

# **The Pet Animals Act 1951**

## **Licence Conditions**

### **1 Licence Display**

- 1.1 The licence, or a copy of the licence, should be suitably displayed to the public in a prominent position.

N.B. For security reasons, the licence should not display the licence holder's home address.

### **2 Accommodation**

- 2.1 Animals must at all times be kept in accommodation and environment suitable to their species with respect to situation, size, temperature, lighting, ventilation and cleanliness and not exposed to draughts. All accommodation must be kept in good repair.

- 2.2 If animals are displayed outdoors, they must have protection appropriate to their species.

- 2.3 Housing must be constructed of non-porous materials or be appropriately treated.

- 2.4 In order to control the spread of disease, and to prevent injury, animals must not be kept in housing in such a way that other animals or the public can disturb them.

- 2.5 All livestock for sale must be readily accessible and easy to inspect, with cages sited so that the floor of the cage is readily visible.

- 2.6 Accommodation must be cleaned as often as necessary to maintain a good standard of hygiene.

- 2.7 Where accommodation is on a tiered system, water food or other droppings must not be allowed to enter the lower housing.

- 2.8 All accessories provided in the accommodation must be suitable for the species.

N.B. When designing accommodation, consideration should be given to using systems that would allow removal of the animals in the case of emergency. This provision would not usually apply to aquariums and ponds.

### **3 Exercise Facilities**

- 3.1 Suitable and sufficient facilities must be available where appropriate.

N.B. For puppies, where required, a covered exercise area of at least 2.46 sq metres (26 sq ft) should be provided. Exercise areas should have a minimum height of 1.8 metres (6 ft) to facilitate adequate access by staff for cleaning.

### **4 Register of Animals**

- 4.1 A livestock purchase register must be maintained for all livestock. A sales register must be maintained for:

- 4.1.1 Puppies

- 4.1.2 Kittens

- 4.1.3 Psittacines
- 4.1.4 Species contained in the Schedule to the Dangerous Wild Animals Act 1976 (as modified)

N.B. This can be by cross-reference to an invoice file. The purpose of the register is to ascertain the source of livestock and for emergency contact of the purchaser. The name and address with telephone number of the purchaser should be obtained.

## **5 Stocking Numbers and Densities**

- 5.1 The maximum numbers of animals to be stocked on the premises will be governed by the accommodation available, as stated in the stocking density lists detailed in the schedules attached to these licence conditions. No other animals, other than those specified in the licence, may be stocked without prior written permission.
- 5.2 Schedule 1 - Caged Birds
- 5.3 Schedule 2 - Small Juvenile Mammals
- 5.4 Schedule 3 - Ornamental Fish
- 5.5 Schedule 4 - Other Species

## **6 Health, Disease and Acclimatisation**

- 6.1 All stock for sale must be in good health and free from obvious parasitic infestation as far as can be reasonably determined without veterinary inspection.
- 6.2 And sick or injured animal must receive appropriate care and treatment without delay. Inexperienced staff must not treat sick animals unless under appropriately experienced supervision.  
  
N.B. "Care and treatment" may include euthanasia but under no circumstances may an animal be euthanased other than in a humane and effective manner. In case of doubt, veterinary advice must be sought.
- 6.3 Facilities must be provided to isolate sick animals.  
  
N.B. For ornamental fish, in-line UV treatment or other sterilising devices effectively provide a means of isolating individual tanks in multiple tank systems. They must be of a proper size and maintained in accordance with manufacturers' recommendations.
- 6.4 All animals must receive appropriate inoculations where required for the species, as advised by the veterinary surgeon. Veterinary advice must be sought whenever necessary.
- 6.5 Any animal with an obvious, significant abnormality which would materially affect its quality of life, must not be offered for sale. When in doubt, veterinary advice should be sought.
- 6.6 All animals must be allowed a suitable acclimatisation period before sale.
- 6.7 All reasonable precautions must be taken to prevent the outbreak and spread of disease. No animal which is suffering from, or could reasonably be suspected of having come into contact with any other animal suffering from an infectious or contagious disease, or which is infected with parasites, shall be brought into or kept on the premises unless effectively isolated.
- 6.8 Individual litters of puppies and kittens must be kept separate from other litters.
- 6.9 All necessary precautions must be taken to prevent harborage, or the introduction to the premises, of rodents, insects and other pests.

N.B. 'Rodent' and 'insect' excludes livestock for sale or for feeding.

