



Animal Health and Welfare (Scotland) Act 2006

2006 asp 11

PART 2

ANIMAL WELFARE

Prevention of harm

23 Animal fights

- (1) A person commits an offence if the person—
 - (a) keeps or trains an animal for an animal fight, or
 - (b) possesses, without lawful authority or reasonable excuse, any equipment which is designed or adapted for use at an animal fight.
- (2) A person commits an offence if the person—
 - (a) causes an animal fight to take place,
 - (b) arranges an animal fight,
 - (c) participates in making, or carrying out, arrangements for an animal fight (including allowing premises to be used for, or charging admission to attend, an animal fight),
 - (d) makes or accepts a bet on the outcome of an animal fight or on the likelihood of anything occurring (or not occurring) in the course of an animal fight, or
 - (e) takes part in an animal fight.
- (3) A person commits an offence if, without lawful authority or reasonable excuse, the person is present at an animal fight.
- (4) A person commits an offence if the person—
 - (a) supplies a video recording of an animal fight,
 - (b) publishes a video recording of an animal fight,
 - (c) shows a video recording of an animal fight to another person, or
 - (d) possesses a video recording of an animal fight with the intention of supplying it to another person.

- (5) Subsection (4) does not apply if the video recording is of an animal fight which took place—
- (a) outwith Great Britain, or
 - (b) before the date on which this subsection comes into force.
- (6) Subsection (4) does not apply—
- (a) in relation to anything done—
 - (i) for the purpose of, or
 - (ii) by means of,
the inclusion of a video recording in a programme service,
 - (b) in relation to anything done for the purposes of or in connection with law enforcement (including for the education or training of persons involved in law enforcement), or
 - (c) in relation to anything done in the course of any other lawful activity in so far as the thing is done in the public interest or with a view to the public interest being served.
- (7) For the purposes of subsections (4) to (6)—
- (a) the expression “programme service” has the same meaning as in the Communications Act 2003 (c. 21),
 - (b) the expression “video recording” means a recording, in any form, from which a moving image may by any means be reproduced (and includes data stored on a computer disc or by other electronic means which is capable of conversion into a moving image),
 - (c) references to supplying or publishing a video recording are to supplying or publishing a video recording in any manner (including, in relation to a video recording in the form of data recorded electronically, by means of transmitting such data),
 - (d) references to showing a video recording are to showing a moving image reproduced from a video recording by any means.
- (8) Any reference in this Part to an animal in relation to which an offence was committed includes, in the case of an offence under this section, an animal involved in the animal fight concerned.
- (9) In this section, an “animal fight” is an occasion on which a protected animal is placed with an animal, or with a human, for the purpose of fighting, wrestling or baiting.