

Animal Welfare (Sentience) Bill [HL]

AMENDMENTS TO BE MOVED IN GRAND COMMITTEE

Clause 1

LORD FORSYTH OF DRUMLEAN

Page 1, line 3, after “must” insert “by regulations”

Page 1, line 5, leave out subsections (2) and (3) and insert –

- “(2) The regulations must set out –
 - (a) details of how the Animal Sentience Committee is to be composed, and
 - (b) its terms of reference.
- (3) Regulations under this section must be made by statutory instrument.
- (4) Regulations under this section may not be made unless a draft of the instrument containing them has been laid before, and approved by resolution of, each House of Parliament.”

BARONESS HAYMAN OF ULLOCK

Page 1, line 5, leave out subsections (2) and (3) and insert –

- “(2) The Committee is to consist of –
 - (a) a member appointed by the Secretary of State to chair the Committee, and
 - (b) at least 8 but no more than 11 other members appointed by the Secretary of State.
- (3) When appointing members to the Animal Sentience Committee, the Secretary of State must have regard to the desirability of appointing members who, between them, have expertise in –
 - (a) animal behavioural science;
 - (b) veterinary science;
 - (c) agricultural science;
 - (d) animal welfare science;
 - (e) the commercial use of animals;
 - (f) the care, breeding, and management of companion animals;
 - (g) ethical standards and conduct in respect of animals;

Clause 1 - continued

- (h) animal welfare advocacy;
 - (i) the public interest in respect of animals;
 - (j) ecology;
 - (k) environmental and conservation management;
 - (l) other such areas as the Secretary of State considers relevant.
- (4) Before appointing a person under subsection (2) the Secretary of State must consult—
- (a) persons, groups and organisations with expertise relevant to the welfare of animals as sentient beings;
 - (b) other such persons as the Secretary of State considers appropriate.
- (5) A member of the Committee may serve a term of no longer than 3 years, as determined by the Secretary of State in the terms of appointment.
- (6) The Secretary of State may reappoint a person who is or has been a member of the Committee.
- (7) A person may resign as a member of the Committee or as its Chair by notice in writing to the Secretary of State.
- (8) The Secretary of State may terminate the appointment of a member if satisfied that the person is unable or unfit to carry out the functions of the office.”

Member’s explanatory statement

This would add detail to the terms of membership for the Committee, including number of members, the appointment of a Chair, the expertise that the Committee should include and the need for the Secretary of State to consult on its membership.

After Clause 1

BARONESS HAYMAN OF ULLOCK

Insert the following new Clause—

“Resources

- (1) The Secretary of State must provide the Committee with such staff, accommodation and other resources as the Committee requires to carry out its functions.
- (2) The Secretary of State must consult the Chair of the Committee before providing staff, accommodation or other resources under this section.”

Member’s explanatory statement

This amendment would provide that the Secretary of State must provide necessary staff and resources to the Committee, in consultation with its Chair, to allow it to fulfil its functions.

Clause 2

BARONESS HAYMAN OF ULLOCK

Page 1, line 9, leave out subsections (1) to (4) and insert –

- “(1) When any government policy within the remit of the Animal Sentience Committee is being formulated, the Committee must produce a report containing its views on the question in subsection (3).
- (2) When any government policy is being or has been formulated or implemented, the Committee may produce a report containing its views on the question in subsection (3).
- (3) The question is whether, or to what extent, the government is having, or has had, all due regard to the ways in which the policy might have an adverse effect on the welfare of animals as sentient beings.
- (4) The report may also contain recommendations as to steps the Committee considers the Government should take to ensure that, in any future formulation or implementation of the policy, the Government has all due regard to the ways in which the policy might have –
 - (a) an adverse, or
 - (b) a positive,effect on the welfare of animals as sentient beings.
- (4A) A policy is within the remit of the Animal Sentience Committee where it can reasonably be expected to have a significant effect on the welfare of animals, taking into account –
 - (a) the duration of possible adverse effects;
 - (b) the severity of possible adverse effects;
 - (c) the number of animals that can be reasonably expected to be affected.”

Member’s explanatory statement

This provides criteria for what policies are within the remit of the Committee, and provides that the Committee must report on these policies while they are being formulated. It keeps the discretionary power for the Committee to look at any other policies. The amendment explicitly provides that the Committee can make recommendations on positive as well as adverse effects of a policy.

LORD FORSYTH OF DRUMLEAN

Page 1, line 18, leave out from the third “the” to end of line 20 and insert “welfare requirements of animals, since animals are sentient beings, while respecting legislative or administrative provisions and customs relating to religious rites, cultural traditions and regional heritage.”

After Clause 2

BARONESS HAYMAN OF ULLOCK

Insert the following new Clause—

“Duty to inform the Committee

- (1) A Minister of the Crown must inform the Animal Sentience Committee, in a timely manner, of the formulation of any policy which is within the remit of the Committee.
- (2) A policy is within the remit of the Committee where it can reasonably be expected to have a significant effect on the welfare of animals, taking into account—
 - (a) the duration of possible effects;
 - (b) the severity of possible effects;
 - (c) the number of animals that can be reasonably expected to be affected.”

Member’s explanatory statement

This would put a duty on Government Ministers to inform the Committee, in a timely manner, of relevant policy development.

Clause 5

LORD ROBATHAN

Page 2, line 32, at end insert “which is—

- (a) of a kind which is commonly domesticated in the British Islands,
- (b) under the control of man whether on a permanent or temporary basis,
or
- (c) not living in a wild state.”

Member’s explanatory statement

This amendment includes the provision in section 2 of the Animal Welfare Act 2006 and seeks to limit the scope to those animals in the control of man, so that the Committee is excluded from making recommendations for people to be responsible for wild animals outside their control.

LORD FORSYTH OF DRUMLEAN

Page 2, line 32, at end insert—

- “(1A) In this Act “sentience” means the capacity to have feelings, including pain and pleasure and implies a level of conscious awareness.”

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23 June 2021
