
EXPLANATORY NOTE

(This note is not part of the Order)

This Order makes provision consequential on the Animal Health and Welfare (Scotland) Act 2006 (“the 2006 Act”).

The 2006 Act amends the Animal Health Act 1981 (“the 1981 Act”) so as to make provision in relation to animal health, and also makes stand alone provision in relation to animal welfare. In particular, sections 10 (which inserts a new section 28F into the 1981 Act) and 40 of the 2006 Act make provision for a court in Scotland to disqualify a person from owning or keeping an animal (or both) and from certain other activities involving animals. Articles 3 to 7 of the Order provide for disqualification orders made in Scotland under those provisions to be enforced in England and Wales.

Article 8 provides for the modification of certain enactments in consequence of the 2006 Act. The effect of the modifications is to provide for references to section 40(1) and (2)(a), (b) or (c) (which relate to disqualification from owning or keeping animals (or both), and from dealing in animals and from transporting animals) to be added to the Animal Boarding Establishments Act 1963, the Riding Establishments Act 1964 and the Breeding of Dogs Act 1973.