**7 Food and Drink**

- 7.1 Animals must be supplied with adequate amounts of food and drink, appropriate to their needs, and at suitable intervals.
- 7.2 All food must be suitable for the species concerned.
- 7.3 Food and drink receptacles must be constructed and positioned to minimise faecal contamination and spillage.
- 7.4 A suitable and sufficient number of receptacles must be provided and cleaned at regular intervals.

**8 Food Storage**

- 8.1 All food, excluding live foods intended for feeding to livestock on the premises, must be stored in impervious closed containers.
- 8.2 The containers and equipment used for feeding must be kept in a clean and sound condition.

**9 Observation**

- 9.1 All livestock must be attended to at regular intervals, at least once daily, appropriate to the species. It is recommended that a system of recording observation be maintained.

**10 Excreta and Soiled Bedding**

- 10.1 All excreta and soiled bedding must be kept in a hygienic manner and stored in impervious containers with close fitting lids - away from direct sunlight.
- 10.2 Excreta and soiled bedding must be removed from the premises on a regular basis, at least weekly and disposed of to the satisfaction of the appropriate authority, and in accordance with current regulations and good waste management practice.
- 10.3 All containers must be kept in a clean condition.

**11 Transportation**

- 11.1 When receiving stock, the licensee must make every effort to ensure that it is transported in a suitable manner. It is recommended to record the registration number of vehicles transporting livestock.
- 11.2 Any livestock received or consigned shall be transported according to the regulations laid down in current legislation; such as the Welfare of Animals (Transport) Order 1997.

N.B. For air transportation, the IATA live animals regulations must be followed as a minimum legal standard.

**12 Transportation Containers**

- 12.1 Livestock must be transported or handed to purchasers in suitable containers.

**13 Sale of Livestock**

- 13.1 No mammal shall be sold unweaned or, if weaned, at an age at which it should not have been weaned.
- 13.2 In the case of non-mammals, they must be capable of feeding themselves.

**14 Dangerous Wild Animals**

- 14.1 When dangerous wild animals are kept, the cages must be of a secure construction appropriate to the species. A fine wire mesh, glass or plastic safety barrier must be incorporated into the cage system.
- 14.2 The local authority should be notified in the event that the pet shop wishes to offer for sale, for the first time, any animal on the Schedule to the Dangerous Wild Animals Act. Although it is acknowledged that there is an exemption contained within the Act in relation to pet shops, it is recommended that consideration should be given to complying with any special requirement(s) specified in the Act for the safe accommodation or care of the animal.
- 14.3 Licensees selling animals on the Schedule to the Dangerous Wild Animals Act should inspect the purchaser's licence to keep such an animal, and inform the issuing authority of the details of the purchase.

**15 Pet Care Advice**

- 15.1 Pet care leaflets or other similar written instruction must be made available to customers free of charge at time of purchase, in addition to any offer to purchase pet care books or leaflets.
- 15.2 Purchasers must be given proper advice on the care of the animal and, where necessary, on the maintenance and use of any accessories.
- 15.3 Appropriate reference materials must always be available for use by staff.

N.B. Further advice can be obtained from the organisations listed in Annex 1 of this document.

**16 Staff Training and Livestock Knowledge**

- 16.1 No animal should be stocked or sold unless the staff (or at least one member of the staff) is familiar with the care and welfare of the animals stocked and has a recognised qualification or suitable experience.
- 16.2 In respect of new applications (not renewals), at least one member of staff working at the licensed premises must hold the City & Guilds Pet Store Management Certificate, or some other appropriate qualification; or must be in the course of training, and obtaining the qualification within two years of the licence being granted.
- 16.3 The licensee must formulate a written training policy for all permanent staff, and will be required to demonstrate that systematic training is carried out.

N.B. Further advice and guidance on training can be obtained from the organisations listed in Annex 1.

**17 Fire and Other Emergency Precautions**

17.1 Suitable emergency precautions and written procedures must exist and be made known to all staff, including arrangements for evacuation of livestock.

N.B. The general maxim of “people first” is good advice.

17.2 Entrances and exits must be clear of obstructions at all times.

17.3 Suitable fire fighting equipment must be provided, maintained, regularly serviced and sited as advised by the local Fire Protection/Prevention Officer and in consultation with the local authority.

17.4 The licensee, or a designated keyholder, must at all times be within reasonable distance of the premises and available to visit the premises in case of emergency.

