

These notes relate to the Animal Health and Welfare (Scotland) Act 2006 (asp 11) which received Royal Assent on 11 July 2006

ANIMAL HEALTH AND WELFARE (SCOTLAND) ACT 2006

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 1 – Animal Health

Section 14 – Penalties and time limits

87. Section 14 of the Act (substituting section 75 of the 1981 Act) revises and brings up-to-date the penalties (financial and/or custodial) for existing animal health offences committed under the 1981 Act and for the new offences detailed in the Act where a penalty is not specified by any other provision of the 1981 Act.
88. Subsection (2) provides that a person who commits an offence is liable on summary conviction to imprisonment up to 6 months or to a fine up to level 5 (currently £5000) on the standard scale or to both.
89. Subsection (3) extends the time limits within which prosecutions for offences under the 1981 Act can be brought. It provides that proceedings may be brought within the period of 6 months from the date on which evidence of that offence came to the knowledge of the prosecutor, provided this is within 3 years of the date on which the offence was committed (subsection (4)).
90. Subsection (5) provides clarification in the case of continuous contravention. Subsection (6) explains when proceedings are to be deemed to have started