



# Animals (Low-Welfare Activities Abroad) Act 2023

## 2023 CHAPTER 45

### *Enforcement*

#### **3 Offences: penalties, prosecution and liability** **E+W+N.I.**

- (1) A person who commits an offence under this Act is liable—
  - (a) on summary conviction in England and Wales, to a fine;
  - (b) on summary conviction in Northern Ireland, to a fine not exceeding level 5 on the standard scale.
- (2) The following do not apply in relation to offences under this Act—
  - (a) section 127 of the Magistrates’ Courts Act 1980 (limitation of time);
  - (b) article 19 of the Magistrates’ Courts (Northern Ireland) Order 1981 ([S.I. 1981/1675 \(N.I. 26\)](#)) (time limit for making complaint).
- (3) Where an offence under this Act committed by a body corporate—
  - (a) is committed with the consent or connivance of any director, manager, secretary or other similar officer of the body corporate, or any person who was purporting to act in any such capacity, or
  - (b) is attributable to any neglect on the part of any such person,that person as well as the body corporate commits the offence and is liable to be proceeded against and punished accordingly.
- (4) In [subsection \(3\)](#) “director”, in relation to a body corporate whose affairs are managed by its members, means a member of the body corporate.
- (5) [Subsection \(3\)](#) also applies to a body that is not a body corporate, with the substitution for the reference to a director of the body of a reference—
  - (a) in the case of a partnership, to a partner;
  - (b) in the case of an unincorporated body other than a partnership—
    - (i) where the body’s affairs are managed by its members, to a member of the body;

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*Changes to legislation: There are currently no known outstanding effects for the Animals (Low-Welfare Activities Abroad) Act 2023, Cross Heading: Enforcement. (See end of Document for details)*

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(ii) in any other case, to a member of the governing body.

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**Commencement Information**

**I1** S. 3 in force at 18.11.2023, see s. 7(2)

**4 Enforcement powers of local weights and measures authorities etc** **E+W+N.I.**

- (1) A local weights and measures authority in England and the Department for the Economy in Northern Ireland may enforce the provisions of this Act.
- (2) For the investigatory powers available for the purpose of enforcing this Act, see Schedule 5 to the Consumer Rights Act 2015.
- (3) In paragraph 10 of Schedule 5 to the Consumer Rights Act 2015 (duties and powers to which Schedule 5 applies), at the appropriate place insert—  
“section 4(1) of the Animals (Low-Welfare Activities Abroad) Act 2023.”
- (4) The Schedule contains provision for the imposition of monetary penalties in respect of offences under this Act.

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**Commencement Information**

**I2** S. 4 in force at 18.11.2023, see s. 7(2)

**Changes to legislation:**

There are currently no known outstanding effects for the *Animals (Low-Welfare Activities Abroad) Act 2023*, Cross Heading: Enforcement.