

# Statutory Instrument 1994 No. 2126

## The Welfare of Livestock Regulations 1994

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### STATUTORY INSTRUMENTS

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**1994 No. 2126**

#### **ANIMALS PREVENTION OF CRUELTY**

#### **The Welfare of Livestock Regulations 1994**

*Approved by both Houses of Parliament*

*Made* 27th July 1994

*Coming into force* 10th August 1994

The Minister of Agriculture, Fisheries and Food, the Secretary of State for Scotland and the Secretary of State for Wales, in exercise of the powers conferred by section 2 of the Agriculture (Miscellaneous Provisions) Act 1968<sup>[554]</sup> and now vested in them<sup>[555]</sup>, acting jointly, and the said Minister and the Secretary of State, being Ministers designated<sup>[556]</sup> for the purposes of section 2(2) of the European Communities Act 1972<sup>[557]</sup> in relation to the Common Agricultural Policy of the European Community, acting jointly, in exercise of the powers conferred on them by the said section 2(2) of the said 1972 Act and of all other powers enabling them in that behalf, and after consultation (in accordance with section 2 of the said 1968 Act) with such persons appearing to them to represent any interests concerned as they have considered appropriate, hereby make the following Regulations, a draft of which has

been approved by resolution of each House of Parliament:

### **Citation and commencement**

1. These Regulations, which implement—

(a) the European Convention for the Protection of Animals kept for Farming Purposes of 10th March 1976 as read with the Protocol of Amendment to the European Convention for the Protection of Animals kept for Farming Purposes of 6th February 1992;

(b) Council Directive 88/166/EEC laying down minimum standards for the protection of laying hens kept in battery cages<sup>[558]</sup>;

(c) Council Directive 91/629/EEC laying down minimum standards for the protection of calves<sup>[559]</sup>;

(d) Council Directive 91/630/EEC laying down minimum standards for the protection of pigs<sup>[560]</sup>;

may be cited as the Welfare of Livestock Regulations 1994 and shall come into force on the fourteenth day after the day on which they are made.

### **Interpretation and application**

2.—(1) In these Regulations—

"automatic equipment" means automated or mechanical equipment, the failure of which will cause the livestock to suffer unnecessary pain or unnecessary distress unless the failure is rectified or other provision is made for the care of livestock;

"battery cage" means an enclosed space intended for laying hens in a battery system;

"battery system" means an arrangement of cages in rows or tiers or rows and tiers;

"boar" means a male pig after puberty, intended for breeding;

"calf" means a bovine animal aged six months or less;

"gilt" means a female pig intended for breeding, after puberty and before farrowing;

"intensive system" means a husbandry method in which livestock are kept in such numbers or density or in such conditions or at such production levels that their health and welfare depend upon frequent human attention;

"intensive unit" means a unit in which livestock are kept under an intensive system;

"laying hen" means an adult female domestic fowl (*Gallus gallus*) which is kept for egg production;

"pig" means an animal of the porcine species of any age, kept for breeding or fattening;

"piglet" means a pig from birth to weaning;

"rearing pig" means a pig from ten weeks to slaughter or service;

"sow" means a female pig after the first farrowing;

"stock-keeper" means the owner of the livestock or the person responsible for the livestock;

"weaner" means a pig from weaning to the age of ten weeks.

(2) Nothing in these Regulations shall apply to any act lawfully done under the Animals (Scientific Procedures) Act 1986<sup>[561]</sup>.

(3) These Regulations shall only apply in relation to livestock for the time being situated on agricultural land.

(4) These Regulations shall not apply in relation to bees or fish, including shellfish, crustaceans and molluscs.

- (5) In these Regulations, a person knowingly permits livestock to be kept if—
- (a) the livestock is under his control, and
  - (b) he knows or could reasonably be expected to know how the livestock is or may be kept.

### **Keeping livestock**

3.—(1) No person shall keep, or cause or knowingly permit to be kept, a laying hen in a battery cage unless the conditions of Schedule 1 to these Regulations are complied with.

(2) No person shall keep, or cause or knowingly permit to be kept, a calf unless the conditions of Schedule 2 to these Regulations are complied with.

(3) No person shall keep, or cause or knowingly permit to be kept, a pig unless the conditions of Schedule 3 to these Regulations are complied with.

