

SCHEDULES

SCHEDULE 3

Section 64

MINOR AND CONSEQUENTIAL AMENDMENTS

Performing Animals (Regulation) Act 1925 (c. 38)

- 1 In section 4 of the Performing Animals (Regulation) Act 1925 (offences and legal proceedings), in subsection (2), after “enactment,” insert “or of an offence under any of sections 4, 5, 6(1) and (2), 7 to 9 and 11 of the Animal Welfare Act 2006”.

Cinematograph Films (Animals) Act 1937 (c. 59)

- 2 In section 1 of the Cinematograph Films (Animals) Act 1937 (prohibition of films involving cruelty to animals), in subsection (4), for paragraph (b) substitute—
“(b) in relation to England and Wales, the expression “animal” means a “protected animal” within the meaning of the Animal Welfare Act 2006.”

Pet Animals Act 1951 (c. 35)

- 3 (1) Section 2 of the Pet Animals Act 1951 (pets not to be sold in streets etc.) ceases to have effect.
(2) In section 5 of that Act (offences and disqualifications), in subsection (3), after “1912,” insert “or of any offence under any of sections 4, 5, 6(1) and (2), 7 to 9 and 11 of the Animal Welfare Act 2006.”

Protection of Animals (Amendment) Act 1954 (c. 40)

- 4 (1) In the Protection of Animals (Amendment) Act 1954, after section 2 insert—

“2A Breach of disqualification order

- (1) If a person has custody of any animal in contravention of an order made under this Act by a court in Scotland, he shall be liable on summary conviction to—
(a) imprisonment for a term not exceeding 51 weeks, or
(b) a fine not exceeding level 3 on the standard scale.
or to both.
- (2) This section applies to orders made before, as well as to orders made after, the coming into force of this section.”
- (2) In relation to an offence under the inserted section 2A committed before the commencement of section 281(5) of the Criminal Justice Act 2003 (c. 44), the

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reference in subsection (1)(a) of the section to 51 weeks is to be read as a reference to 6 months.

Animal Boarding Establishments Act 1963 (c. 43)

- 5 (1) In section 1 of the Animal Boarding Establishments Act 1963 (licensing of boarding establishments for animals), in subsection (2), at the end of paragraph (e) insert “or—
(f) under section 34(2), (3) or (4) of the Animal Welfare Act 2006.”
- (2) In section 3 of that Act (offences and disqualification), in subsection (3), after “1951,” insert “or of any offence under any of sections 4, 5, 6(1) and (2), 7 to 9 and 11 of the Animal Welfare Act 2006.”

Riding Establishments Act 1964 (c. 70)

- 6 (1) In section 1 of the Riding Establishments Act 1964 (licensing of riding establishments), in subsection (2), at the end of paragraph (f) insert “or—
(g) under section 34(2), (3) or (4) of the Animal Welfare Act 2006.”
- (2) In section 4 of that Act (penalties and disqualification), in subsection (3), after “1963,” insert “or of any offence under any of sections 4, 5, 6(1) and (2), 7 to 9 and 11 of the Animal Welfare Act 2006.”

Breeding of Dogs Act 1973 (c. 60)

- 7 In section 1 of the Breeding of Dogs Act 1973 (licensing of breeding establishments for dogs), in subsection (2), at the end of paragraph (f) insert “or—
(g) under section 34(2), (3) or (4) of the Animal Welfare Act 2006.”

Guard Dogs Act 1975 (c. 50)

- 8 In section 3 of the Guard Dogs Act 1975 (guard dog kennel licences), in subsection (4), after “1973,” insert “or of an offence under any of sections 4, 5, 6(1) and (2), 7 to 9 and 11 of the Animal Welfare Act 2006.”

