

*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

Animals in distress

Section 21: Orders under section 20: appeals

106. Where a court has made an order under section 20(1) in relation to an animal, section 21(1) allows the animal's owner to appeal to the Crown Court against the order.
107. *Subsection (2)* suspends the operation of orders made under section 20(1) until the possibility of a successful appeal has expired. *Subsection (3)* provides that if an order is suspended under *subsection (2)*, the court may, nevertheless, give directions as to how the animal(s) should be dealt with during the suspension. *Subsection (4)* gives examples of the kinds of directions the court may give under *subsection (3)(b)* to provide for the animal's welfare pending the determination of the appeal.
108. *Subsection (5)* also allows the animal's owner a right of appeal where the court has refused to grant an order which he has applied for. So if the court, for example, refuses to return the animal, the owner can appeal against that decision.
109. *Subsection (6)* provides that a person against whom an order for the reimbursement of expenses is made under section 20(5) shall also have a right of appeal to the Crown Court.