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Petplan's Plain English Guide to the Animal Welfare Act

by Scott Miller

In April 2007 the Animal Welfare Act (AWA) comes into effect and having read various forums, letters and articles there seems to be a great deal of confusion around what this Act will mean to pet owners in the UK.

It's not surprising that some pet owners are not clear about what the new laws will mean to them. So, I have spent some time ploughing through all the paperwork to bring you a plain English guide to the Animal Welfare Act.

The Animal Welfare Act comes into effect on 6th April 2007. Don't be put off by the fact that the Act is many pages long and sometimes full of "legalese" as the content will hopefully help to improve animal welfare.

The Act is good news for all animal lovers as it means the authorities will be able to crack down on animal cruelty and suffering, with fines and jail terms imposed on offenders. So the Animal Welfare Act should be welcomed, not feared, because the majority of owners provide proper care for their pets and won't need to change a thing to comply with the new laws.

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The AWA makes it a legal requirement for pet owners and carers of animals (including vets, boarding kennel staff and sanctuary staff) to ensure reasonable provision for the needs of pets. These needs include:

(a) Provision of a suitable environment

(b) Suitable diet and water

(c) Exhibiting normal behaviour patterns

(d) Any need the animal has to be housed with, or apart from, other animals

(e) Protection from pain, suffering, injury and disease.

There have been some myths in the media about owners not being allowed to let their cats roam the streets at night under the new laws. This is not the case.

Responsible owners need not be concerned by the Act, though neglectful owners should be worried. As soon as the Act comes into force those who do not look after the health and welfare of their pets could face fines of up to £20,000, prison terms up to one year and disqualification from owning or keeping animals. The aim is to help reduce irresponsible or cruel practices.

In cases of ongoing neglect, cruelty and mutilation (including the new restrictions on tail-docking), authorities will have greater powers to search for and seize animals thought to be suffering at the hands of their owners.

The Act will make it an offence to cause physical or mental suffering to an animal, whether this is by a positive act or as an omission, meaning that owners can't avoid responsibility by saying they 'didn't know' or 'didn't act wilfully'. From April 2007, ignorance will be no defence in the eyes of the law.

A few of the most significant changes include:

1 Tail-docking – tail-docking is now banned, except in very few cases. It may be allowed for medical reasons or where it can be proved that the puppy will be used as a working dog (and docking would have to take place when the puppy is less than five days old). Many breeds known to traditionally have their tails docked will now been seen with their full tails. Breeders or owners allowing the procedure to take place or persons performing it will face prosecution. The AWA also affects the showing of tail-docked animals.

2 Breeder registration – licensing and registration of animal breeders with local authorities may come into effect, aiming for consistency in the regulation of welfare and hygiene standards.

3 Baiting – a big concern for many pet owners. There are now greater penalties for the wilful poisoning of animals. If a person allows poisons to be given to an animal or administers them knowing the substance to be poisonous, they have committed an offence. This does not apply to invertebrates (i.e organisms without spines) such as slugs.

4 Dog Fighting – a worrying problem that is alleged to have worsened in the UK over recent years. The AWA introduces measures to try to help to clamp down on this horrific activity. The following are now all criminal offences: fighting animals; watching or profiting from fights; supplying, publishing or possession of footage of fighting not made for programming purposes.

5 Under-age owners – irresponsible purchases of animals by minors is also addressed by the Act. A person is committing an offence if they sell an animal to a person whom they have reasonable cause to believe to be under the age of 16 years.

6 Abandoning an animal – anyone who abandons an animal without taking reasonable steps to ensure that the animal will be looked after, and will have its needs met, could commit an offence.

7 Improvement notices – these can be issued by inspectors under the Act who will issue notices to those responsible for animals if they believe that the welfare needs of the animal/s are not being met.

Common misconceptions

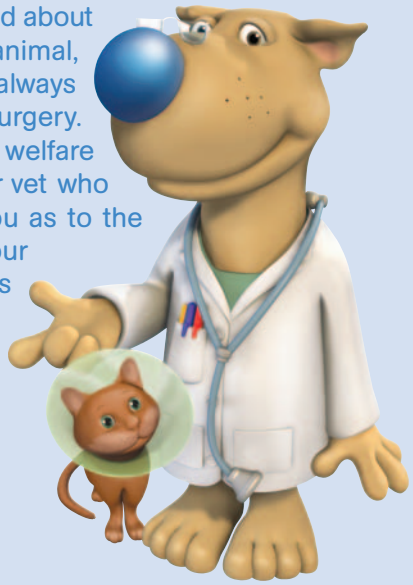
1 Nothing in the AWA applies to the destruction of an animal in an appropriate and humane manner whether this is by a veterinarian or licensed official.

2 Fishing as a leisure pursuit is unaffected by the Act.

3 Animal welfare inspectors or police do not have the authority to enter any part of premises used as a private dwelling without a warrant. They do have greater powers under the AWA to examine and seize animals thought to be suffering.

Ensuring that animals are responsibly bred, bought, sold and cared for, the AWA gives authorities greater power and scope to ensure animal welfare is provided to the level animals deserve.

If you are at all concerned about how you care for your animal, the first port of call is always your local veterinary surgery. Discuss any health or welfare related issues with your vet who will be able to guide you as to the best way to care for your beloved pet. Full details of the Animal Welfare Act can be found at www.defra.gov.uk



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