



Animal Welfare Act 2006

2006 CHAPTER 45

Codes of practice

14 Codes of practice

- (1) The appropriate national authority may issue, and may from time to time revise, codes of practice for the purpose of providing practical guidance in respect of any provision made by or under this Act.
- (2) The authority responsible for issuing a code of practice under subsection (1) shall publish the code, and any revision of it, in such manner as it considers appropriate.
- (3) A person's failure to comply with a provision of a code of practice issued under this section shall not of itself render him liable to proceedings of any kind.
- (4) In any proceedings against a person for an offence under this Act or an offence under regulations under section 12 or 13—
 - (a) failure to comply with a relevant provision of a code of practice issued under this section may be relied upon as tending to establish liability, and
 - (b) compliance with a relevant provision of such a code of practice may be relied upon as tending to negative liability.

15 Making and approval of codes of practice: England

- (1) Where the Secretary of State proposes to issue (or revise) a code of practice under section 14, he shall—
 - (a) prepare a draft of the code (or revised code),
 - (b) consult about the draft such persons appearing to him to represent any interests concerned as he considers appropriate, and
 - (c) consider any representations made by them.
- (2) If following consultation under subsection (1) the Secretary of State decides to proceed with a draft (either in its original form or with such modifications as he thinks fit), he shall lay a copy of it before Parliament.

- (3) If, within the 40-day period, either House of Parliament resolves not to approve a draft laid under subsection (2), the Secretary of State shall take no further steps in relation to it.
- (4) If, within the 40-day period, neither House resolves not to approve a draft laid under subsection (2), the Secretary of State shall issue (or revise) the code in the form of the draft.
- (5) A code (or revised code) shall come into force on such day as the Secretary of State may by order appoint.
- (6) Subsection (3) does not prevent a new draft of a code (or revised code) from being laid before Parliament.
- (7) An order under subsection (5) may include transitional provision or savings.
- (8) In this section, “the 40-day period”, in relation to a draft laid under subsection (2), means—
 - (a) if the draft is laid before the Houses on different days, the period of 40 days beginning with the later of the two days, and
 - (b) in any other case, the period of 40 days beginning with the day on which the draft is laid before each House,no account being taken of any period during which Parliament is dissolved or prorogued or during which both Houses are adjourned for more than four days.

16 Making of codes of practice: Wales

- (1) Where the National Assembly for Wales proposes to issue (or revise) a code of practice under section 14, it shall—
 - (a) prepare a draft of the code (or revised code),
 - (b) consult about the draft such persons appearing to it to represent any interests concerned as it considers appropriate, and
 - (c) consider any representations made by them.
- (2) The Assembly may issue (or revise) a code either in the form of the draft prepared under subsection (1)(a) or with such modification as it thinks fit.
- (3) A code (or revised code) shall come into force in accordance with its provisions.
- (4) A code (or revised code) may include transitional provision or savings.

17 Revocation of codes of practice

- (1) The appropriate national authority may by order revoke a code of practice issued by it under section 14.
- (2) An order under subsection (1) may include transitional provision or savings.
- (3) Before making an order under subsection (1), the appropriate national authority shall consult such persons appearing to the authority to represent any interests concerned as the authority considers appropriate.
- (4) Subsection (3) does not apply in relation to an order revoking a code of practice in connection with its replacement by a new one.