



Animal Welfare Act 2006

2006 CHAPTER 45

Post-conviction powers

33 Deprivation

- (1) If the person convicted of an offence under any of sections 4, 5, 6(1) and (2), 7, 8 and 9 is the owner of an animal in relation to which the offence was committed, the court by or before which he is convicted may, instead of or in addition to dealing with him in any other way, make an order depriving him of ownership of the animal and for its disposal.
- (2) Where the owner of an animal is convicted of an offence under section 34(9) because ownership of the animal is in breach of a disqualification under section 34(2), the court by or before which he is convicted may, instead of or in addition to dealing with him in any other way, make an order depriving him of ownership of the animal and for its disposal.
- (3) Where the animal in respect of which an order under subsection (1) or (2) is made has any dependent offspring, the order may include provision depriving the person to whom it relates of ownership of the offspring and for its disposal.
- (4) Where a court makes an order under subsection (1) or (2), it may—
 - (a) appoint a person to carry out, or arrange for the carrying out of, the order;
 - (b) require any person who has possession of an animal to which the order applies to deliver it up to enable the order to be carried out;
 - (c) give directions with respect to the carrying out of the order;
 - (d) confer additional powers (including power to enter premises where an animal to which the order applies is being kept) for the purpose of, or in connection with, the carrying out of the order;
 - (e) order the offender to reimburse the expenses of carrying out the order.
- (5) Directions under subsection (4)(c) may—
 - (a) specify the manner in which an animal is to be disposed of, or
 - (b) delegate the decision about the manner in which an animal is to be disposed of to a person appointed under subsection (4)(a).

Status: This is the original version (as it was originally enacted).

- (6) Where a court decides not to make an order under subsection (1) or (2) in relation to an offender, it shall—
 - (a) give its reasons for the decision in open court, and
 - (b) if it is a magistrates' court, cause them to be entered in the register of its proceedings.
- (7) Subsection (6) does not apply where the court makes an order under section 34(1) in relation to the offender.
- (8) In subsection (1), the reference to an animal in relation to which an offence was committed includes, in the case of an offence under section 8, an animal which took part in an animal fight in relation to which the offence was committed.
- (9) In this section, references to disposing of an animal include destroying it.