WELSH STATUTORY INSTRUMENTS

2008 No. 3094 (W.273)

ANIMALS, WALES

ANIMAL WELFARE

The Mutilations (Permitted Procedures) (Wales) (Amendment) Regulations 2008

Made - - - -	*2 December 2008*
Laid before the National Assembly for Wales - -	*29 October 2008*
Coming into force - -	*3 December 2008*

The Welsh Ministers are, in relation to Wales, the appropriate national authority for the purpose of exercising the powers conferred by section 5(4) of the Animal Welfare Act 2006(**1**), and make the following Regulations in exercise of those powers.

The Welsh Ministers have carried out a consultation in accordance with section 5(5) of that Act.

In accordance with section 61(2) of that Act, a draft of this instrument has been laid before, and approved by a resolution of, the National Assembly for Wales.

Title, commencement and application

1.—(1) The title of these Regulations is the Mutilations (Permitted Procedures) (Wales) (Amendment) Regulations 2008.

(2) These Regulations come into force on the day after the day on which they are made.

(3) These Regulations apply in relation to Wales.

Amendments to the Mutilations (Permitted Procedures) (Wales) Regulations 2007

2. The Mutilations (Permitted Procedures) (Wales) Regulations 2007(**2**) are amended as follows.

Regulation 3

3. In regulation 3 (exceptions to the prohibition on mutilations) for sub-paragraphs (c) and (d) substitute—

(**1**) 2006 c. 45. The appropriate national authority is defined in section 62(1) of the Act. By virtue of section 162 of and paragraph 30 of Schedule 11 to the Government of Wales Act 2006 (c. 32) these functions are exercisable by the Welsh Ministers.
(**2**) S.I. 2007/1029 (W. 96).

"(c) in hygienic conditions;

(d) in accordance with good practice; and

(e) in accordance with regulation 5, where applicable.".

Regulation 4

4. In regulation 4(1) (performance of prohibited procedures in an emergency) omit the word "protected".

Regulation 5

5. For regulation 5 (persons who may carry out permitted procedures) substitute—

"**5.**—(1) Any procedure permitted under regulation 3 to which the Veterinary Surgeons Act 1966(**3**) or the Veterinary Surgeons (Exemptions) Order 1962(**4**) applies, with the exception of the procedures referred to in paragraph (2), may only be carried out by a person permitted to carry it out under that legislation.

(2) Tail docking, or castration, of pigs may only be carried out by a veterinary surgeon or, where the animal is aged not more than 7 days, by a person experienced in performing the techniques involved and who is either a person responsible for the animal or a person employed or engaged by such a person to attend to the animal.".

Schedule 1

6.—(1) The amendments to Schedule 1 (permitted procedures) are as follows.

(2) In the section on birds for the list under the heading "Identification Procedures" substitute—

"Micro-chipping.

Neck tagging.

Web notching.

Web tagging.

Wing tagging.

Other methods of identification involving a mutilation required by law.".

(3) In the section on sheep for the list under the heading "Procedures for the Control of Reproduction" substitute—

"Castration.

Embryo collection or transfer by a surgical method.

Implantation of a subcutaneous contraceptive.

Laparoscopic insemination.

Ovum transplantation, including ovum collection, by a surgical method.

Vasectomy.".

(4) In the section on goats for the list under the heading "Procedures for the Control of Reproduction" substitute—

"Castration.

Embryo collection or transfer by a surgical method.

(**3**) 1966 c. 36; relevant amending instruments are S.I. 1988/526, 1991/1412, 2002/1479, 2008/1824.
(**4**) S.I. 1962/2557; relevant amending instruments are S.I. 1973/308, 1982/1627, 1983/6, 2002/1646.