
STATUTORY INSTRUMENTS

2007 No. 2711 (C. 105)

ANIMALS, ENGLAND

ANIMAL WELFARE

**The Animal Welfare Act 2006 (Commencement No. 2 and
Saving and Transitional Provisions) (England) Order 2007**

Made - - - - 13th September 2007

The Secretary of State, in exercise of the powers conferred by sections 66(1) and (2) and 68(3)(a) of the Animal Welfare Act 2006⁽¹⁾, makes the following Order:

Citation, application and interpretation

1.—(1) This Order—

- (a) may be cited as the Animal Welfare Act 2006 (Commencement No. 2 and Saving and Transitional Provisions) (England) Order 2007; and
- (b) applies in England only.

(2) In this Order—

- “the 1968 Act” means the Agriculture (Miscellaneous Provisions) Act 1968⁽²⁾; and
- “the 2006 Act” means the Animal Welfare Act 2006.

Commencement of provisions

2. The following provisions of the 2006 Act come into force on 1st October 2007—

- (a) sections 14 and 15; and
- (b) section 65 and Schedule 4, to the extent that they relate to—
 - (i) sections 2, 3, 6, 7 and 8 of the 1968 Act; and
 - (ii) paragraph 8 of Schedule 5 to the Animal Health Act 1981⁽³⁾.

(1) 2006 c. 45
(2) 1968 c.34
(3) 1981 c.22

Savings of codes of recommendations for welfare of livestock and transitional provisions

3.—(1) Subject to paragraph 3, a code of recommendations for the welfare of livestock issued under section 3 of the 1968 Act—

- (a) has effect during the transitional period in relation to a farmed animal of the species to which the code relates as if the code had been issued under section 14 of the 2006 Act;
- (b) may be revised in accordance with sections 14 and 15 of the 2006 Act; and
- (c) may be revoked in accordance with section 17 of the 2006 Act.

(2) In paragraph 1(a), the transitional period for a code of recommendations means the period between the coming into force of this Order and the revocation of that code of recommendations under section 17 of the 2006 Act.

(3) A code of recommendations—

- (a) applies to a farmed animal of a species to which that code relates whether or not the animal is on agricultural land as defined in section 8(1) of the 1968 Act; and
- (b) does not include the “Code of Recommendations for the Welfare of Domestic Fowls”(4) which came into operation on 1st September 1987.

13th September 2007

Jeff Rooker
Minister of State
Department for Environment, Food and Rural
Affairs

(4) Available from the Department for Environment, Food and Rural Affairs (On-farm Animal Welfare Team), 5th Floor, 1A Page Street, London SW1P 4PQ.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order brings into force on 1st October 2007 the provisions of the Animal Welfare Act 2006 (“the 2006 Act”) specified in article 2.

Article 3 saves codes of recommendations issued under section 3 of the Agriculture (Miscellaneous Provisions) Act 1968 (“the 1968 Act”) for transitional periods between the coming into force of this Order and the revocation of individual codes using the procedure in section 17 of the 2006 Act.

Article 3(1)(b) means that saved codes can be revised using the procedure in sections 14 and 15 of the 2006 Act.

Codes issued under the 1968 Act only applied to animals on “agricultural land”. Article 3(3)(a) removes this restriction so that saved codes apply whether or not the animal is on agricultural land. This brings the application of saved codes into line with those issued under the 2006 Act.

NOTE AS TO EARLIER COMMENCEMENT ORDERS

(This note is not part of the Order)

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
ss 5(4) and (5) and 6(4) to (6), (8)(b) and (14)	23.3.2007	2007/499
ss 1-4, 5 (partially), 6 (partially), 7, 8(1), (2), (7) and (8), 9 to 12, 13, 17 to 45, 51 to 60, 62, 63, 64 (partially), 65 (partially) and 66, Schs. 1, 2, 3 (partially) and 4 (partially).	6.4.2007	2007/499