

*These notes refer to the Animal Welfare Act 2006 (c.45)
which received Royal Assent on 8 November 2006*

ANIMAL WELFARE ACT 2006

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Scotland

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

184. This section gives a Scottish court power to deprive a person of ownership or possession (or both) and order disposal of an animal to which a conviction under section 46(2) for breach of a disqualification order relates.
185. *Subsection (2)* gives the court power not only to deprive a person of ownership or possession of the animal but also to order that the animal be disposed of, including destruction or sale.
186. *Subsection (6)* gives the court ancillary powers when making a deprivation order, such as the power to appoint a person to carry it out, and a power to require the person in possession of the animal to give it up. *Subsection (7)* provides that these powers may include a provision ordering the convicted person to reimburse the expenses of the person carrying it out, and a provision depriving the convicted person of the proceeds of the animal's disposal.
187. *Subsection (8)* stipulates that destruction of the animal may only be ordered where it is in the animal's interests.