

*These notes refer to the Animal Welfare Act 2006 (c.45)
which received Royal Assent on 8 November 2006*

ANIMAL WELFARE ACT 2006

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

General

Section 59: Fishing

216. This section provides that anything which occurs in the normal course of fishing is not covered by this Act. A fish may be a protected animal if under the control of man. The effect of this exception is that, where a fish is under the control of man in the course of fishing, the Act has no application to anything that happens to the fish in the normal course of fishing. So, for example, whilst they are normal fishing practices the use of livebait and the practice of catch and release will not be subject to the Act.
217. The term 'fishing' should be understood as applying to ordinary activities of fishermen and anglers, and also the ordinary activities of those who own and run stocked ponds in allowing fishing activities to take place on their ponds.