

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

ANIMAL WELFARE ACT 2006

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Codes of practice

Section 14: Codes of practice

75. Codes of practice are already widely used to promote the welfare of farmed animals and the Act extends their use to non-farmed animals.
76. Codes provide non-binding guidance - agreed by Parliament after appropriate consultation - that enforcers and the courts can refer to when making judgements on whether the relevant welfare standards stipulated in the Act have been attained. Owners and keepers of animals may also find the codes a useful resource by which to increase or confirm their understanding of acceptable welfare standards and to regulate their conduct accordingly.

Section 15: Making and approval of codes of practice: England

77. *Subsections (1) to (4)* of section 15 provide that codes of practice shall only be issued following consultation with interested parties and subject to a negative parliamentary procedure whereby the code is laid before parliament in draft, and cannot be issued if the draft is disapproved within 40 days.
78. *Subsection (5)* makes provision for the commencement of codes of practice.

Section 16: Making of codes of practice: Wales

79. In relation to animals kept in Wales, the power to make codes of practice lies with the National Assembly for Wales in accordance with its own procedures. Similar consultation procedures must be followed in Wales as in England before the code is adopted. The code will state the date on which it comes into force.

Section 17: Revocation of codes of practice

80. Codes of practice may be revoked by the Secretary of State or the National Assembly for Wales by order.
81. **Section 61** *subsections (3) to (5)* provide that where a code is revoked without being replaced, a draft of the instrument containing the revocation order must be laid before Parliament.