N.B. A reasonable distance would, in normal conditions, be interpreted as no more than 20 minutes travelling time.

17.5 A list of keyholders must be lodged with the local police and authority.

17.6 In the interests of animal welfare, the following notice must be displayed at the front of the shop: “In case of an emergency, dial 999”. The number of the local police station should also be displayed.

17.7 When pet shops are sited within other premises, the licensee or keyholders must have access at all times to the premises containing livestock.

17.8 All electrical installations and appliances must be maintained in a safe condition.

N.B. It is strongly recommended that smoke and residual current detectors or other similar devices are installed.

Details of other legislation of relevance to pet shops can be found at Annex 2.

## **Further Recommendations**

### **1 Sale of Livestock**

- 1.1 No animal should be sold to any person under the age of 16 years who is unknown to the retailer unless that person is accompanied by a parent or legal guardian or provides appropriate written consent. Subsequent sales to a juvenile less than 16 years (but over 12 years) of age who is known to the retailer can be carried out in the absence of a parent or legal guardian or appropriate written consent, provided that the retailer is satisfied as far as possible that:
  - 1.1.1 The parent/guardian would not object to the acquisition;
  - 1.1.2 The juvenile is sufficiently knowledgeable as to the needs, care and nature of the species acquired;
  - 1.1.3 The juvenile's intention towards the acquisition is consistent with the well-being of the animal concerned.

### **2 Application for a Licence**

- 2.1 Although not provided for in the Act, it is recommended that applicants consult their local authority prior to submitting an application.

### **3 Trade Associations**

- 3.1 Licensees are recommended to apply for membership of an appropriate trade organisation. These can be a useful source of advice on all matters relating to the running of a pet shop and the care and treatment of individual animals.

### **4 Boarding of Animals**

- 4.1 No pet shop should be used for the purpose of boarding any species of animal for which they are not licensed to sell. If it is intended to board cats and dogs, suitable and sufficient accommodation must be provided.

N.B. Boarding of cats and dogs is subject to separate licence issued under the Animal Boarding Establishments Act.

### **5 Categories of Animals Which a Pet Shop May Be Licensed to Keep**

- 5.1 Dogs and cats (puppies and kittens).
- 5.2 Smaller domesticated mammals, e.g. Rabbits, guinea pigs, gerbils, hamsters, rats, mice, chinchillas, chipmunks, ferrets.
- 5.3 Larger domesticated mammals, e.g. goats, pot-bellied pigs.
- 5.4 Primates, e.g. marmosets.
- 5.5 Other mammals
- 5.6 Parrots, parakeets and macaws.
- 5.7 Other birds.
- 5.8 Reptiles.
- 5.9 Amphibians.
- 5.10 Fish and aquatic invertebrates.
- 5.11 Other vertebrates.

### **6 Schedule 1, Stocking Densities - Cage Birds**

- 6.1 "No species of bird shall be housed in accommodation which does not afford that species sufficient space for natural free and full wing stretching and the number of birds housed shall be such that overcrowding does not significantly reduce that freedom. Long tailed birds or birds in full plumage must be provided with proper placed perches and feeding and watering points to

prevent that plumage being fouled or otherwise damaged.”

This refers to the Wildlife and Countryside Act 1981 that should not be contravened (especially Section 8 of the Act).

- 6.2 For perching birds, a sufficient number of perches (as appropriate) must be provided at such a height that the bird can rest it’s head without it’s head touching the top, and it’s tail touching the bottom of the cage.
- 6.3 A quality padded net should be used when catching birds in an aviary.
- 6.4 Minimum floor areas apply to young stock. For adult stock offered for sale, the dimensions should be doubled. For advice on the age of stock, it is advisable to contact the veterinary surgeon.

**7 Schedule 2, Stocking Densities - Juvenile Small Mammals**

	No. of animals	1-4	5	6	7	8	9	10	Minimum Cage Height	Minimum Cage Depth
Mice, hamsters, gerbils	Sq.cm	450	525	600	675	750	825	900	25	25
Rats	Sq.cm	675	785	900	1010	1125	1235	1350	30	30
Guinea pigs	Sq.cm	1350	1570	1800	2020	2250	2470	2700	30	30
<b>Rabbits up to 2Kg, kittens, ferrets, chinchillas, chipmunks</b>	Sq.cm	2250	2625	3000	3375	3750	4125	4500	40	30
Puppies up to age of 12 weeks maximum	Sq.cm	10000	12500	15000	17500	20000	22500	25000	Double height at shoulder minimum 50	0.9m

- 7.1 The range of behavioural opportunities for many of the animals listed in the above schedule will be increased by enriching the environment with accessories.
- 7.2 Raised shelving should be taken into consideration when assessing the total floor area.
- 7.3 Temporary (up to six days) rehousing of adult rabbits in smaller cages than specified above should be considered as acceptable.
- 7.4 The above-recommended stocking densities are insufficient for the housing of marmosets. Marmosets must be housed in cages sufficiently large enough to allow for natural movement, such as climbing and swinging.

