businesscompanion
trading standards law explained

Licensing of animal activities

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In this guide, the words 'must' or 'must not' are used where there is a legal requirement to do (or not do) something. The word 'should' is used where there is established legal guidance or best practice that is likely to help you avoid breaking the law.

This guidance is for England

The Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018 require persons (known as an operator) to be licensed in order to carry out certain activities. The Regulations set out the duties of local authorities to license activities involving animals and the relevant establishments relating to this.

The licensing of activities involving animals

Under the Regulations, a licensable activity means an activity carried on in the course of a business. An activity could, for example, be carried out if the business operator either:

- makes any sale by, or otherwise carries on, the activity with a view to making a profit
  or
- earns any commission or fee from the activity

Anyone with a trading income below the HM Revenue and Customs (HMRC) trading income allowance does not require a licence for their activities. However, HMRC's nine badges of trade will also be taken into consideration.

The Regulations apply general and activity-specific conditions that businesses must meet in order to obtain an animal activity licence.

The general conditions (found in Schedule 2* to the Regulations) are based on the five welfare needs set out in the Animal Welfare Act 2006. These are:

- the need for a suitable environment
- the need for a suitable diet
- the need to be able to exhibit normal behaviour patterns
- any need to be housed with, or apart from, other animals
- the need to be protected from pain, suffering, injury and disease

The licensable activities, each with specific conditions, are:

- selling animals as pets (Schedule 3*)
- providing for or arranging for the provision of boarding for cats or dogs (including providing boarding in kennels for dogs, providing home boarding for dogs and providing day care for dogs) (Schedule 4*)
- hiring out horses (for riding or instruction in riding) (Schedule 5*)
- dog breeding (Schedule 6*)
- keeping or training animals for exhibition (Schedule 7*)

[*The schedules can be found via the link to the Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018 in 'Key legislation' below.]

If you are uncertain as to whether an activity falls under the Regulations, please contact your local council for clarification and for detail on any fees payable. If a district council appears in the search results on the linked web page, that is the council to contact; if there is no district council, contact whichever type of council the search results show.

Upon application and fee payment for a licence, the business will be inspected and a report produced. Following the inspection, a licence will be issued or denied based upon an assessment as to whether the business is likely to meet the general and specific licence conditions for the licensable activity applied for. The inspection will also inform a risk scoring matrix that will determine the licence length for a business.

A licence, if issued, will last for one, two or three years based on a risk assessment system (with the exception of 'keeping or training animals for exhibition', where all licences are issued for three years). The length of the licence will depend on an assessed star rating.

The local authority will determine whether a business activity is low or high risk based on elements such as past compliance, complaint history, appreciation of animal welfare standards, welfare management procedures, and appreciation of hazards and risks. A star rating will then be determined, ranging from one to five stars. The star rating is based on whether the:

- business is deemed to be high or low risk
- minimum standards laid down in the legislation are met

- business achieves the higher standards laid down in the guidance documents (see 'Further information' below)

The issued licence will indicate the star rating awarded, as well as stating the length of the licence. This information will be publicly available, either being published on the local authority website or through a direct enquiry to the local authority. In addition, the licensee must clearly display the licence on their premises.

A local authority may at any time suspend, vary or revoke a licence.

More information is available in the statutory guidance for local authorities on the GOV.UK website.

Selling animals as pets

A licence is required by anyone selling animals as pets in the course of a business (see above), either directly to the public or to other businesses that will later sell them as pets.

The exceptions to this are:

- selling animals in the course of an aquacultural business inspected (by CEFAS) and authorised under the Aquatic Animal Health (England and Wales) Regulations 2009
- breeding dogs to the extent that you require a licence relevant to that activity, rather than a pet sales licence (see below)

More information on selling animals as pets is available on the GOV.UK website.

Providing for or arranging for the provision of boarding for cats or dogs

A licence is required for providing or arranging boarding for other people's dogs or cats in the course of a business, on any premises where the provision of that accommodation is the purpose of a business. Businesses that arrange for the provision of accommodation for other people's cats or dogs must be licensed, even if they do not themselves provide boarding.

The following activities are included:

- boarding for cats
- boarding kennels for dogs
- home boarding for dogs
- day care for dogs

If you are required, under the Animal Health Act 1981, to keep a dog or cat on any premises (for example, if an animal has rabies), this is not a licensable activity.

Businesses that provide accommodation for other people's cats and dogs, but that accommodation is not the principal purpose of the business, are not subject to licensing. For example, the following do not require a licence:

- a vet that provides accommodation as part of the treatment of animals
- businesses that look after a dog or cat within its own home (dog or cat 'sitters'). However, a business that looks after animals in the business owner's home (as opposed to the animal owner's

home) does require a licence

More information on providing, or arranging for the provision of, boarding for cats or dogs is available on the GOV.UK website.

