



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

## PART 2

### ANIMAL WELFARE

#### *Prevention of harm*

#### **20 Mutilation**

- (1) A person commits an offence if the person—
  - (a) carries out a prohibited procedure on a protected animal, or
  - (b) causes a prohibited procedure to be carried out on a protected animal.
- (2) A person (“person A”) who is responsible for an animal commits an offence if—
  - (a) another person carries out a prohibited procedure on the animal, and
  - (b) person A—
    - (i) permits that to happen, or
    - (ii) fails to take such steps (whether by way of supervising the other person or otherwise) as are reasonable in the circumstances to prevent that happening.
- (3) A person commits an offence if the person takes a protected animal, or causes a protected animal to be taken, from a place in Scotland for the purpose of having a prohibited procedure carried out on the animal at a place outwith Scotland.
- (4) In this section, references to the carrying out of a prohibited procedure on an animal are to the carrying out of a procedure which involves interference with the sensitive tissues or bone structure of the animal.
- (5) This section does not apply—
  - (a) in relation to a procedure which is carried out for the purpose of medical treatment of an animal,
  - (b) in relation to a procedure which is carried out—
    - (i) for a purpose which,

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*Changes to legislation: There are currently no known outstanding effects for the Animal Health and Welfare (Scotland) Act 2006, Section 20. (See end of Document for details)*

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- (ii) in such manner as, and
  - (iii) in accordance with such conditions as,  
the Scottish Ministers may by regulations specify, or
  - (c) in such circumstances as the Scottish Ministers may by regulations specify.
- (6) Before making regulations under subsection (5), 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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**Modifications etc. (not altering text)**

- C1** S. 20 excluded (21.3.2007) by [The Prohibited Procedures on Protected Animals \(Exemptions\) \(Scotland\) Regulations 2007 \(S.S.I. 2007/256\)](#), regs. 1, 3

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**Commencement Information**

- I1** S. 20(1)-(3) in force at 30.4.2007 by [S.S.I. 2007/257](#), **art. 2**
- I2** S. 20(4)-(6) 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 20.