**8 Schedule 3, Stocking Densities - Ornamental Fish**

- 8.1 It is virtually impossible to determine the quantity of fish to be kept in a tank purely on a weight/volume or numbers of fish/volume ratio.

- 8.2 The variation in system design, husbandry techniques and types of fish involved would render any such method too simple to be useful or too complicated to be practical.
- 8.3 The maintenance of water quality standards is essential and is a simple but effective way to determine stocking densities. Water quality testing should be carried out at least once a week in centralised systems and 10% of individual tanks should likewise be tested. Unsatisfactory test results must be recorded in a register with the corrective action taken. Further tests must be carried out when visual inspection of the tanks indicates the need.

**Water Quality Criteria**

Water Quality Criteria Water Quality Criteria Water Quality Criteria  
(1mg/litre - 1ppm) Cold Water

*Dissolved oxygen	-min	6mg/litre
*Free ammonia	-max	0.02mg/litre
Nitrite	-max	0.2mg/litre
Nitrate	-max	50mg/litre above ambient tapwater
*Dissolved oxygen	-min	6mg/litre
*Free ammonia	-max	0.02mg/litre
Nitrite	-max	0.2mg/litre
Nitrate	-max	50mg/litre above ambient tapwater

**Tropical Marine Species**

*Dissolved oxygen	-min	5.5mg/litre
*Free ammonia	-max	0.01mg/litre
Nitrite	-max	0.125mg/litre
Nitrate	-max	40mg/litre. This is an absolute figure: it does not relate to ambient tapwater.
*pH (tropical marine only)	-min	8.1

\* These parameters should be checked first. Only if a problem exists with these tests is it necessary to check nitrite and nitrate levels.

- 8.4 Further advice and guidance on water quality criteria can be obtained from the Ornamental Aquatic Trade Association Ltd. from the address at Annex 1.

**9 Schedule 4, Stocking Densities - Other Species**

- 9.1 Other species should be housed in accommodation appropriate to size, age, and type of species; and to avoid overcrowding. There should be sufficient space for free and natural movement that should not be restricted by either the size of the accommodation or the number of animals in that holding. Correct temperature for the species must be maintained.
- 9.2 The advice and approval of the Licensing Authority should be sought wherever there is doubt about a species being sold.

### Annex 1 - Further Advice

Further advice may be obtained from the following organisations:

The Local Government Association  
26 Chapter Street  
London  
SW1P 4ND  
Tel: 020 7834 2222  
Fax: 020 7664 3030  
Website: <http://www.lga.gov.uk>

Chartered Institute of Environmental Health  
Chadwick House  
15 Hatfields  
London  
SE1 8DJ  
Tel: 020 7928 6006  
Fax: 020 7827 5865

The British Veterinary Association  
7 Mansfield Street  
London  
W1M 0AT  
Tel: 020 7636 6541  
Fax: 020 7436 2970

Royal Society for the Prevention of Cruelty to  
Animals  
Causeway  
Horsham  
West Sussex  
RH12 1HG  
Tel: 01403 264181  
Fax: 01403 241048

Pet Care Trust  
Bedford Business Centre  
170 Mile Road  
Bedford  
MK42 9TW  
Tel: 01234 273933  
Fax: 01234 273550

Universities? Federation of Animal Welfare  
The Old School  
Brewhouse Hill  
Wheathampstead  
Hertfordshire  
AL4 8AN  
Tel: 01582 831818  
Fax: 01582 831414

Ornamental Aquatic Trade Association Ltd.  
Unit 5  
Narrow Wine Street  
Trowbridge  
Wiltshire  
BA14 8YY  
Tel: 01225 777177  
Fax: 01225 775523  
Website: <http://www.ornamentalfish.org>

Environment Agency  
Millbank Tower  
25th Floor  
21-24 Millbank  
London  
SW 1P 4XL  
Tel: 020 7863 8600  
Fax: 020 7863 8650

British Small Animal Veterinary Association  
Kingsley House  
Church Lane  
Shurdington  
Cheltenham  
Gloucestershire  
GL51 5TQ  
Tel: 01242 862994  
Fax: 01242 863009

Health & Safety Executive (Information Line)  
Tel: 0541 545500

Licencees should also refer any queries to their local  
authority environmental health/trading standards  
departments.

