

GUERNSEY STATUTORY INSTRUMENT

2017 No. 24

**The Animal Welfare
(Amendment) Regulations, 2017**

<i>Made</i>	<i>April, 2017</i>
<i>Coming into operation</i>	<i>30th April, 2017</i>
<i>Laid before the States</i>	<i>, 2017</i>

THE COMMITTEE FOR THE ENVIRONMENT & INFRASTRUCTURE, in exercise of the powers conferred on it by sections 2(6), 10(1), 26(3) and 79 of the Animal Welfare (Guernsey) Ordinance, 2012^a, and all other powers enabling it in that behalf, hereby makes the following Regulations:-

Amendment of Schedule 1 to the Ordinance.

1. Schedule 1 (prohibited operations) to the Ordinance is amended as follows –

- (a) after item (m), omit the word "and", and
- (b) after item (n), add the following item –

^a Ordinance No. III of 2012 as amended by Order in Council No. XVI of 2015, Ordinance No. IX of 2016 and G.S.I. No. 32 of 2014.

"(o) removal of the comb, wattle or earlobes of –

(i) a domestic fowl of the species *Gallus gallus domesticus*, or

(ii) a turkey of the species *Meleagris gallopavo*."

Amendment of Schedule 2 to the Ordinance.

2. After paragraph 5(2) of Schedule 2 (activities requiring a licence) to the Ordinance, add the following subparagraph –

"(3) Subparagraph (1) does not include the provision of accommodation for fewer than 5 horses."

Amendment of the Animal Welfare (Slaughter, Killing, Euthanasia Etc.) (Prescribed Animals) Regulations, 2014.

3. In Schedule 2 (animals prescribed as game animals) to the Animal Welfare (Slaughter, Killing, Euthanasia Etc.) (Prescribed Animals) Regulations, 2014^b, omit the following reference to the Eurasian Woodcock in the first and second columns –

"Eurasian Woodcock (Scolopax rusticola)".

Interpretation.

4. (1) In these Regulations, unless the context requires otherwise -

^b G.S.I. No. 30 of 2014 as amended by Ordinance No. IX of 2016.

"**enactment**" includes a Law, an Ordinance and any subordinate legislation and includes any provision or portion of a Law, an Ordinance or any subordinate legislation,

"**the Ordinance**" means the Animal Welfare (Guernsey) Ordinance, 2012, and

"**subordinate legislation**" means any regulation, rule, order, rule of court, resolution, scheme, byelaw or other instrument made under any statutory, customary or inherent power and having legislative effect, but does not include an Ordinance.

(2) The Interpretation (Guernsey) Law, 1948^c applies to the interpretation of these Regulations.

(3) Any reference in these Regulations to an enactment is a reference thereto as from time to time amended, re-enacted (with or without modification), extended or applied.

Citation and commencement.

5. These Regulations may be cited as the Animal Welfare (Amendment) Regulations, 2017 and shall come into force on the 30th April, 2017.

Dated this 13th day of April, 2017

^c Ordres en Conseil Vol. XIII, p. 355.



B. L. BREHAUT

President of the States Committee for the Environment & Infrastructure

For and on behalf of the Committee

EXPLANATORY NOTE

(This note is not part of the Regulations)

Section 2(1)(a) of the Animal Welfare (Guernsey) Ordinance, 2012 ("the Ordinance") prohibits the carrying out of certain operations. Those operations are set out in Schedule 1 to the Ordinance.

These Regulations add the removal of the comb, wattle or earlobes of a domestic fowl or a turkey to the list of prohibited operations in Schedule 1 to the Ordinance. A domestic fowl is defined so that it includes a chicken or a bantam but not a duck.

Section 26 of the Ordinance provides that it is an offence to carry on certain activities involving animals without a licence from the Committee for the Environment & Infrastructure. Those activities are set out in Schedule 2 to the Ordinance and include, in paragraph 5, the provision of accommodation, in the course of a business, for other people's animals.

These Regulations amend paragraph 5 of Schedule 2 to the effect that a licence is not required where accommodation is provided for fewer than five horses, donkeys, mules or other equines in total.

Section 10(1) of the Ordinance provides for exceptions to certain animal welfare offences in relation to the hunting, capture or killing of any animal prescribed as a game animal providing that the same are carried out in accordance with prescribed requirements as to the methods, techniques, equipment or devices etc. to be used.

The Animal Welfare (Slaughter, Killing, Euthanasia Etc.) (Prescribed Animals) Regulations, 2014 prescribes those game animals. Regulation 3 of these Regulations amends the prescribed list of game animals to remove the Eurasian Woodcock so that the exceptions from certain animal welfare offences will no longer apply to the hunting, capture or killing of that bird.

These Regulations come into force on the 30th day of April, 2017.