

Animal Welfare Act



The Animal Welfare Act was passed in 2006, introduced in England and Wales in early 2007, and represents the most significant change to animal welfare law in nearly a century.

What's changed?

The legislation in place before 2006 was the Protection of Animals Act 1911, which was very outdated and came from a time when animals had a very different role in society.

The **Animal Welfare Act** replaced this and has made some important updates, for example in relation to cruelty and fighting offences.

Most significantly for the first time it has introduced **legislation for pet owners** – giving them a legal duty of care to meet **the five welfare needs** of their pets.

The law also applies to those who are responsible for animals, such as those that breed animals or keep working animals.

The five welfare needs

This means pet owners are now legally obliged to care for their pet properly - which most owners already do - by providing these five basic needs:

- somewhere suitable to live
- a proper diet, including fresh water
- the ability to express normal behaviour
- for any need to be housed with, or apart from, other animals
- protection from, and treatment of, illness and injury.

Find out what your pet needs in [all about animals](#).

We can now act BEFORE an animal suffers

Using the Animal Welfare Act, our inspectors can **advise and educate** pet owners about the five

welfare needs, making them relevant to their pet.

If a need is not being met, our inspectors are able to serve an improvement notice, which will clearly detail what steps the owner needs to take - within a specific time period - to prevent an animal from suffering.

If the inspector's advice is not followed, and the animal will suffer if left in that situation, we now have the support of the law to step in **before** the animal suffers.

Before this law was introduced, inspectors had to return time and time again to see an animal, unable to act until the animal was clearly suffering.

The future of animal law

The Animal Welfare Act has provided us with a general framework for animal welfare law, but there's still more progress to be made – both in England and Wales.

In England

In England, we have been working with the [Westminster](#) government to develop legislation for circus animals and also for primates kept as pets.

This will form 'secondary legislation', which will be attached to the Animal Welfare Act. These regulations will cover these areas in more detail.

Other regulations on the tail docking of dogs are already in place. And the government has now introduced Codes of Practice for the welfare of dogs, cats, horses and primates.

The Codes provide detailed guidance for pet owners on how to meet the welfare needs of their animals, and this information can be used by a court to illustrate whether an owner has been complying with the Animal Welfare Act.

You can read the Codes of Practice in full at: www.defra.gov.uk

In Wales

In [Wales](#), the Act has devolved the responsibility for domestic and captive wild animal welfare issues to the National Assembly for Wales – so Wales can pass its own 'secondary legislation'.

This means that Wales can pass different legislation to England and also work to their own timetable.

The Welsh Assembly has already passed legislation on tail docking, as well as Codes of Practice for the welfare of cats, dogs, equines and rabbits. You can read these Codes of Practice in full at: wales.gov.uk

RSPCA Cymru is currently working with the Welsh Assembly Government (WAG) on legislation for electric shock collars, circuses, and greyhounds.

See the **Animal Welfare Act 2006** in full at: www.legislation.gov.uk