## **Annex 2 - Any Other Relevant Legislation**

This is not a comprehensive list of legislation. If you are in any doubt, contact your local authority.

### **Health & Safety at Work etc. Act 1974**

There is a duty on all employers and employees to ensure safety of themselves; workmates; visitors to the site and contractors. This also extends to the self-employed.

An accident book (B150) must be provided to record details of notifiable accidents and dangerous occurrences. Ideally, near-miss accidents should also be recorded to help ensure that they do not happen again. An annual review will indicate how to keep staff safer by introducing safer practices based on experience.

Regard should be paid to providing safe systems of work for staff.

An establishment employing more than four people requires a written safety policy.

There is a requirement for a risk assessment to be carried out to identify hazards in the workplace and assess risks, e.g. number of people affected, etc., in order to assess any health and safety risk in an objective manner as far as possible.

Legislation is evolving all the time and reference should be made to enforcement authorities for up-to-date advice.

More details will be available from your local authority, or from *Management of Health and Safety at Work - Approved Code of Practice* (ISBN 0 11 886 330 4) available from HSE books, telephone number 01787 881165 (mail order) or other HMSO stockists.

### **Electricity at Work Regulations 1989 ...**

... apply to employer or self-employed person; and you, therefore, have a duty to comply with these regulations ensuring your electrical fittings and equipment are maintained in a safe condition.

In the event of something going wrong, you will be asked to say why you thought the equipment was safe, which means that regular testing of fittings is advisable.

### **Control of Substances Hazardous to Health Regulations 1994 (COSHH)**

(as amended January 1997)

These are known as 'COSHH' regulations. They require you to keep chemical substances on your premises in a safe manner, to review whether you are able to reduce the number of chemicals used, and to see if you are able to use chemicals which are less hazardous in order to do the same job.

They also deal with Zoonosis (diseases transmitted from animals to people, such as psittacosis (chlamydiosis), salmonellosis, toxocariasis and toxoplasmosis) and you should bring suitable advice on risks and precautions to the attention of your staff, and advise that they are suitably vaccinated or otherwise protected from exposure to these diseases.

For further advice contact your medical practitioner and/or the environmental health department of your local authority.

### **Environmental Protection Act 1990**

The Environmental Protection Act 1990 places a duty of care on businesses to ensure that waste is disposed of by a registered carrier to an appropriately licensed or authorised disposal facility.

Reference to the local authority will help clarify the position with regard to waste material generated from pet shops.

Dog faeces and 'sharps' such as needles, scalpels, etc., constitute 'clinical' waste and are likely to be subject to specific disposal conditions.

### **Controlled Waste Regulations 1992**

The definition of clinical waste in these regulations includes animal tissue, blood and other body fluids, excretions, drugs or other pharmaceutical products, swabs, dressings or syringes, needles or other sharp instruments which, unless rendered safe, may prove hazardous to any person coming into contact with it.

The Health & Safety Commission's guidance document Safe Disposal of Clinical Waste advises on best practice in the handling and disposal of such waste, and you can also seek advice from the Environment Agency Regional Office.

### **The Control of Dogs Order 1992 (SI 1992/901)**

Every dog whilst in a place of public resort must wear a collar with the name and address of the owner inscribed upon it.

'Public Place' means any street, road or other place (whether or not enclosed) to which the public have, or are permitted to have, access; whether for payment or otherwise, and includes the common parts of a building containing two or more separate dwellings.

It should be noted that premises may also be visited from time to time under the Animal Protection Acts. These Acts are principally concerned with animal welfare and the prevention of cruelty.

### **Dangerous Dogs Act 1991**

The Act prohibits persons from having in their possession or custody dogs belonging to specific types bred for fighting; it imposes restrictions in respect of such dogs. It enables restrictions to be placed on other types of dog which present a serious danger to the public; and makes further provision for ensuring that dogs are kept under proper control.