

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

# ANIMAL WELFARE ACT 2006

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## EXPLANATORY NOTES

### COMMENTARY ON SECTIONS

#### *Post-Conviction Powers*

#### *Section 36: Section 35: supplementary*

158. *Subsection (1)* sets out powers of the court when it makes an order under section 35. These include appointing a person to carry out the order and a power to give directions concerning the carrying out of the order. It can also provide that the owner of the animal or any other person the court thinks fit must reimburse costs incurred, and can confer additional powers, including powers of entry, on the person appointed to carry out the order.
159. *Subsection (2)* clarifies the extent of the court's powers to give directions under *subsection (1)*. It includes delegating the decision on the method of disposal to the person appointed by the court under *subsection (1)*.
160. *Subsections (3) and (4)* require the court and the person carrying out the order to have regard to protecting the value of the animal and to limiting the costs which may be payable under a reimbursement order under *subsection (1)(e)*. If a reimbursement order is made against an owner for the costs of carrying out a section 35 order, *subsection (5)* allows the amount to be deducted from any amount due to the owner from sale of the animal.