk
Department for Environment, Food and Rural Affairs.