



# Animal Welfare Act 2006

## 2006 CHAPTER 45

### *Post-conviction powers*

#### **34 Disqualification**

- (1) If a person is convicted of an offence to which this section applies, the court by or before which he is convicted may, instead of or in addition to dealing with him in any other way, make an order disqualifying him under any one or more of subsections (2) to (4) for such period as it thinks fit.
- (2) Disqualification under this subsection disqualifies a person—
  - (a) from owning animals,
  - (b) from keeping animals,
  - (c) from participating in the keeping of animals, and
  - (d) from being party to an arrangement under which he is entitled to control or influence the way in which animals are kept.
- (3) Disqualification under this subsection disqualifies a person from dealing in animals.
- (4) Disqualification under this subsection disqualifies a person—
  - (a) from transporting animals, and
  - (b) from arranging for the transport of animals.
- (5) Disqualification under subsection (2), (3) or (4) may be imposed in relation to animals generally, or in relation to animals of one or more kinds.
- (6) The court by which an order under subsection (1) is made may specify a period during which the offender may not make an application under section 43(1) for termination of the order.
- (7) The court by which an order under subsection (1) is made may—
  - (a) suspend the operation of the order pending an appeal, or
  - (b) where it appears to the court that the offender owns or keeps an animal to which the order applies, suspend the operation of the order, and of any order made under section 35 in connection with the disqualification, for such period

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**Changes to legislation:** *Animal Welfare Act 2006, Section 34 is up to date with all changes known to be in force on or before 07 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

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as it thinks necessary for enabling alternative arrangements to be made in respect of the animal.

- (8) Where a court decides not to make an order under subsection (1) in relation to an offender, it shall—
- (a) give its reasons for the decision in open court, and
  - (b) if it is a magistrates' court, cause them to be entered in the register of its proceedings.
- (9) A person who breaches a disqualification imposed by an order under subsection (1) commits an offence.
- (10) This section applies to an offence under any of sections 4, 5, 6(1) and (2), 7, 8, 9 and 13(6) and subsection (9).

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**Modifications etc. (not altering text)**

- C1** S. 34 applied (W.) (30.4.2015) by [The Animal Welfare \(Breeding of Dogs\) \(Wales\) Regulations 2014 \(No. 3266\)](#), regs. 1(2), **24**
- C2** S. 34 applied (E.) 1.10.2018) by [The Animal Welfare \(Licensing of Activities Involving Animals\) \(England\) Regulations 2018 \(S.I. 2018/486\)](#), regs. 1(1)(b), **22** (with reg. 27)
- C3** S. 34 applied (W.) (10.9.2021) by [The Animal Welfare \(Licensing of Activities Involving Animals\) \(Wales\) Regulations 2021 \(S.I. 2021/416\)](#), regs. 1(2), **21**
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**Commencement Information**

- I1** S. 34 in force at 27.3.2007 for W. by [S.I. 2007/1030](#), **art. 2(1)(e)**
- I2** S. 34 in force at 6.4.2007 for E. by [S.I. 2007/499](#), **art. 2(2)(g)**

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**Changes and effects yet to be applied to :**

- s. 34 applied (with modifications) by [S.I. 2024/296 reg. 19\(b\)](#)