



Animal Welfare Act 2006

2006 CHAPTER 45

Introductory

1 Animals to which the Act applies

- (1) In this Act, except subsections (4) and (5), “animal” means a vertebrate other than man.
- (2) Nothing in this Act applies to an animal while it is in its foetal or embryonic form.
- (3) The appropriate national authority may by regulations for all or any of the purposes of this Act—
 - (a) extend the definition of “animal” so as to include invertebrates of any description;
 - (b) make provision in lieu of subsection (2) as respects any invertebrates included in the definition of “animal”;
 - (c) amend subsection (2) to extend the application of this Act to an animal from such earlier stage of its development as may be specified in the regulations.
- (4) The power under subsection (3)(a) or (c) may only be exercised if the appropriate national authority is satisfied, on the basis of scientific evidence, that animals of the kind concerned are capable of experiencing pain or suffering.
- (5) In this section, “vertebrate” means any animal of the Sub-phylum Vertebrata of the Phylum Chordata and “invertebrate” means any animal not of that Sub-phylum.

2 “Protected animal”

An animal is a “protected animal” for the purposes of this Act if—

- (a) it is of a kind which is commonly domesticated in the British Islands,
- (b) it is under the control of man whether on a permanent or temporary basis, or
- (c) it is not living in a wild state.

3 Responsibility for animals

- (1) In this Act, references to a person responsible for an animal are to a person responsible for an animal whether on a permanent or temporary basis.
- (2) In this Act, references to being responsible for an animal include being in charge of it.
- (3) For the purposes of this Act, a person who owns an animal shall always be regarded as being a person who is responsible for it.
- (4) For the purposes of this Act, a person shall be treated as responsible for any animal for which a person under the age of 16 years of whom he has actual care and control is responsible.