

Changes to legislation: Animal Health and Welfare (Scotland) Act 2006, Cross Heading: Entry and search etc.: supplementary is up to date with all changes known to be in force on or before 25 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

SCHEDULE 1 POWERS OF INSPECTORS AND CONSTABLES FOR PART 2

Entry and search etc.: supplementary

- 7 A warrant granted under a provision of this schedule remains in force for one month beginning with the date on which it was granted.

Commencement Information

I1 Sch. 1 para. 7 in force at 6.10.2006 by [S.S.I. 2006/482](#), [art. 2](#)

- 8 (1) A relevant power is exercisable only at a reasonable time.
(2) Sub-paragraph (1) does not apply if it appears that exercise of the power at a reasonable time would frustrate the purpose of exercising the power.

Commencement Information

I2 Sch. 1 para. 8 in force at 6.10.2006 by [S.S.I. 2006/482](#), [art. 2](#)

- 9 (1) A relevant power is exercisable, if necessary, by using reasonable force.
(2) Sub-paragraph (1) does not apply to a power conferred by paragraph 1 or 3.

Commencement Information

I3 Sch. 1 para. 9 in force at 6.10.2006 by [S.S.I. 2006/482](#), [art. 2](#)

- 10 A person exercising a relevant power must, if required, produce evidence of the person's authority.

Commencement Information

I4 Sch. 1 para. 10 in force at 6.10.2006 by [S.S.I. 2006/482](#), [art. 2](#)

- 11 (1) A relevant power includes power to take onto premises—
(a) such persons for assistance, and
(b) such equipment,
as are required for the purpose of the exercise of the power.
(2) A relevant power includes power to secure the taking of any of the steps mentioned in sub-paragraph (3).
(3) Those steps are—
(a) carrying out tests on, and taking samples from—
(i) an animal (including a carcase of an animal),
(ii) any equipment, substance or other thing,
(b) using a mark, microchip or another method of identifying an animal.

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Commencement Information

I5 Sch. 1 para. 11 in force at 6.10.2006 by [S.S.I. 2006/482](#), [art. 2](#)

- 12 (1) A qualifying person must—
- (a) comply with any reasonable direction made by a person exercising a relevant power, and
 - (b) in particular, give that person such information and assistance as that person reasonably requires.
- (2) In sub-paragraph (1), a “qualifying person” is—
- (a) the occupier of premises in relation to which a relevant power is being exercised,
 - (b) a person who appears to be responsible for animals at the premises,
 - (c) a person who appears to be under the direction or control of a person referred to in paragraph (a) or (b).

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Commencement Information

I6 Sch. 1 para. 12 in force at 6.10.2006 by [S.S.I. 2006/482](#), [art. 2](#)

- 13 A person exercising a relevant power in relation to unoccupied premises must leave the premises as effectively secured against entry as the person found them.

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Commencement Information

I7 Sch. 1 para. 13 in force at 6.10.2006 by [S.S.I. 2006/482](#), [art. 2](#)

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 49(2A) inserted by [2024 asp 4 s. 11\(2\)\(a\)](#)
- s. 51(4) inserted by [2024 asp 4 s. 11\(3\)](#)
- Sch. 1 para. 5A and cross-heading inserted by [2024 asp 4 s. 11\(4\)](#)