Dangerous Wild Animals Act 1976 (c. 38)

- 9 In section 6 of the Dangerous Wild Animals Act 1976 (penalties), in subsection (2)—
- (a) for “Protection of Animals Acts 1911 to 1964,” substitute “Protection of Animals Act 1911,”
 - (b) after “1912 to 1964,” insert “the Performing Animals (Regulation) Act 1925,”
 - (c) after “1951,” insert “the Animals (Cruel Poisons) Act 1962,” and
 - (d) after “1973,” insert “or of an offence under any of sections 4, 5, 6(1) and (2), 7 to 9 and 11 of the Animal Welfare Act 2006.”

Magistrates' Courts Act 1980 (c. 43)

- 10 In section 108 of the Magistrates' Courts Act 1980 (right of appeal to the Crown Court), in subsection (3)(c), for “section 2 of the Protection of Animals Act 1911” substitute “section 37(1) of the Animal Welfare Act 2006”.

Zoo Licensing Act 1981 (c. 37)

- 11 In section 4 of the Zoo Licensing Act 1981 (grant or refusal of licence), in subsection (5)—
- (a) for “the Protection of Animals Acts 1911 to 1964” substitute “the Protection of Animals Act 1911”,
 - (b) after the entry for the Protection of Animals (Scotland) Acts 1912 to 1964, insert—
“the Performing Animals (Regulation) Act 1925;”,
 - (c) after the entry for the Pet Animals 1951, insert—
“the Animals (Cruel Poisons) Act 1962;”, and
 - (d) at the end, insert—
“sections 4, 5, 6(1) and (2), 7 to 9 and 11 of the Animal Welfare Act 2006.”

Animals (Scientific Procedures) Act 1986 (c. 14)

- 12 (1) In section 22(5) of the Animals (Scientific Procedures) Act 1986 (penalties for contraventions)—
- (a) for “section 1 of the Protection of Animals Act 1911” substitute “any of sections 4, 5, 6(1) and (2), 7 and 8 of the Animal Welfare Act 2006”, and
 - (b) at the end insert “(rather than any penalty by way of imprisonment or fine provided for in those Acts)”.
- (2) In section 26 of that Act (prosecutions), in subsection (1)(b), for “section 1 of the Protection of Animals Act 1911” substitute “any of sections 4, 5, 6(1) and (2) and 7 to 9 of the Animal Welfare Act 2006”.
- (3) In section 29 of that Act (application to Northern Ireland), for subsection (5) substitute—
- “(5) In section 22(5) above for the reference to sections 4, 5, 6(1) and (2), 7 and 8 of the Animal Welfare Act 2006 there shall be substituted a reference to sections 13 and 14 of the Welfare of Animals Act (Northern Ireland) 1972.
 - (5A) In section 26(1)(b) above for the reference to sections 4, 5, 6(1) and (2) and 7 to 9 of the Animal Welfare Act 2006 there shall be substituted a reference to sections 13 and 14 of the Welfare of Animals Act (Northern Ireland) 1972.”

Wild Mammals (Protection) Act 1996 (c. 3)

- 13 For section 3 of the Wild Mammals (Protection) Act 1996 (interpretation) substitute—

“3 Interpretation

In this Act “wild mammal” means any mammal which is not a “protected animal” within the meaning of the Animal Welfare Act 2006.”

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Criminal Justice and Police Act 2001 (c. 16)

- 14 (1) In section 57 of the Criminal Justice and Police Act 2001 (retention of seized items), in subsection (1), at the end insert—
- “(r) paragraph 12(3) of Schedule 2 to the Animal Welfare Act 2006.”
- (2) In section 66 of that Act (general interpretation of Part 2), in subsection (4), at the end insert—
- “(p) sections 26(1), 27(1), 28(1) and 29(1) of the Animal Welfare Act 2006 (inspection in connection with licences, inspection in connection with registration, inspection of farm premises and inspection relating to Community obligations).”
- (3) In Part 1 of Schedule 1 to that Act (powers of seizure to which section 50 applies), at the end insert—

“Animal Welfare Act 2006

- 73I The power of seizure conferred by paragraph 10(2)(j) of Schedule 2 to the Animal Welfare Act 2006.”