



## **NOTICE TO KEEPERS OF DOG BREEDING ESTABLISHMENTS**

- 1 Under the Breeding of Dogs Act 1973 no person shall keep a breeding establishment for dogs except under a licence granted by the local authority.

### **Licensing of Breeding Establishments for Dogs**

- 2 Under section 1 of the Act application must be made to the local authority for a licence. The local authority may grant the licence if the applicant is not disqualified under any of the following Acts:-

- (a) the Breeding of Dogs Act 1973
- (b) the Pet Animals Act 1951
- (c) (repealed)
- (d) (repealed)
- (e) the Protection of Animals (Amendment) Act 1954
- (f) the Animal Boarding Establishments Act 1963

An appropriate fee will be charged where a licence is granted. A licence will expire under normal conditions at the end of the year to which it relates.

### **The Local Authority's Duty**

- 3 In determining whether to grant a licence a local authority must have regard to the need for securing:-
  - (a) that dogs will at all times be kept in accommodation suitable as respects construction, size of quarters, number of occupants, exercising facilities, temperatures, lighting, ventilation and cleanliness.
  - (b) that animals will be adequately supplied with suitable food, drink and bedding material, adequately exercised, and (so far as necessary) visited at suitable intervals.
  - (c) that all reasonable precautions will be taken to prevent and control the spread among animals of infectious or contagious diseases, including the provision of adequate isolation facilities.
  - (d) that appropriate steps will be taken for the protection of the dogs in case of fire or other emergency.
  - (e) that all appropriate steps will be taken to secure that the dogs will be provided with suitable food, drink, and bedding material and adequately exercised when being transported to or from the breeding establishment.

and without prejudice to their right to withhold a licence on other grounds.

The licence must specify such conditions as will ensure that the above named objects are secured.

## **The Applicant's Right of Appeal against Refusal**

- 4 Any person aggrieved by the refusal of a local authority to grant such a licence, or by any condition subject to which a licence is proposed to be granted, may appeal to the magistrates court; and the court may on such an appeal give such directions with respect to the issue of a licence or, as the case may be, with respect to the conditions subject to which a licence is to be granted, as it thinks proper.

## **Offences against the Act.**

- 5 The Act provides for the following offences and penalties-
- (a) keeping a Breeding Establishment for dogs without a licence; (liable on summary conviction to a fine not exceeding level 4 on the standard scale).
  - (b) contravention or failing to comply with any conditions of a licence; (liable on summary conviction to a fine not exceeding level 4 on the standard scale)
  - (c) obstructing or delaying any person in the exercise of his/her powers of entry; (liable on summary conviction to a fine not exceeding level 3 on the standard scale).

Where a person is convicted under this Act or the Protection of Animals Act 1911 or the Protection of Animals (Scotland) Act 1912 or the Pet Animals Act 1951, or the Animal Boarding Establishments Act 1963 the court also has power to cancel the licence to keep a Breeding Establishment for dogs for such a period as the court thinks fit. A court may, if it thinks fit, suspend the operation of the order pending an appeal.

## **Inspection of Dog Breeding Establishments.**

- 6 The local authority is given power under the Act to authorise any of its officers or any veterinary surgeon or veterinary practitioner to inspect any premises in their area for which a licence has been granted under the Act and which is still in force. Such a person, on production of his authority if so required, has the statutory right to enter the premises at all reasonable times for the following purposes –
- (a) to inspect the premises,
  - (b) to inspect any animals on the premises,
  - (c) to ascertain whether any offence is being committed on the premises.

## **Definitions.**

- 7 For the purpose of this Act “breeding establishment” means any premises (including a private dwelling) where more than two bitches are kept for the purpose of breeding for sale.

## **Further Information.**

- 8 A copy of the Act may be inspected at the office named below or may be purchased from HM Stationery Office. Details of the conditions upon which the Council will normally grant licences and forms of application may be obtained from:

**Licensing Department  
Shropshire Council  
Shirehall  
Abbey Foregate  
Shrewsbury  
SY2 6ND**