

*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 2 – Animal Welfare

Section 20 – Mutilation

109. This section prohibits the mutilation of any protected animal unless the purpose of the mutilation is medical treatment or the procedure is one carried out in accordance with regulations made by Scottish Ministers or in circumstances specified by Scottish Ministers Subsection (6) imposes a duty on the Scottish Ministers to consult interested persons before making regulations under this section.
110. Subsection (3) makes it an offence to take (or cause another person to take) a “protected animal” from Scotland for the purpose of having a “prohibited procedure” undertaken.
111. Prohibited procedures are those which involve interference with the sensitive tissues or bone structure of the animal, for example, tail docking, castration and dehorning. Subsection (5)(b) provides that this section does not apply to certain procedures to be specified in regulations. It is intended that normal farming practices (such as castration of lambs) will be permitted under regulations made under this section.
112. The definition of “prohibited procedure” in subsection (4) is based on the definition of “mutilation” adopted by Royal College of Veterinary Surgeons.