



Breeding of Dogs Act 1973 Guidance Notes - Application to Keep a Breeding Establishment

Under the Breeding of Dogs Act 1973 it is an offence to keep a breeding establishment except under the authority of a licence granted for the purpose.

The keeping by any person of a breeding establishment is construed under the Act as the carrying on by that person at premises of any nature (including a private dwelling) a business of breeding dogs with a view to their being sold in the course of such business whether by the keeper thereof or by any other person. "Breeding establishment" means any premises (including a private dwelling) where more than two bitches are kept for the purpose of breeding for sale.

The Council are the responsible licensing authority for this area and they may, on application being made, grant a licence to any person who is not for the time being disqualified:-

- (a) under the Breeding of Dogs Act 1973 from keeping a breeding establishment for dogs;
- (b) under the Pet Animals Act 1951, from keeping a pet shop;
- (c) under the Protection of Animals (Cruelty to Dogs) Act 1933, from keeping a dog;
- (d) under the Protection of Animals (Cruelty to Dogs) (Scotland) Act 1034, from keeping a dog;
- (e) under the Protection of Animals (Amendment) Act 1954, from having the custody of animals; or
- (f) under the Animals Boarding Establishments Act 1963, from the boarding of animals.

In deciding whether to grant a licence the Council are obliged to take into account the need for securing:-

- (a) that the dogs will at all times be kept in accommodation suitable as respect construction, size of quarter, number of occupants, exercising facilities, temperature, lighting, ventilation and cleanliness;
- (b) that the dogs will be adequately supplied with suitable food, drink and bedding material, adequately exercised, and (so far as necessary) visited at suitable intervals; and
- (c) that all reasonable precautions will be taken to prevent and control the spread among dogs of infectious or contagious diseases.

Any of the Council's officers or any veterinary surgeon or any veterinary practitioner who is for the time being duly registered may, if authorised to do so by the Council in writing, enter and inspect at all reasonable times any licensed premises and any animals found thereon or anything found therein, for the purpose of ascertaining

whether an offence has been/is being committed under the Act.

Normally a licence will relate to the year in which it is granted or the next following year, according to the applicant's requirements, coming into operation in the former case on the date on which it is granted and in the latter case on the 1st January next; and in each case remaining in force until the end of the year to which it relates, unless previously cancelled.

The penalties for offences under the Act include fines of up to £200. A further penalty is the cancellation of the licence, which may follow conviction for any offence under the Act or under the Protection of Animals Act, 1911, the Pet Animals Act, 1951, or the animal Boarding Establishments Act 1963.

Application for a licence should be made on the attached form, which should be forwarded to the Council together with the licensing fee

If you require any further information please contact the Licensing Administrator on telephone number 01259 452093 or email address licensing@clacks.gov.uk