

*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

Enforcement Powers

Section 28: Inspection of farm premises

127. This section allows inspectors to enter and inspect farm premises in order to check compliance with regulations made under the Act and in order to ascertain whether an offence under the Act has been committed.
128. *Subsection (2)* enables an inspector to enter premises to carry out an inspection if he reasonably believes that animals are bred or kept there for farming purposes.
129. The effect of *subsections (3) and (4)* is to prohibit entry into any parts of premises used as private dwellings, other than on the authority of a warrant issued by a justice of the peace. They also enable an inspector to use reasonable force to secure entry to premises if a warrant authorises this.
130. [Paragraph 10](#) of Schedule 2 confers a number of additional powers on a person exercising a power of entry under a warrant under this section. The effect of paragraph 14 of the Schedule is that a warrant authorises a person to use reasonable force in the exercise of those additional powers. Note that paragraphs 2 and 3 of the Schedule impose a number of safeguards in relation to warrants under section 28(4).