



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

PART 2

ANIMAL WELFARE

Animals in distress

[^{F1}32B Decision notice for exercise of powers under section 32A: content

- (1) Before taking a relevant step under section 32A(1), an authorised person must serve a notice (in this section and in sections 32C to 32M, a “decision notice”) specifying—
 - (a) a description of the protected animal,
 - (b) the date on which the animal was taken into possession under section 32,
 - (c) the relevant step that the authorised person intends to take in relation to the animal,
 - (d) the reason for taking that step (including, if the step is to destroy the animal, confirmation that a certificate has been obtained from a veterinary surgeon in accordance with section 32A(4)),
 - (e) how any compensation will be assessed and the process by which it may become payable in accordance with sections 32G to 32K if the step is taken,
 - (f) the effect of section 32L,
 - (g) how service of the decision notice affects rights to apply for court orders under sections 33 and 34,
 - (h) the procedure for appealing to the court in respect of the decision notice and the period within which such an appeal may be made.
- (2) A decision notice which specifies a relevant step mentioned in section 32A(2)(b) need not include any details of the proposed transfer of ownership of the animal other than the fact that such a transfer is proposed.
- (3) The authorised person may choose to include in the decision notice the market value of the animal at the time the animal was taken into possession under section 32.

Changes to legislation: There are currently no known outstanding effects for the Animal Health and Welfare (Scotland) Act 2006, Section 32B. (See end of Document for details)

(4) But see sections 32E(5) and 32F(5) which make further provision for when a decision notice may and may not be served.]

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Textual Amendments

F1 Ss. 32A-32M inserted (30.9.2021) by [Animals and Wildlife \(Penalties, Protections and Powers\) \(Scotland\) Act 2020 \(asp 14\)](#), **ss. 19**, 22(2); S.S.I. 2021/303, reg. 2(c)

Changes to legislation:

There are currently no known outstanding effects for the Animal Health and Welfare (Scotland) Act 2006, Section 32B.