
WELSH STATUTORY INSTRUMENTS

2007 No. 3065 (W.262) (C.120)

ANIMALS, WALES

ANIMAL WELFARE

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

Made - - - - 23 October 2007

The Welsh Ministers, in exercise of the powers conferred by sections 66(1) and 68(3)(b) and (4) of the Animal Welfare Act 2006⁽¹⁾, make the following Order:

Title, application and interpretation

1.—(1) The title of this Order is the Animal Welfare Act 2006 (Commencement No. 2 and Savings and Transitional Provisions) (Wales) Order 2007; and

(2) This Order applies in relation to Wales.

(3) In this Order—

“the 1968 Act” (“*Deddf 1968*”) means the Agriculture (Miscellaneous Provisions) Act 1968⁽²⁾; and

“the 2006 Act” (“*Deddf 2006*”) means the Animal Welfare Act 2006.

Commencement of provisions

2. The following provisions of the 2006 Act come into force on 24 October 2007—

(a) sections 14 and 16; 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 Functions conferred on the National Assembly for Wales are exercisable by the Welsh Ministers by virtue of paragraph 30 of and Schedule 11 to the Government of Wales Act 2006.

(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 16 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 1 September 1987.

23 October 2007

Elin Jones
Minister for Rural Affairs, one of the Welsh
Ministers

(4) Available from the Office of the Chief Veterinary Officer, Welsh Assembly Government, Cathays Park, Cardiff, CF10 3NQ.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order brings into force on 24 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 16 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 1–7, 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).	27.3.2007	2007/1030 (W.97) (C.43)