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SCOTTISH STATUTORY INSTRUMENTS

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**2007 No. 519 (C.44)**

**ANIMALS**

ANIMAL WELFARE

**The Animal Welfare Act 2006  
(Commencement No. 1) (Scotland) Order 2007**

*Made - - - - 21st November 2007*

The Scottish Ministers make the following Order in exercise of the power conferred by section 68(2) of the Animal Welfare Act 2006<sup>(1)</sup>.

**Citation and extent**

1.—(1) This Order may be cited as the Animal Welfare Act 2006 (Commencement No. 1) (Scotland) Order 2007.

(2) This Order extends to Scotland only.

**Appointed day**

2. The appointed day for the coming into force of sections 46 to 50 of the Animal Welfare Act 2006 is 12th December 2007.

St Andrew's House, Edinburgh  
21st November 2007

*RICHARD LOCHHEAD*  
A member of the Scottish Executive

## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order brings into force, on 12th December 2007, sections 46 to 50 of the Animal Welfare Act 2006 (“the Act”).

Under section 34 of the Act, where a person is convicted of an offence, in England or Wales, to which that section applies, the convicting court may also disqualify that person from owning or keeping animals, participating in the keeping of animals or being party to an arrangement under which the person is entitled to control or influence the way in which an animal is kept, dealing in animals or from transporting or arranging the transport of animals. Section 46(1) provides for that disqualification to have effect in Scotland.

Section 46(2) provides that breach of a disqualification under section 34 is an offence, the penalty for which is provided in section 46(3).

Sections 47 and 48 make provision for deprivation and seizure orders in connection with offences under section 46(2).

Section 49 makes provision for, and in connection with, appeals against deprivation and seizure orders. Section 50 makes provision for offences in relation to deprivation orders, seizure orders and interim orders.

Section 34 has been commenced in England by the Animal Welfare Act 2006 (Commencement No. 1) (England) Order 2007 (S.I.2007/499 (C.20)) and in Wales by the Animal Welfare Act 2006 (Commencement No. 1) (Wales) Order 2007 (S.I. 2007/1030 (W.97) (C.43)).

Table 1 provides details of the English Commencement Orders. Table 2 provides details of the Welsh Commencement Order.

**TABLE 1**

### NOTE AS TO ENGLISH COMMENCEMENT ORDERS

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No</i>
ss 5(4) and (5) and 6(4) to (6), (8)(b) and (14)	23.3.2007	<a href="#">2007/499</a>
ss 1–4, 5 (partially), 6 (partially), 7, 8(1), (2), (7) and (8), 9 to 12, 13, 17 to 45, 51 to 60, 62, 63, 64 (partially), 65 (partially) and 66, Schs. 1 and 2, 3 (partially) and 4 (partially)	6.4.2007	<a href="#">2007/499</a>
ss. 14 and 15, 65 (partially), Sch. 4 (partially)	1.10.2007	<a href="#">2007/2711</a>

**TABLE 2**

**NOTE AS TO WELSH COMMENCEMENT ORDER**

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No</i>
ss 1 to 7, 8(1), (2), (7) and (8), 9 to 12, 13, 17 to 45, 51 to 60, 62 and 63, 64 (partially), 65 (partially) and 66  Schs. 1 and 2, 3 (partially) and 4 (partially)	27.3.2007	<a href="#">2007/1030</a>