

*Draft Order laid before the Scottish Parliament under section 53(3)(a) of the Animal Health and Welfare (Scotland) Act 2006 for approval by resolution of the Scottish Parliament.*

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DRAFT SCOTTISH STATUTORY INSTRUMENTS

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**2022 No.**

**ANIMALS**

**The Animal Health and Welfare (Scotland) Act  
2006 (Consequential Provisions) Order 2022**

*Made* - - - - 2022  
*Coming into force* - - 8th June 2022

The Scottish Ministers make the following Order in exercise of the powers conferred on them by section 53(1) of the Animal Health and Welfare (Scotland) Act 2006<sup>(1)</sup> and all other powers enabling them to do so.

In accordance with section 53(3)(a) of that Act, a draft of this instrument has been laid before and approved by resolution of the Scottish Parliament.

**Citation and commencement**

1.—(1) This Order may be cited as the Animal Health and Welfare (Scotland) Act 2006 (Consequential Provisions) Order 2022.

(2) This Order comes into force on 8 June 2022.

**Consequential amendments, repeals and revocations**

2. The amendments listed in Parts 1 and 2 of schedule 1 (amendments) have effect.

3. Schedule 2 (repeals and revocations) has effect.

St Andrew's House,  
Edinburgh  
Date

*Name*  
A member of the Scottish Government

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(1) 2006 asp 11.

SCHEDULE 1

Article 2

AMENDMENTS

PART 1

Primary legislation

*The Animal Boarding Establishments Act 1963*

1. In section 3(5) (offences and disqualifications) of the Animal Boarding Establishments Act 1963<sup>(2)</sup>—

- (a) omit “or” in the second place it appears,
- (b) after “the Animal Health and Welfare (Scotland) Act 2006 (asp 11)” insert “or regulation 23 of the Animal Welfare (Licensing of Activities Involving Animals) (Scotland) Regulations 2021”.

*Riding Establishments Act 1964*

2. In section 4(5) (penalties and disqualifications) of the Riding Establishments Act 1964<sup>(3)</sup>—

- (a) omit “or” in the second place it appears,
- (b) after “the Animal Health and Welfare (Scotland) Act 2006 (asp 11)” insert “or regulation 23 of the Animal Welfare (Licensing of Activities Involving Animals) (Scotland) Regulations 2021”.

*Dangerous Wild Animals Act 1976*

3.—(1) The Dangerous Wild Animals Act 1976<sup>(4)</sup> is amended as follows.

(2) For section 5(3) (exemptions) substitute—

“(3) Premises at which the licensable activity described in paragraph 1 of schedule 1 of the Animal Welfare (Licensing of Activities Involving Animals) (Scotland) Regulations 2021 (selling animals as pets) is carried on under licence;”.

(3) In section 6(3A) (penalties)<sup>(5)</sup>—

- (a) omit “or” in the second place it appears,
- (b) after “the Animal Health and Welfare (Scotland) Act 2006 (asp 11)” insert “or regulation 23 of the Animal Welfare (Licensing of Activities Involving Animals) (Scotland) Regulations 2021”.

*Zoo Licensing Act 1981*

4.—(1) The Zoo Licensing Act 1981<sup>(6)</sup> is amended as follows.

(2) At the end of section 4(5A) (grant or refusal of licence)<sup>(7)</sup> insert—

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(2) 1963 c. 43. Section 3(5) was inserted by S.S.I. 2006/536.  
(3) 1964 c. 70. Section 4(5) was inserted by S.S.I. 2006/536.  
(4) 1976 c. 38.  
(5) Section 6(3A) was inserted by S.S.I. 2006/536.  
(6) 1981 c. 37.  
(7) Section 4(5A) was inserted by S.S.I. 2006/536.