
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations establish the Scottish Animal Welfare Commission (“the Commission”) under section 36 of the Animal Health and Welfare (Scotland) Act 2006.

Regulation 3 establishes the Commission and regulation 4 provides that the Commission does not have Crown status.

Regulation 5 provides for the Commission’s functions. Regulation 6 gives the Commission further general powers which it may exercise for the purposes of or in connection with the exercise of its functions.

Regulation 7 provides for the appointment of members by the Scottish Ministers, including the number of members that may be appointed and the maximum length that those appointments may be. It also provides that members may be reappointed, and for circumstances where a member may not be appointed.

Regulation 8 provides that members of the Commission, and any members of committees or sub-committees are entitled to expenses from the Scottish Ministers. The Scottish Ministers are also to provide the Commission with staff and other resources it may require.

Regulation 9 allows a member to resign by giving notice in writing to the Scottish Ministers. It also provides for circumstances where the Scottish Ministers may remove a member, and for circumstances where a member’s appointment automatically ends.

Regulation 10 allows the Commission to establish committees and sub-committees.

Regulation 11 allows the Commission to regulate its own procedure and that of its committees and sub-committees.

Regulation 12 provides that the validity of anything done by the Commission or its committees or sub-committees is not affected by any vacancies in membership, or any defects in appointments or disqualifications from membership.

Regulation 13 requires the Commission to prepare a work plan for each financial year which must be submitted to the Scottish Ministers for approval. If the Scottish Ministers reject the plan, the Commission must submit a revised plan for approval. Where a plan is approved with or without modifications, the Commission must publish it. The Commission may revise a plan, but any revised plan must also be approved by Scottish Ministers and then published.

Regulation 14 requires the Commission to prepare and publish an annual report on the exercise of its functions. The Scottish Ministers must lay a copy of the report before the Scottish Parliament.