

*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**

#### *Scotland*

#### *Section 46: Effect in Scotland of disqualification under section 34*

182. The disqualification provision in section 34 replaces, for England and Wales, that under the [Protection of Animals \(Amendment\) Act 1954 \(c.40\)](#). Because the 1954 Act extends to Scotland, as well as to England and Wales, the position at present is that a disqualification order made by a court in England and Wales has effect in Scotland. Since section 34 only extends to England and Wales, it is necessary to make further provision in this section to secure the result that disqualification orders made by a court in England and Wales also have effect in Scotland.
183. *Subsection (1)* ensures that disqualification orders imposed by courts in England and Wales have effect in Scotland. *Subsections (2) and (3)* provide that breach of a disqualification order constitutes an offence and set down the penalties that apply. As the ‘custody plus’ scheme (see section 32) does not extend to Scotland, the maximum prison term there will be six months.