



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

PART 2

ANIMAL WELFARE

Offences and penalties

46 Penalties for offences

- [^{F1}(1) A person who commits an offence under section 19 or 23 is liable—
- (a) on summary conviction, to imprisonment for a term not exceeding 12 months or a fine not exceeding £20,000 (or both),
 - (b) on conviction on indictment, to imprisonment for a term not exceeding 5 years or a fine (or both).]
- (2) A person who commits any other offence under this Part is liable on summary conviction to imprisonment for a term not exceeding 6 months or to a fine not exceeding level 5 on the standard scale or to both.
- (3) A person who commits an offence under regulations made under this Part [^{F2}(other than under regulations made under section 46A)] is liable on summary conviction to such penalties, not exceeding the penalties [^{F3}mentioned in subsection (4)], as are provided for in the regulations.
- [^{F4}(4) The penalties referred to in subsection (4) are imprisonment for a term not exceeding 12 months or a fine not exceeding £40,000 (or both).]

Textual Amendments

- F1** S. 46(1) substituted (30.11.2020) by [Animals and Wildlife \(Penalties, Protections and Powers\) \(Scotland\) Act 2020 \(asp 14\), ss. 1\(2\)\(a\), 22\(2\); S.S.I. 2020/379, reg. 2\(1\), sch. \(with reg. 3\)](#)
- F2** Words in s. 46(3) inserted (30.11.2020) by [Animals and Wildlife \(Penalties, Protections and Powers\) \(Scotland\) Act 2020 \(asp 14\), ss. 1\(2\)\(b\)\(i\), 22\(2\); S.S.I. 2020/379, reg. 2\(1\), sch.](#)

Changes to legislation: There are currently no known outstanding effects for the Animal Health and Welfare (Scotland) Act 2006, Section 46. (See end of Document for details)

- F3** Words in s. 46(3) substituted (30.11.2020) by Animals and Wildlife (Penalties, Protections and Powers) (Scotland) Act 2020 (asp 14), **ss. 1(2)(b)(ii)**, 22(2); S.S.I. 2020/379, reg. 2(1), sch.
- F4** S. 46(4) inserted (30.11.2020) by Animals and Wildlife (Penalties, Protections and Powers) (Scotland) Act 2020 (asp 14), **ss. 1(2)(c)**, 22(2); S.S.I. 2020/379, reg. 2(1), sch.

Commencement Information

- I1** S. 46 in force at 6.10.2006 by S.S.I. 2006/482, **art. 2**

Changes to legislation:

There are currently no known outstanding effects for the Animal Health and Welfare (Scotland) Act 2006, Section 46.