Hiring out horses

A licence is required if you are hiring out horses in the course of a business for:

- riding
- instruction in riding

This includes:

- riding schools
- horse / pony hire
- trekking
- loan horses
- pony parties (but only where the ponies are ridden)
- hunter hirelings
- polo / polocrosse instruction
- pony and donkey rides

It does not include:

- premises used solely for military or Police purposes
- premises involving the instruction of veterinary students at a university for the purposes of their course
- individuals who occasionally lend a horse, even if a small fee is charged, where there is no profit made and no intent to make a profit

More information on hiring out horses is available on the GOV.UK website.

Dog breeding

A licence is required for:

- breeding three or more litters of puppies in any 12-month period
- breeding dogs and advertising a business of selling dogs. This is irrespective of the number of litters produced per year

This does not include:

- keeping a dog on any premises when required to under the Animal Health Act 1981
- breeding only assistance dogs or dogs intended to be used as assistance dogs, within the meaning of section 173 of the Equality Act 2010
- breeding three or more litters of puppies in any 12-month period, if the person carrying on the activity provides documentary evidence that none of them have been sold (whether as puppies or as adult dogs). Documented evidence will need to include records of the new owners of all the puppies and provide details on why there was no transaction involved (including 'in kind' / non-financial arrangements)

- registered charities that re-home puppies born to dogs that have been rescued, unless such registered charities are running this element of their operations as a commercial activity
- organisations regulated under the Animals (Scientific Procedures) Act 1986

More information on dog breeding is available on the GOV.UK website.

Keeping or training animals for exhibition

A licence is required for the keeping or training of animals for exhibition in the course of a business for educational or entertainment purposes, either:

- to any audience attending in person
  or
- to any filming / photo shoots that enable the display of such images

This includes:

- businesses that keep animals for exhibition, either for entertainment or educational purposes
- mobile animal exhibits that visit schools, weddings, private parties, fairs and other events where an audience is present
- pony parties where the ponies are not ridden
- businesses that keep animals for exhibition via electronic media - for example, animals used in films, television or social media
- businesses that train animals for exhibition, either to an audience or via electronic media
- exhibiting domestic animals in a circus
- any business based outside of England that brings an animal into the country for exhibition. These businesses must apply to the first local authority in which they will be performing or where the animals are to be kept for the duration of their stay

It does not include:

- agents who organise for the exhibition of animals, but do not own them or train them themselves. Agents who arrange for the supply of animals for an exhibit must ensure that all keepers and trainers are licensed and comply with the Regulations
- animal shows where animals are exhibited - for example, Crufts, animal trade shows, etc. If individual participants are in the business of exhibiting animals and receive a fee for doing so, they will need to have a licence, but the show itself does not require a licence as it is not responsible for the animals exhibited
- training or exhibiting animals for military or police purposes - for example, training police dogs, demonstrations of police / military dogs at fairs
- registered charities that exhibit animals as part of their charitable work, unless such registered charities are running this element of their operations as a commercial activity
- training or exhibiting animals for sporting purposes - for example, horse racing and greyhound racing
- exhibiting wild animals within a licensed circus (under the Wild Animals in Circuses Act 2019, wild animals must not be exhibited or used in a performance as part of a travelling circus in England)
- zoos that already have a specific zoo licence

More information on keeping or training animals for exhibition is available on the GOV.UK website.

Other requirements

Alongside the five licensable activities, there are a number of other requirements.

Microchipping and identification

In some cases, the licence holder, in the absence of the owner, may be deemed to be the keeper of an animal under their care; in these cases, they have a legal responsibility to ensure that an animal in their care has the correct (and up to date) identification and associated documentation. For example, cats and dogs need to be microchipped, in accordance with the Microchipping of Cats and Dogs (England) Regulations 2023, whilst equines will need to be identified and passports made available, in accordance with the Equine Identification (England) Regulations 2018.

Livestock may be subject to the licensable activity of keeping or training animals for exhibition. Different identification, record keeping and movement reporting requirements apply to individual livestock species. There is no exemption for livestock used in exhibition; they are agricultural species that can catch the same diseases as commercial livestock herds (even if you only have one animal) and are therefore subject to the same controls and regulations. If you need further advice, please contact your local authority.

For more information on identification requirements, please see the following guides:

- 'Cattle identification'
- 'Goats: identification, records and movement'
- 'Sheep: identification, records and movement'
- 'Horse passports'
- 'Identification and movement of pigs'

Importation of animals

The Rabies (Importation of Dogs, Cats and Other Mammals) Order 1974 prohibits entry of rabies-susceptible animals into Great Britain unless issued with an import licence by the Animal and Plant Health Agency (APHA).

