



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

## PART 2

### ANIMAL WELFARE

#### *Introductory*

#### **16 Animals to which this Part applies**

- (1) In this Part, “animal” means a vertebrate other than man.
- (2) But this Part does not apply to an animal while it is in its foetal or embryonic form.
- (3) The Scottish Ministers may by regulations—
  - (a) make provision which—
    - (i) extends the definition of “animal” so as to include invertebrates of any description,
    - (ii) applies instead of subsection (2) as respects any invertebrate so included,
  - (b) amend subsection (2) so as to extend the application of such provisions of this Part as are specified in the regulations to an animal from such earlier stage of its development as is so specified.
- (4) Regulations under subsection (3) may be made only if the Scottish Ministers are satisfied, on the basis of scientific evidence, that creatures of the kind concerned are capable of experiencing pain or suffering.
- (5) Before making regulations under subsection (3), the Scottish Ministers must consult—
  - (a) such persons appearing to them to represent relevant interests, and
  - (b) such other persons,as they consider appropriate.
- (6) In this section—

---

*Status: This is the original version (as it was originally enacted).*

---

“vertebrate” means any creature of the Sub-phylum Vertebrata of the Phylum Chordata,

“invertebrate” means any creature not of that Sub-phylum.