



# Animal Health and Welfare (Scotland) Act 2006 2006 asp 11

## ANIMAL HEALTH AND WELFARE (SCOTLAND) ACT 2006

### PART 1

#### ANIMAL HEALTH

##### *Powers of slaughter*

- 1 Slaughter for preventing spread of disease
- 2 Slaughter of treated animals
- 3 Disease control (slaughter) statement

##### *Prevention of the spread of disease*

- 4 Biosecurity codes
- 5 Tests and samples
- 6 Animal gatherings
- 7 Treatment
- 8 Seizure of carcasses etc.
- 9 Specified diseases

##### *Deliberate infection of animals*

- 10 Deliberate infection of animals

##### *Particular provision for TSE*

- 11 Livestock genotypes: specification, breeding and slaughter

##### *Miscellaneous*

- 12 Powers of entry etc.
- 13 Inspection of vehicles
- 14 Penalties and time limits

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*Changes to legislation:* There are outstanding changes not yet made by the legislation.gov.uk editorial team to Animal Health and Welfare (Scotland) Act 2006. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)

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15 Electronic communication

**PART 2**

ANIMAL WELFARE

*Introductory*

16 Animals to which this Part applies

17 Protected animals

18 Responsibility for animals

*Prevention of harm*

19 Unnecessary suffering

20 Mutilation

21 Cruel operations

22 Administration of poisons etc.

23 Animal fights

*Promotion of welfare*

24 Ensuring welfare of animals

25 Care notices

26 Provision for securing welfare

27 Licensing etc. of activities involving animals

28 Prohibition on keeping certain animals

29 Abandonment

30 Sale of animals to children

31 Offering animals as prizes

*Animals in distress*

32 Taking possession of animals

33 Release orders where animals taken

34 Disposal orders where animals taken

35 Resort to destruction of animals

*Welfare bodies, codes and guidance*

36 Animal welfare bodies

37 Animal welfare codes

38 Animal welfare guidance

*Post-conviction orders*

39 Deprivation orders

40 Disqualification orders

41 Seizure orders where disqualification breached

42 Termination or variation of disqualification

43 Appeals against orders

*Offences and penalties*

44 Proceedings for animal fighting offences

45 Offences by bodies corporate etc.

46 Penalties for offences

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*Exclusions from application of this Part*

47 Exclusions

*Miscellaneous*

- 48 Suffering
- 49 Vets, inspectors and constables
- 50 Premises
- 51 Regulations

**PART 3**

GENERAL

- 52 Modification of enactments
- 53 Ancillary provision
- 54 Crown application
- 55 Commencement and short title

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SCHEDULE 1 — Powers of inspectors and constables for Part 2

*Entry and inspection in connection with Community obligations*

- 1 (1) An inspector may enter and inspect any premises for...

*Entry and search where animals in distress*

- 2 (1) A sheriff or justice of the peace may grant...

*Entry and inspection in connection with offences*

- 3 (1) An inspector may, if there are reasonable grounds for...

*Entry and search etc. in connection with offences*

- 4 (1) A sheriff or justice of the peace may grant...

*Conditions for granting warrants*

- 5 (1) This paragraph is complied with in relation to premises...

*Stopping and detaining vehicles etc.*

- 6 (1) A constable in uniform may stop and detain a...

*Entry and search etc.: supplementary*

- 7 A warrant granted under a provision of this schedule remains...
- 8 (1) A relevant power is exercisable only at a reasonable...
- 9 (1) A relevant power is exercisable, if necessary, by using...
- 10 A person exercising a relevant power must, if required, produce...
- 11 (1) A relevant power includes power to take onto premises—...
- 12 (1) A qualifying person must— (a) comply with any reasonable...
- 13 A person exercising a relevant power in relation to unoccupied...

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*Offences of obstruction*

- 14 (1) A person commits an offence if, without reasonable excuse,...
- 15 (1) A person commits an offence if the person intentionally...

*Powers of constables: supplementary*

- 16 A constable may arrest without warrant any person whom the...
- 17 The powers conferred on constables by this schedule are without...

*Interpretation*

- 18 In this schedule, a “relevant power” is a power—

SCHEDULE 2 — Modification of enactments

*Animal health provisions*

- 1 In section 8 (movement generally) of the Animal Health Act...
- 2 (1) In section 22 (powers of entry etc. for section...
- 3 (1) In section 73(a) (general offences) of that Act, after...
- 4 In section 91 (orders etc.) of that Act, subsection (2)...

*Animal welfare provisions*

- 5 The Protection of Animals (Scotland) Act 1912 (c. 14), except—...
- 6 In the Docking and Nicking of Horses Act 1949 (c....
- 7 In the Protection of Animals (Anaesthetics) Act 1954 (c. 46),...
- 8 (1) Part I of the Agriculture (Miscellaneous Provisions) Act 1968...
- 9 The whole of each of the following Acts is repealed—...

**Changes to legislation:**

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**Changes and effects yet to be applied to :**

- s. 20 excluded by [S.S.I. 2007/256 reg. 3](#)
- s. 39 modified by [S.S.I. 2006/482 art. 4\(1\)\(b\)](#)
- s. 40(11) extended by [S.S.I. 2006/482 art. 4\(1\)\(a\)](#)
- s. 41 extended by [S.S.I. 2006/482 art. 4\(1\)\(c\)](#)
- s. 42(1) extended (with modifications) by [S.S.I. 2006/482 art. 4\(1\)\(d\)](#)

**Changes and effects yet to be applied to the whole Act, associated Parts and Chapters:**

- Blanket amendment text amended by [S.I. 2011/1043 art. 3 6](#)
- Blanket amendment text amended by [S.I. 2011/1043 art. 3 4](#)

**Commencement Orders yet to be applied to the Animal Health and Welfare (Scotland) Act 2006:**

Commencement Orders bringing provisions within this Act into force:

- [S.S.I. 2006/482 art. 2 3](#) commences (2006 asp 11)
- [S.S.I. 2007/257 art. 2](#) commences (2006 asp 11)