



Animal Welfare (Service Animals) Act 2019

2019 CHAPTER 15

1 Harming a service animal

- (1) The Animal Welfare Act 2006 is amended as follows.
- (2) In section 4 (offence of causing unnecessary suffering to a protected animal), after subsection (3) insert—
- “(3A) In determining for the purposes of subsection (1) whether suffering is unnecessary in a case where it was caused by conduct for a purpose mentioned in subsection (3)(c)(ii), the fact that the conduct was for that purpose is to be disregarded if—
- (a) the animal was under the control of a relevant officer at the time of the conduct,
 - (b) it was being used by that officer at that time, in the course of the officer's duties, in a way that was reasonable in all the circumstances, and
 - (c) that officer is not the defendant.
- (3B) In subsection (3A) “relevant officer” means—
- (a) a constable;
 - (b) a person (other than a constable) who has the powers of a constable or is otherwise employed for police purposes or is engaged to provide services for police purposes;
 - (c) a prisoner custody officer within the meaning of Part 4 of the Criminal Justice Act 1991.
- (3C) The Secretary of State may by regulations amend subsection (3B).
- Only a person in the public service of the Crown may be specified in subsection (3B) by virtue of regulations under this subsection.”
- (3) In section 61(2) (regulations subject to affirmative resolution procedure), after “section 1(3),” insert “ 4(3C), ”.

Changes to legislation:

There are currently no known outstanding effects for the Animal Welfare (Service Animals) Act 2019, Section 1.