



2011 CHAPTER 16

PART 4

ENFORCEMENT

Post-conviction powers

Section 34: supplementary

- 35.**—(1) The court by which an order under section 34 is made may—
- (a) appoint a person to carry out, or arrange for the carrying out of the order;
 - (b) require any person who has possession of an animal to which the order applies to deliver it up to enable the order to be carried out;
 - (c) give directions with respect to the carrying out of the order;
 - (d) confer additional powers (including power to enter premises where an animal to which the order applies is being kept) for the purpose of, or in connection with, the carrying out of the order;
 - (e) order the person subject to disqualification, or another person, to reimburse the expenses of carrying out the order.
- (2) Directions under subsection (1)(c) may—
- (a) specify the manner in which an animal is to be disposed of; or
 - (b) delegate the decision about the manner in which an animal is to be disposed of to a person appointed under subsection (1)(a).
- (3) In determining how to exercise its powers under section 34 and this section, the court must have regard, amongst other things, to—

- (a) the desirability of protecting the value of any animal to which the order applies, and
 - (b) the desirability of avoiding increasing any expenses which a person may be ordered to reimburse.
- (4) In determining how to exercise a power delegated under subsection (2)(b), a person must have regard, amongst other things, to the things mentioned in subsection (3)(a) and (b).
- (5) If the owner of an animal ordered to be disposed of under section 34 is subject to a liability by virtue of subsection (1)(e), any amount to which the owner is entitled as a result of sale of the animal may be reduced by an amount equal to that liability.