

Cats and the law



CATS PROTECTION
ESSENTIAL GUIDES



Much of the law in relation to animals has now been consolidated in the Animal Welfare Act 2006 which applies in England and Wales and in the Animal Health & Welfare (Scotland) Act 2006 which applies in Scotland. This leaflet also refers to other legislation which remains relevant.

Animal Welfare Act 2006

This Act is aimed at preventing cruelty, and promoting and ensuring the welfare of animals.

The Act applies to both domestic and feral cats. In addition to cruelty offences, the Act places an obligation on owners and those responsible for cats (eg cattery owners) to ensure that the welfare needs of their cats are met. These include the need:

- for a suitable environment (place to live)
- for a suitable diet
- to exhibit normal behaviour patterns
- to be housed with, or apart from, other animals
- to be protected from pain, suffering, injury and disease

The penalties for committing an offence of cruelty, or for failing to provide for an animal's welfare needs, include a ban from owning animals, a fine of up to £20,000 or, in some cases, a six-month prison sentence.

The Act also increases the minimum age at which anyone can buy an animal to 16.

Animal Health and Welfare (Scotland) Act 2006

The Scottish Act mirrors many of the provisions of the Animal Welfare Act 2006 but with some differences. For example, the Scottish Act retains the offence of abandonment, whereas in England and Wales this is covered by the cruelty offences and the duty to ensure welfare.

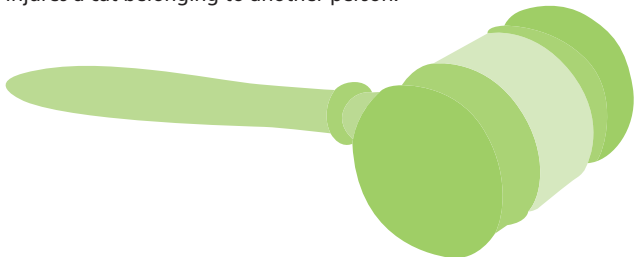
Theft Act 1968

Cats are regarded in law as the 'property' of their owner. The theft of a cat is treated as an offence under the Act in the same way as theft of any other property.

A cat that is lost or has strayed is generally regarded as the property of the original owner. It is therefore necessary to make all reasonable endeavours to locate the original owner whenever possible.

Criminal Damage Act 1971

Because the law regards cats as property, an offence may be committed under this Act if a person, without lawful excuse, kills or injures a cat belonging to another person.



Animal Act 1971 and the Common Law Duty of Care

It is a commonly-held view that cats have a 'right to roam' wherever they wish. This view is largely based upon the fact that certain duties imposed upon the owners of dogs and livestock to keep their animals under control (Road Traffic, Highways and Dangerous Dogs Acts) do not apply to cat owners. The law in these respects recognises that, by their nature, cats are less likely than some other animals to cause injury to people or damage to property.

However, cat owners do have a general duty at law to take reasonable care to ensure that their cats do not cause injury to people or damage to property. In practice, cases involving damage to property or injury to people by cats are few and far between.

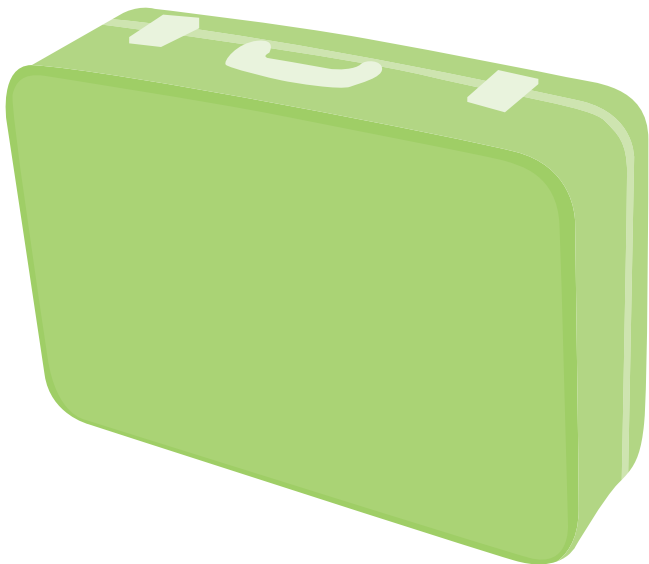
Planning and Environmental Law

If large numbers of cats are kept at a domestic residence, the Local Planning Authority may consider that the number of cats is not incidental to the ordinary use and enjoyment of the residential property. They may require the owner or occupier to make a planning application for a change of use. If this is not granted then the owner or occupier may be required to reduce the number of cats kept at the property.

In addition, Environmental Health Departments have powers under the Environmental Protection Act, 1990 in respect of nuisance or hazards (eg fouling, smell and noise) caused as a result of too many cats being kept at a single property.

Pet Travel Schemes (PETS)

The Pet Travel Scheme (PETS) allows cats to travel between EU countries and some other countries without quarantine in certain situations. More information about PETS can be obtained from DEFRA – visit www.defra.gov.uk or phone 0870 2411 710.



This leaflet is one of a range provided by
Cats Protection on issues surrounding cat care.

Cats Protection is the UK's leading feline welfare
charity and helps more than 193,000 cats and kittens
each year. We rely entirely on public generosity to
finance this vital welfare work.

For more information on **adopting a cat,**
volunteering for us or **making a donation,**
visit **www.cats.org.uk**



Cats Protection, National Cat Centre,
Chelwood Gate, Nr Haywards Heath RH17 7TT

Helpline: 03000 12 12 12 Email: cp@cats.org.uk
Web: www.cats.org.uk EG10-2009 **CODE: 4070**

Reg Charity 203644 (England and Wales) and SC037711 (Scotland)