



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

PART 2

ANIMAL WELFARE

Welfare bodies, codes and guidance

37 Animal welfare codes

- (1) The Scottish Ministers may make codes of practice for the purpose of providing practical guidance in respect of any provision made by this Part or by regulations under this Part.
- (2) Before making a code of practice under subsection (1) (in this section referred to as an “animal welfare code”), the Scottish Ministers must consult—
 - (a) such persons appearing to them to represent relevant interests, and
 - (b) such other persons,as they consider appropriate.
- (3) An animal welfare code may—
 - (a) make different provision for different cases or class of case,
 - (b) revise a previous code.
- (4) The Scottish Ministers may by notice revoke, with such transitional or saving provision as they consider to be necessary or expedient, any animal welfare code.
- (5) The Scottish Ministers must, in such manner and to such extent as they consider appropriate, publicise any animal welfare code.
- (6) An animal welfare code—
 - (a) requires to be laid before, and approved by resolution of, the Scottish Parliament, and
 - (b) comes into effect on such date after approval under paragraph (a) as is specified in the code.

Status: This is the original version (as it was originally enacted).

- (7) A notice revoking an animal welfare code—
- (a) requires to be laid before, and approved by resolution of, the Parliament, and
 - (b) revokes the code on such date after approval under paragraph (a) as is specified in the notice.
- (8) A person's failure to comply with a provision of an animal welfare code does not of itself render the person liable to proceedings of any sort.
- (9) In any proceedings for an offence under this Part, or under regulations made under section 26 or 27—
- (a) failure to comply with a relevant provision of an animal welfare code may be relied upon as tending to establish liability,
 - (b) compliance with a relevant provision of an animal welfare code may be relied upon as tending to negative liability.