



2011 CHAPTER 16

PART 4

ENFORCEMENT

*Post-conviction powers*

**Disqualification**

**33.—(1)** If a person is convicted of an offence to which this section applies, the court by or before which that person is convicted may, instead of or in addition to dealing with that person in any other way, make an order disqualifying that person under any one or more of subsections (2) to (4) for such period as it thinks fit.

(2) Disqualification under this subsection disqualifies a person—

- (a) from owning animals,
- (b) from keeping animals,
- (c) from participating in the keeping of animals, and
- (d) from being party to an arrangement under which that person is entitled to control or influence the way in which animals are kept.

(3) Disqualification under this subsection disqualifies a person from dealing in animals.

(4) Disqualification under this subsection disqualifies a person—

- (a) from transporting animals, and
- (b) from arranging for the transport of animals.

(5) Disqualification under subsection (2), (3) or (4) may be imposed in relation to animals generally, or in relation to animals of one or more kinds.

(6) The court by which an order under subsection (1) is made may specify a period during which the offender may not make an application under section 42(1) for termination of the order.

(7) The court by which an order under subsection (1) is made may—

- (a) suspend the operation of the order pending an appeal; or
- (b) where it appears to the court that the offender owns or keeps an animal to which the order applies, suspend the operation of the order, and of any order made under section 34 in connection with the disqualification, for such period as it thinks necessary for enabling alternative arrangements to be made in respect of the animal.

(8) Where a court decides not to make an order under subsection (1) in relation to an offender, it must state its reasons for the decision.

(9) A person who breaches a disqualification imposed by an order under subsection (1) commits an offence.

(10) This section applies to an offence under any of sections 4, 5, 6(1), (2), (11) and (15), 7, 8(1) and (2), 9, 10(6), 12(6) and 14 and subsection (9) of this section.