

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

### SCHEDULE 5 – OPERATING AN ANIMAL WELFARE ESTABLISHMENT

#### Interpretation

1. In this schedule—
  - “animal welfare establishment” means the place or places within the areas of the local authority at which the licensable activity of operating an animal welfare establishment is carried on,
  - “prospective keeper” means a person who seeks to become the keeper of the animal (or, where it is proposed that there be more than one keeper of the animal, one of such persons).

#### Records and advertisements

2. (1) A register must be maintained for all the animals or, in the case of animals (not including dogs and cats) kept in groups where it is not practicable to keep individual records, all the groups of such animals, in the animal welfare establishment which must include—
  - (a) the species of the animal (where known),
  - (b) the animal’s sex (where known),
  - (c) (except in the case of fish) the animal’s age (where known),
  - (d) details of any veterinary treatment (where known),
  - (e) the date on which the animal was received by the licence holder,
  - (f) the date on which the animal was rehomed or otherwise released from the animal welfare establishment (if applicable),
  - (g) the site of the animal’s release into the wild (if the animal is so released), and
  - (h) the date of the animal’s death (if applicable).
- (2) Where an animal is undergoing any medical treatment it may only be supplied as a pet to a prospective keeper if—
  - (a) details of, and the reasons for, the treatment are communicated to the prospective keeper of the animal prior to any agreement being concluded with that person for the supply of that animal, and
  - (b) a veterinary surgeon advises that the animal is in a suitable condition to be supplied to a person as a pet from the animal welfare establishment.
- (3) Any advertisement for the rehoming of an animal must—
  - (a) include the number of the licence holder’s licence,
  - (b) specify the local authority that issued the licence,
  - (c) if the animal being advertised is a dog, cat or horse, include a recognisable photograph of the animal, and
  - (d) (except in the case of fish) display the age of the animal being advertised (where known).

#### Rehoming: pet care and advice

3. (1) Any equipment and accessories being sold with an animal must be suitable for the animal.
- (2) Prospective keepers must be provided with information on the appropriate care of the animal including in relation to—
  - (a) feeding,
  - (b) housing,
  - (c) handling,
  - (d) husbandry,
  - (e) the life expectancy of its species,

- (f) the provision of suitable accessories, and
- (g) veterinary care.
- (3) A suitably trained person must be available to provide advice to prospective keepers about the animals made available for rehoming.
- (4) Any new keeper (or at least one new keeper where there is more than one new keeper of the animal) to whom an animal is being rehomed must be informed of, where known, the age, sex and veterinary record of the animal.

**Release of animals into the wild**

- 4. (1) An animal that has been kept at the animal welfare establishment must only be released into the wild in an area that is suitable for its species.
- (2) An animal that has been kept at the animal welfare establishment must only be released into the wild if it is able to feed and fend for itself.

**Dangerous wild animals: duty to notify**

- 5. The licence holder must notify the licensing authority of any dangerous wild animals held in the animal welfare establishment.

**Suitable accommodation**

- 6 (1) Animals must be kept in housing which minimises stress including from other animals and the public.
- (2) Where members of the public can view or come into contact with the animals, signage must be in place to deter disturbance of the animals.
- (3) Dangerous wild animals (if any) must be kept in secure accommodation that is lockable and appropriate for the species.