



# Animal Welfare Act 2006

## 2006 CHAPTER 45

### *Animals in distress*

#### **20 Orders in relation to animals taken under section 18(5)**

- (1) A magistrates' court may order any of the following in relation to an animal taken into possession under section 18(5)—
  - (a) that specified treatment be administered to the animal;
  - (b) that possession of the animal be given up to a specified person;
  - (c) that the animal be sold;
  - (d) that the animal be disposed of otherwise than by way of sale;
  - (e) that the animal be destroyed.
- (2) If an animal is taken into possession under section 18(5) when it is pregnant, the power conferred by subsection (1) shall also be exercisable in relation to any offspring that results from the pregnancy.
- (3) The power conferred by subsection (1) shall be exercisable on application by—
  - (a) the owner of the animal, or
  - (b) any other person appearing to the court to have a sufficient interest in the animal.
- (4) A court may not make an order under subsection (1) unless—
  - (a) it has given the owner of the animal an opportunity to be heard, or
  - (b) it is satisfied that it is not reasonably practicable to communicate with the owner.
- (5) Where a court makes an order under subsection (1), it may—
  - (a) appoint a person to carry out, or arrange for the carrying out, of the order;
  - (b) give directions with respect to the carrying out of the order;
  - (c) confer additional powers (including power to enter premises where the animal is being kept) for the purpose of, or in connection with, the carrying out of the order;
  - (d) order a person to reimburse the expenses of carrying out the order.

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*Changes to legislation: There are currently no known outstanding effects for the Animal Welfare Act 2006, Section 20. (See end of Document for details)*

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- (6) In determining how to exercise its powers under this section, the court shall have regard, amongst other things, to the desirability of protecting the animal's value and avoiding increasing any expenses which a person may be ordered to reimburse.
- (7) A person commits an offence if he intentionally obstructs a person in the exercise of any power conferred by virtue of this section.
- (8) If the owner of the animal is subject to a liability by virtue of section 18(13) or subsection (5)(d) above, any amount to which he is entitled as a result of sale of the animal may be reduced by an amount equal to that liability.

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**Commencement Information**

- I1** S. 20 in force at 27.3.2007 for W. by S.I. 2007/1030, art. 2(1)(e)
- I2** S. 20 in force at 6.4.2007 for E. by S.I. 2007/499, art. 2(2)(g)

**Changes to legislation:**

There are currently no known outstanding effects for the Animal Welfare Act 2006, Section 20.