

*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 40: Forfeiture of equipment used in offences***

171. This section gives the court power, where a person is convicted of an offence under sections 4, 5, 6(1) or (2), 7 or 8, to order equipment that it considers to have been used in the offences for which the offender has been convicted to be forfeited and destroyed (or otherwise dealt with).
172. *Subsection (3)* provides that a court shall not order the forfeiture of any equipment if the owner, or someone claiming an interest in it, has applied to the court to be heard, and has not already had the opportunity to show cause why the forfeiture order should not be made.