

Animal Health and Welfare (Scotland) Act 2006 2006 asp 11

ANIMAL HEALTH AND WELFARE (SCOTLAND) ACT 2006

PART 1

ANIMAL HEALTH

Powers of slaughter

- 1 Slaughter for preventing spread of disease
- 2 Slaughter of treated animals
- 3 Disease control (slaughter) statement

Prevention of the spread of disease

- 4 Biosecurity codes
- 5 Tests and samples
- 6 Animal gatherings
- 7 Treatment
- 8 Seizure of carcases etc.
- 9 Specified diseases

Deliberate infection of animals

10 Deliberate infection of animals

Particular provision for TSE

11 Livestock genotypes: specification, breeding and slaughter

Miscellaneous

- 12 Powers of entry etc.
- 13 Inspection of vehicles
- 14 Penalties and time limits

15 Electronic communication

PART 2

ANIMAL WELFARE

Introductory

- 16 Animals to which this Part applies
- 17 Protected animals
- 18 Responsibility for animals

Prevention of harm

- 19 Unnecessary suffering
- 20 Mutilation
- 21 Cruel operations
- 22 Administration of poisons etc.
- 23 Animal fights

Promotion of welfare

- 24 Ensuring welfare of animals
- 25 Care notices
- 26 Provision for securing welfare
- 27 Licensing etc. of activities involving animals
- 28 Prohibition on keeping certain animals
- 29 Abandonment
- 30 Sale of animals to children
- 31 Offering animals as prizes

Animals in distress

- 32 Taking possession of animals
- 32A Powers of authorised person where animal taken into possession
- 32B Decision notice for exercise of powers under section 32A: content
- 32C Decision notice: service
- 32D Appeal to the court in respect of decision notice
- 32E Effect of decision notice on applications under section 33
- 32F Effect of decision notice on applications under section 34
- 32G Compensation notice for exercise of powers under section 32A
- 32H Compensation amount
- 32I Application of proceeds of sale
- 32J Appeal to court in respect of compensation amount
- 32K Payment of compensation amount
- 32L Forfeiture of compensation
- 32M Modification of powers over animals
 - 33 Release orders where animals taken
 - 34 Disposal orders where animals taken
 - 35 Resort to destruction of animals

Welfare bodies, codes and guidance

- 36 Animal welfare bodies
- 37 Animal welfare codes
- 38 Animal welfare guidance

Post-conviction orders

- 39 Deprivation orders
- 40 Disgualification orders
- 41 Seizure orders where disqualification breached
- 42 Termination or variation of disqualification
- 42A Disqualification orders: record of reasons
 - 43 Appeals against orders

Offences and penalties

- 44 Proceedings for animal fighting offences
- 45 Offences by bodies corporate etc.
- 46 Penalties for offences
- 46A Fixed penalty notices for certain offences

Exclusions from application of this Part

47 Exclusions

Miscellaneous

- 48 Suffering
- 49 Vets, inspectors and constables
- 50 Premises
- 51 Regulations

PART 3

GENERAL

- 52 Modification of enactments
- 53 Ancillary provision
- 54 Crown application
- 55 Commencement and short title

SCHEDULE 1 — Powers of inspectors and constables for Part 2

Entry and inspection in connection with an obligation under assimilated law

1 (1) An inspector may enter and inspect any premises for...

Entry and search where animals in distress

2 (1) A sheriff or justice of the peace may grant...

Entry and inspection in connection with offences

3 (1) An inspector may, if there are reasonable grounds for...

Entry and search etc. in connection with offences

4 (1) A sheriff or justice of the peace may grant...

Conditions for granting warrants

5 (1) This paragraph is complied with in relation to premises...

Stopping and detaining vehicles etc.

6 (1) A constable in uniform may stop and detain a...

Entry and search etc.: supplementary

- 7 A warrant granted under a provision of this schedule remains...
- 8 (1) A relevant power is exercisable only at a reasonable...
- 9 (1) A relevant power is exercisable, if necessary, by using...
- 10 A person exercising a relevant power must, if required, produce...
- 11 (1) A relevant power includes power to take onto premises—...
- 12 (1) A qualifying person must— (a) comply with any reasonable...
- 13 A person exercising a relevant power in relation to unoccupied...

Offences of obstruction

- 14 (1) A person commits an offence if, without reasonable excuse,...
- 15 (1) A person commits an offence if the person intentionally...

Powers of constables: supplementary

- 16 A constable may arrest without warrant any person whom the...
- 17 The powers conferred on constables by this schedule are without...

Interpretation

18 In this schedule, a "relevant power" is a power—

SCHEDULE 2 — Modification of enactments

Animal health provisions

- 1 In section 8 (movement generally) of the Animal Health Act...
- 2 (1) In section 22 (powers of entry etc. for section...
- 3 (1) In section 73(a) (general offences) of that Act, after...
- 4 In section 91 (orders etc.) of that Act, subsection (2)...

Animal welfare provisions

- 5 The Protection of Animals (Scotland) Act 1912 (c. 14), except-...
- 6 In the Docking and Nicking of Horses Act 1949 (c....
- 7 In the Protection of Animals (Anaesthetics) Act 1954 (c. 46),...
- 8 (1) Part I of the Agriculture (Miscellaneous Provisions) Act 1968...
- 9 The whole of each of the following Acts is repealed—...

Changes to legislation:

There are currently no known outstanding effects for the Animal Health and Welfare (Scotland) Act 2006.