



# Animal Health and Welfare (Scotland) Act 2006

2006 asp 11

## PART 2

### ANIMAL WELFARE

#### *Miscellaneous*

#### **48 Suffering**

In this Part, references to suffering include physical or mental suffering.

#### **49 Vets, inspectors and constables**

- (1) In this Part, “veterinary surgeon” means a person registered in the register of veterinary surgeons, or the supplementary veterinary register, kept under the Veterinary Surgeons Act 1966 (c. 36).
- (2) In this Part, an “inspector” is, in the context of any particular provision, a person—
  - (a) appointed as an inspector by the Scottish Ministers, or authorised by them, for the purposes of the provision, or
  - (b) appointed as an inspector by a local authority for the purposes of the provision.
- (3) In subsection (2)(b), a “local authority” means a council constituted under section 2 of the Local Government etc. (Scotland) Act 1994 (c. 39).
- (4) An inspector incurs no civil or criminal liability for anything which the inspector does in purported exercise of any functions conferred on the inspector by a provision of this Part, or by regulations made under this Part, where the inspector acts on reasonable grounds and in good faith.
- (5) Subsection (4) does not affect any liability of any other person in respect of the thing done.
- (6) In this Part, a “constable” means a constable of a police force.

- (7) Schedule 1 makes provision in relation to powers of inspectors and constables for the purposes of and in connection with this Part.

## **50 Premises**

- (1) In this Part, “premises” includes—
- (a) any land or building,
  - (b) any other place, in particular—
    - (i) a vehicle or vessel,
    - (ii) a tent or moveable structure.
- (2) In this Part, “domestic premises”—
- (a) means premises, or a part of premises, used (or used for the time being) exclusively as a dwelling-house, and
  - (b) includes any land or structure belonging to or usually enjoyed with, or adjacent to and for the time being enjoyed with, the house.

## **51 Regulations**

- (1) The powers of the Scottish Ministers to make regulations under this Part are exercisable by statutory instrument.
- (2) And they include power to—
- (a) make such incidental, supplemental, consequential, transitional, transitory or saving provision as the Scottish Ministers consider necessary or expedient for the purposes of or in connection with the regulations,
  - (b) make different provision for different purposes or for different cases or classes of case.
- (3) But a statutory instrument containing regulations under this Part is not made unless a draft of the instrument has been laid before, and approved by resolution of, the Scottish Parliament.