

## **EXPLANATORY NOTES**

### **ANIMAL WELFARE ACT 2006**

#### **INTRODUCTION**

#### **BACKGROUND**

#### **OVERVIEW**

#### **TERRITORIAL EXTENT**

#### **TERRITORIAL APPLICATION: WALES**

#### **APPLICATION TO THE SEA**

#### **COMMENTARY ON SECTIONS**

##### **Introductory**

Section 1: Animals to which the Act applies

Section 2: “Protected animal”

Section 3: Responsibility for animals

##### **Prevention of harm**

Section 4: Unnecessary suffering

Section 5: Mutilation

Section 6: Docking of dogs’ tails

Section 7: Administration of poisons etc.

Section 8: Fighting etc.

##### **Promotion of welfare**

Section 9: Duty of person responsible for animal to ensure welfare

Section 10: Improvement notices

Section 11: Transfer of animals by way of sale or prize to persons under 16

Section 12: Regulations to promote welfare

##### **Licensing and registration**

Section 13: Licensing or registration of activities involving animals

### **Codes of practice**

Section 14: Codes of practice

Section 15: Making and approval of codes of practice: England

Section 16: Making of codes of practice: Wales

Section 17: Revocation of codes of practice

### **Animals in distress**

Section 18: Powers in relation to animals in distress

Section 19: Powers of entry for section 18 purposes

Section 20: Orders in relation to animals taken under section 18(5)

Section 21: Orders under section 20: appeals

### **Enforcement Powers**

Section 22: Seizure of animals involved in fighting offences

Section 23: Entry and search under warrant in connection with offences

Section 24: Entry for purposes of arrest

Section 25: Inspection of records required to be kept by holder of licence

Section 26: Inspection in connection with licences

Section 27: Inspection in connection with registration

Section 28: Inspection of farm premises

Section 29: Inspection relating to Community obligations

### **Prosecutions**

Section 30: Power of local authority to prosecute offences

Section 31: Time limits for prosecutions

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Section 32: Imprisonment or fine

Section 33: Deprivation

Section 34: Disqualification

Section 35: Seizure of animals in connection with disqualification

Section 36: Section 35: supplementary

Section 37: Destruction in the interests of the animal

Section 38: Destruction of animals involved in fighting offences

Section 39: Reimbursement of expenses relating to animals involved in fighting offences

Section 40: Forfeiture of equipment used in offences

Section 41: Orders under section 33, 35, 37, 38 or 40: pending appeals

Section 42: Orders with respect to licences

Section 43: Termination of disqualification under section 34 or 42

Section 44: Orders made on conviction for reimbursement of expenses

Section 45: Orders for reimbursement of expenses: right of appeal for non-offenders

### **Scotland**

Section 46: Effect in Scotland of disqualification under section 34

Section 47: Deprivation orders in connection with offence under section 46(2)

Section 48: Seizure orders where disqualification breached: Scotland

Section 49: Appeals against deprivation orders and seizure orders

Section 50: Deprivation orders, seizure orders and interim orders: offences

### **General**

Section 51: Inspectors

Section 52: Conditions for grant of warrant

Section 53: Powers of entry, inspection and search: supplementary

Section 54: Power to stop and detain vehicles

Section 55: Power to detain vessels, aircraft and hovercraft

Section 56: Obtaining of documents in connection with carrying out orders etc.

Section 57: Offences by bodies corporate

Section 58: Scientific research

Section 59: Fishing

Section 60: Crown application

Section 61: Orders and regulations

Section 66: Transition

*These notes refer to the Animal Welfare Act 2006 (c.45)*

Schedule 1- Regulations under section 13

Schedule 2 - Powers of entry, inspection and search: supplementary

## **CONCLUDING SECTIONS**

**Commencement**

## **HANSARD REFERENCES**