



## **GUIDANCE NOTES for DANGEROUS WILD ANIMALS LICENCES**

### **Dangerous Wild Animals Act 1976**

#### **Disclaimer**

**These notes have been prepared as an outline of the licensing provisions in connection with dangerous wild animals introduced by the Dangerous Wild Animals Act 1976. Whilst every effort has been made to ensure accuracy, these notes are for general guidance only and do not constitute legal advice. It is the responsibility of applicants and licence holders to ensure that they comply with the provisions of the Act, any statutory instruments made thereunder, the conditions outlined in the Schedule attached to your licence and any policy/guidance notes issued by the Council.**

#### **INTRODUCTION**

You must have a licence, under the Dangerous Wild Animals Act 1976, from us to keep any dangerous wild animal in Moray. You can find a list of all wild animals classed as dangerous in the Act online. (<http://www.legislation.gov.uk/ukpga/1976/38/contents>)

We will look at various matters when considering whether to grant a licence, including public safety or nuisance, suitability of the proposed licence holder and animal welfare. The proposed premises must be inspected by our chosen vet, for which you must pay the fees.

We may refuse a licence on any grounds. If a licence is issued, it will be valid for the remainder of the year in which it is issued, and must be renewed each year. Each licence issued will be subject to conditions that will ensure standards are maintained and the premises may be inspected at any time.

If it is more appropriate, separate zoo and pet shop licenses are also available.

#### **THE APPLICATION FORM**

The application is split into 8 sections

- A. Personal Details
- B. Business Details
- C. Licence Details

- D. Premises Details
- E. Animal Details
- F. Keeper(s) Details
- G. Insurance Details
- H. Residence Outside the UK

You must answer all of the questions as fully as you can as failure to do so may result in your application being returned to you. Your application will not be processed until you have provided all the necessary information.

## **A. PERSONAL DETAILS**

You require to complete this section if you are an individual person applying for a Dangerous Wild Animals Licence. It is essential that your full details are supplied on the application form so that necessary Police checks can be undertaken swiftly and so your application can be progressed as quickly as possible.

## **B. BUSINESS DETAILS**

You require to complete this section if the premises/operation is run by a company or partnership rather than an individual person.

## **C. LICENCE DETAILS**

A Dangerous Wild Animal Licence generally lasts for a maximum of 1 year although the Licensing Authority have the discretion to grant it for a shorter period. Once it expires you can apply to renew it for a further 1 year.

**Grant of a Licence** - If you have never held a Dangerous Wild Animals Licence before, or you do not currently have such a licence, or you are moving to different premises then you need to apply for the grant of a licence.

**Renewal of Licence** – If you currently hold a Dangerous Wild Animals Licence which has not expired, but is due to expire then you need to apply for a renewal of the licence. The old licence remains in force until the renewal is granted, but only if the renewal application is made before the expiry date.

If you are applying for the grant of a licence you are asked questions on the form as to whether you have previously held a licence in the United Kingdom or whether you have been refused such a licence previously. Please note that it is very important that you complete these questions fully.

## **D. PREMISES DETAILS**

You are required to supply the full postal address and telephone number of the premises to which the licence is to relate. Please also include the details of the accommodation being provided for the animal(s).

## **E. ANIMAL DETAILS**

Please give details of all the animals in which it is proposed to keep at the premises please detail type, sex and number.

## F. KEEPERS DETAILS

Please provide the full name(s) of all person(s) who will be acting as keeper(s) of the animals on behalf of the applicant.

## G. INSURANCE DETAILS

Please provide details of the insurance policy held to cover liability, please include the name and address of the company, the policy number, expiry date and the amount of cover.

## H. RESIDENCE OUTSIDE THE UK

If you are making an application you, or anyone named in the application must provide evidence of your criminal history:

- **If you were born in the UK** but have lived in any other country within ten years prior to your application for a continuous period of twelve months or more you must provide a Criminal Record Check for all those countries for the relevant period(s)
- **If you were born outwith the UK** you must provide a Criminal Record Check from your country of origin for the time of residence there **IF** it was in the last ten years, unless you left that country without reaching the criminal age of responsibility. You must also provide a Criminal Record Check from any other country in which you have resided for a continuous period of twelve months or more in the ten years prior to application.

**In all cases**, the Criminal Record Checks provided must

- have been obtained within the six months immediately prior to submitting your application; and
- be translated into English; and
- be verified by the relevant UK-based Embassy or High Commission

Process for obtaining Criminal Record Checks -

<https://www.gov.uk/government/publications/criminal-records-checks-for-overseas-applicants>

**Note:** The certificate must be produced before the licence can be granted. Whilst it is desirable for the applicant to produce the certificate with the application, it is not a strict requirement. This is so any applicant having difficulties will not be disadvantaged by delays to processing the application. At the applicants choosing, the application can be accepted as valid without the convictions evidence but the evidence should be provided as soon as possible. In this way the convictions evidence will be a check rather than a validation. Applicant should still note, however, that the licence cannot be granted without the evidence having being produced. Therefore if the application is approaching the 9 month time limit without the evidence being produced, the application may be refused for failure to comply with administrative provisions.

**If** you are experiencing difficulties in obtaining a certificate then please contact the licensing team to discuss your options. It may be possible to accept alternative evidence, for example: evidence of checks having been carried out by another government body; affidavits; or character references.

In cases where it is not possible to provide any satisfactory evidence, the application will be referred to the Licensing Committee for a decision. Therefore the application may be delayed pending the outcome of a hearing.

## **GENERAL INFORMATION**

You require to sign and date the declaration at the bottom of the application form. This is a very important part of the form and you should note that it is a criminal offence to make a false declaration for which you can be prosecuted and fined up to £2,500.

Once you have completed the application form please submit it to:

The Head of Legal and Democratic Services  
Moray Council  
High Street  
Elgin  
IV30 1BX

If you have any queries please e-mail [licensing@moray.gov.uk](mailto:licensing@moray.gov.uk) or contact us on 01343 563027.