



# Animal Health and Welfare (Scotland) Act 2006

2006 asp 11

## PART 2

### ANIMAL WELFARE

#### *Promotion of welfare*

#### **26 Provision for securing welfare**

- (1) The Scottish Ministers may by regulations make provision for the purposes of, and in connection with, securing the welfare of—
- (a) animals for which a person is responsible,
  - (b) the progeny of such animals.
- (2) Regulations under subsection (1) may include, in particular—
- (a) provision prescribing general or specific requirements or prohibitions,
  - (b) provision for enforcement, other than by way of proceedings for an offence, of provisions of the regulations,
  - (c) provision—
    - (i) that breach of a provision of the regulations is an offence,
    - (ii) for penalties as respects the offence,
  - (d) provision for and in connection with post-conviction orders (whether by reference to sections 39 to 43 or otherwise) in relation to an offence under the regulations,
  - (e) provision conferring on persons of a specified description powers of entry, search, inspection and seizure in connection with breaches (and suspected breaches) of provisions of the regulations,
  - (f) provision—
    - (i) that obstructing a person in the exercise of a power conferred by the regulations is an offence,
    - (ii) for penalties as respects the offence,

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*Changes to legislation: There are currently no known outstanding effects for the Animal Health and Welfare (Scotland) Act 2006, Section 26. (See end of Document for details)*

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- (g) provision (whether or not subject to specified conditions) for exemptions from, or qualification to, any requirements, prohibitions or offences provided for in the regulations.
- (3) For the purpose of subsection (2), requirements and prohibitions may, in particular, relate to—
- (a) the prevention of suffering,
  - (b) the way in which animals are looked after and the conditions in which they are kept,
  - (c) the identification of animals (whether by use of marks, microchips or otherwise),
  - (d) the breeding and rearing of animals,
  - (e) how animals are transported,
  - (f) how animals are prepared for killing and are killed,
  - (g) hygiene,
  - (h) the prevention of disease and of the spread of disease,
  - (i) the keeping of records.
- (4) Regulations under subsection (1) may also make provision for fees or other charges in relation to the exercise of functions under the regulations.
- (5) Before making regulations under subsection (1), the Scottish Ministers must consult—
- (a) such persons appearing to them to represent relevant interests, and
  - (b) such other persons,
- as they consider appropriate.

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**Commencement Information**

**II** S. 26 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 26.