

*These notes refer to the Animal Welfare Act 2006 (c.45)  
which received Royal Assent on 8 November 2006*

## **ANIMAL WELFARE ACT 2006**

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### **EXPLANATORY NOTES**

#### **COMMENTARY ON SECTIONS**

##### *Promotion of welfare*

##### *Section 12: Regulations to promote welfare*

63. *Section 12* enables the Secretary of State and the National Assembly for Wales to make regulations to promote the welfare of animals for which a person is responsible, or the progeny of such animals. Those regulations made by the Secretary of State will be subject to affirmative resolution in Parliament. Including the progeny of animals in this regulation-making power enables regulations to be introduced governing animal breeding that protect the offspring as well as the parent animal.
64. *Subsection (1)* creates a general power to make regulations for the purpose of promoting the welfare of animals for which a person is responsible.
65. *Subsection (2)* provides a non-exhaustive list of purposes for which the regulation-making power in *subsection (1)* may be exercised. This includes power to make regulations specifying how people responsible for animals should meet their animals' needs (section 62(5) provides that an "animal's needs" are to be understood as including those set out in section 9(2)).
66. *Subsection (3)* authorises the appropriate national authority to make it an offence to breach specified provisions of the regulations and confers associated powers. The power to apply a "relevant post-conviction power" in relation to conviction for an offence under the regulations enables the regulations to provide that conviction for certain offences will have certain consequences. For example, the regulations could provide that, on conviction for breach of a specified regulation, the court should have power to disqualify a person from owning animals under section 34. The phrase "relevant post-conviction power" is defined at section 62(6).
67. *Subsection (6)* imposes a duty on the Secretary of State and the National Assembly for Wales to consult interested parties before introducing regulations under this section.