The Department for Environment, Food and Rural Affairs (Defra) has produced guidance on these controls for rabies-susceptible animals, which is available on the GOV.UK website.

The Non-Commercial Movement of Pet Animals Order 2011 states that pet dogs, cats and ferrets are not subject to the requirements of the Rabies (Importation of Dogs, Cats and Other Mammals) Order 1974, providing that certain rules are adhered to. For more information, see the GOV.UK website guidance on the movement of pets.

Separate requirements apply to commercial imports of live animals. More information on importing live animals or animal products is available on the GOV.UK website. See also 'Importing animals'.

Welfare in transport

Animals transported as part of a business must be fit for the journey and must not suffer unduly during it.

The means of transport must be appropriate for the species concerned. Please see 'Welfare of animals during transport'.

Animal Welfare Act

The general conditions that businesses must meet in order to obtain an animal activity licence are based on the welfare needs set out in the Animal Welfare Act 2006 (see 'The licensing of activities involving animals' above).

If you are the owner or the person responsible for an animal, you must comply with the Animal Welfare Act 2006. This Act places a duty on anyone that owns or is responsible for an animal (even on a temporary basis) to ensure that the welfare needs of the animal are met and no animal suffers unnecessarily.

Certain acts are prohibited - for example:

- mutilation
- docking the tail of a dog (except where legally permitted, such as removal of the tail by a vet for medical reasons or for certain breeds of working dogs)

The legislation applies to pets (mammals, birds, reptiles, amphibians and fish) and farmed livestock such as cattle, sheep, goats, pigs, poultry and horses.

More information on animal welfare is available on the GOV.UK website.

Dangerous wild animals

The wild animals covered by the Dangerous Wild Animals Act 1976 require specialised care and accommodation, and the licensing process ensures that both the animals' welfare and the safety of the keeper and the wider public will be protected.

A licence is required to keep some animals. For example:

- wild cats
- primates
- wild dogs - for example, wolves
- certain pigs, such as wild boar
- marsupials

The following are exempt from requiring a dangerous wild animal licence:

- licensed zoos
- circuses
- the selling of animals as pets licensed under the Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018
- a place that has a certificate issued under the Animals (Scientific Procedures) Act 1986, designating it as a scientific procedure establishment, a breeding establishment or a supplying establishment

More information on the licensing of dangerous wild animals, including a full list of animals for which a licence is required, is available on the GOV.UK website.

Your responsibilities

You have legal responsibilities under the Digital Markets, Competition and Consumers Act 2024 (for business-to-consumer contracts) and the Business Protection from Misleading Marketing Regulations 2008 (for business-to-business contracts).

If you are selling animals, it is your responsibility to ensure that any form of representation (including advertising) made in connection with the sale, in order to promote the supply or transfer of ownership, is true.

Representation includes such things as the identity of the animal, its identification records, date of birth, pedigree certificate, breeding records, health status, history and any description you apply to it.

All information given by you or in any document must be true. It is a criminal offence to mislead.

It is an offence for a business to mislead by pretending to be a private seller to avoid their legal obligations. If you are in business and selling animals, you must declare (for example, in advertisements or when negotiating a sale) that you are a business or connected to a business.

For more information, please see 'Buying and selling livestock'.

Further information

Guidance documents on specific conditions for each licensable activity should be read in conjunction with key legislation.

Guidance on wild animal performance and exhibition is available on the GOV.UK website.

Trading Standards

For information on the work of Trading Standards services - and the possible consequences of not abiding by the law - please see 'Trading Standards: powers, enforcement and penalties'.

In this update

Changes made to reflect the coming into force of the Digital Markets, Competition and Consumers Act 2024 (Part 4, Chapter 1: 'Protection from unfair trading').

Last reviewed / updated: April 2025

Key legislation

- Rabies (Importation of Dogs, Cats and Other Mammals) Order 1974
- Dangerous Wild Animals Act 1976
- Animal Health Act 1981
- Animals (Scientific Procedures) Act 1986
- Animal Welfare Act 2006
- Business Protection from Misleading Marketing Regulations 2008

- Aquatic Animal Health (England and Wales) Regulations 2009
- Equality Act 2010
- Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018
- Equine Identification (England) Regulations 2018
- Microchipping of Cats and Dogs (England) Regulations 2023
- Digital Markets, Competition and Consumers Act 2024

Please note

This information is intended for guidance; only the courts can give an authoritative interpretation of the law.

The guide's 'Key legislation' links go to the legislation.gov.uk website. The site usually updates the legislation to include any amendments made to it. However, this is not always the case. Information on all changes made to legislation can be found by following the above links and clicking on the 'More Resources' tab.

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