(4) No person shall keep, or cause or knowingly permit to be kept, other livestock unless the conditions of Schedule 4 to these Regulations are complied with.

### **Welfare Codes**

4.—(1) Any person who employs or engages persons to attend to livestock shall ensure that the person attending to the livestock—

- (a) is acquainted with the provisions of all relevant welfare codes relating to the livestock being attended;
- (b) has access to a copy of those codes while he is attending the livestock; and
- (c) has received instruction and guidance on them.

(2) Any person who keeps livestock, or who causes or knowingly permits livestock to be kept, shall not attend the livestock unless he has access to all welfare codes relating to that livestock while he is attending to them, and is acquainted with the provisions of those codes.

(3) In this regulation "welfare code" means a current code issued under section 3 of the Agriculture (Miscellaneous Provisions) Act 1968.

### **Importation from third countries**

5.—(1) No person shall import a calf or a pig from a country outside the Economic Community unless it is accompanied by a certificate issued by the competent authority of that country, certifying that it has received treatment at least equivalent to that granted to animals of Community origin as provided for in Council Directive 91/629/EEC or Council Directive 91/630/EEC.

(2) This regulation shall be enforced under the procedures relating to third country imports contained in the Animals and Animal Products (Import and Export) Regulations 1993<sup>[562]</sup>, and any contravention of this regulation shall be an offence under those Regulations.

### **Powers of entry**

6. Any person authorised by the Minister under section 6(1) of the Agriculture (Miscellaneous Provisions) Act 1968 and exercising powers of entry under that Act for the purposes of these Regulations may take with him a representative of the European Commission acting for the purposes of Council Directive 88/166/EEC, Council Directive 91/629/EEC or Council Directive 91/630/EEC as well as any person he takes under powers provided under section 6(3) of that Act.

### **Offences**

7. A person who contravenes or fails to comply with any provision of these Regulations other than regulation 5 shall be guilty of an offence under section 2 of the Agriculture (Miscellaneous Provisions) Act 1968.

### Revocations and amendments

8.—(1) The Welfare of Livestock (Intensive Units) Regulations 1978<sup>[563]</sup>, the Welfare of Battery Hens Regulations 1987<sup>[564]</sup>, the Welfare of Calves Regulations 1987<sup>[565]</sup>, the Welfare of Livestock Regulations 1990<sup>[566]</sup> and the Welfare of Pigs Regulations 1991<sup>[567]</sup> are hereby revoked.

(2) In paragraph 6 of the first Schedule of the Protection of Animals (Anaesthetics) Act 1954<sup>[568]</sup> for the words—

“pig ..... 2 months”  
there shall be substituted the words—  
“pig ..... 4 weeks”.

In witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed the  
25th July 1994.

*William Waldegrave*

Minister of Agriculture, Fisheries and Food

*Hector Monro*

Parliamentary Under Secretary of State, Scottish Office

27th July 1994

Signed by authority of the Secretary of State for Wales

*Gwilym Jones*

Parliamentary Under Secretary of State, Welsh Office

26th July 1994

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*Notes:*

[554] 1968 c. 34; section 50(1) contains a definition of "the Ministers". [back](#)

[555] In the case of the Secretary of State for Wales by virtue of S.I. 1978/272. [back](#)

[556] S.I. 1972/1811. [back](#)

[557] 1972 c. 68. [back](#)

[558] OJ No. L74, 19.3.88, p.83. [back](#)

[559] OJ No. L340, 11.12.91, p.28. [back](#)

[560] OJ No. L340, 11.12.91, p.33. [back](#)

[561] 1986 c. 14. [back](#)

[562] S.I. [1993/3247](#). [back](#)

[563] S.I. 1978/1800 as amended by S.I. [1990/1445](#). [back](#)

[564] S.I. [1987/2020](#). [back](#)

[565] S.I. [1987/2021](#). [back](#)

[566] S.I. [1990/1445](#). [back](#)

[567] S.I. [1991/1477](#). [back](#)

[568] 1954 c. 46; paragraph 6 was amended by the Protection of Animals (Anaesthetics) Act (Amendment) Order 1982, S.I. [1982/1626](#). [back](#)