WELSH STATUTORY INSTRUMENTS

2007 No. 1029 (W.96)

ANIMALS, WALES
ANIMAL WELFARE

The Mutilations (Permitted Procedures) (Wales) Regulations 2007

Made - - - -	*27 March 2007*
Coming into force - -	*28 March 2007*

The National Assembly for Wales being, 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 [F1],makes the following Regulations in exercise of those powers.

In accordance with section 5(5) of that Act, the Assembly has consulted those persons appearing to it to represent interests with which these Regulations are concerned as it considered appropriate.

F1 2006 c. 45. The appropriate national authority is defined in section 62(1) of the Act.

Title, commencement and application

1. The title of these Regulations is the Mutilations (Permitted Procedures) (Wales) Regulations 2007. They apply in relation to Wales and come into force on 28 March 2007.

Interpretation

2. In these Regulations—

"the Act" ("*y Ddeddf*") means the Animal Welfare Act 2006;

"cattle" ("*gwartheg*") means all animals of the bovine species including bison and buffalo;

"desnooding" ("*torri crogrib*") means removal of a turkey's snood;

"disbudding" ("*dadimpio*") means removal of the horn bud of cattle, goats or sheep;

"domestic fowl" ("*ffowlyn domestig*") means a domesticated member of the species gallus gallus;

"dubbing" ("*torri crib*") means removal of the comb of a domestic fowl;

"farmed" ("*a ffermir*") means an animal bred or kept for the production of food, wool or skin or for other farming purposes;

"horses" ("*ceffylau*") includes ponies, asses, donkeys, jennets and mules;

"in velvet" ("*yn bwrw eu melfed*") means, in relation to the antlers of a deer, until the velvet is frayed and the greater part of it has been shed;

"laying hen" ("*iâr ddodwy*") means a hen of the species *Gallus gallus* which has reached laying maturity and is kept for production of eggs not intended for hatching;

"poultry" ("*dofednod*") means domestic fowl, turkeys, geese, ducks, guinea fowl, quails, pheasants and partridges;

"prohibited procedure" ("*triniaeth waharddedig*") means a procedure which involves interference with the sensitive tissues or bone structure of an animal, otherwise than for the purpose of its medical treatment;

"suitable instrument" ("*offeryn addas*") means in relation to any procedure, an instrument that is in a fit state of repair and has been designed, or is of a kind commonly used, for the purpose of performing that procedure.

Exceptions to the prohibition on mutilations

3. Section 5(1) and (2) of the Act does not apply to a procedure listed in Schedule 1, providing that the procedure is carried out—

(a) in accordance with any relevant requirement in Schedules 2 to 9;

(b) in such a way as to minimise the pain and suffering it causes to the animal;

[[F2](c) in hygienic conditions;**]**

[[F2](d) in accordance with good practice; and**]**

[[F2](e) in accordance with regulation 5, where applicable.**]**

F2 Reg. 3(c)-(e) substituted for reg. 3(c)(d) (3.12.2008) by The Mutilations (Permitted Procedures) (Wales) (Amendment) Regulations 2008 (S.I. 2008/3094), regs. 1(2), **3**

Performance of prohibited procedures in an emergency

4.—(1) Section 5(1) and (2) of the Act does not apply where a prohibited procedure is carried out in an emergency for the purpose of saving the life or relieving the pain of the [F3]... animal [F4].

(2) Any procedure carried out under paragraph (1) must be carried out in accordance with regulation 3, so far as this is practicable in all of the circumstances.

F3 Word in reg. 4(1) omitted (3.12.2008) by virtue of The Mutilations (Permitted Procedures) (Wales) (Amendment) Regulations 2008 (S.I. 2008/3094), regs. 1(2), **4**

F4 2006 c. 45 Protected animal is defined in section 2 of the Act

Persons who may carry out permitted procedures

[[F5]**5.**—(1) Any procedure permitted under regulation 3 to which the Veterinary Surgeons Act 1966 or the Veterinary Surgeons (Exemptions) Order 1962 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.**]**

F5 Reg. 5 substituted (3.12.2008) by The Mutilations (Permitted Procedures) (Wales) (Amendment) Regulations 2008 (S.I. 2008/3094), regs. 1(2), **5**

F6Signed on behalf of the National Assembly for Wales under section 66(1) of the Government of Wales Act 1998 .

D. Elis-Thomas
The Presiding Officer of the National Assembly

SCHEDULE 1 Regulation 3

PERMITTED PROCEDURES

Cattle

Identification Procedures:

Ear clipping.
Ear notching.
Ear tagging.
Freeze branding.
Micro-chipping.
Tattooing.
Other methods of identification involving a mutilation required by law.

Procedures for the Control of Reproduction:

Castration.
Embryo collection or transfer by a surgical method.
Implantation of a subcutaneous contraceptive.
Ovum transplantation, including ovum collection, by a surgical method.
Vasectomy.

Other Management Procedures:

Dehorning.
Disbudding.
Nose ringing.
Removal of supernumerary teats.

Pigs

Identification Procedures:

Ear clipping.
Ear notching.
Ear tagging.
Micro-chipping.
Tattooing.
Other methods of identification involving a mutilation required by law.

Procedures for the Control of Reproduction:

Castration.
Implantation of a subcutaneous contraceptive.
Vasectomy.

Other Management Procedures:

Nose ringing.

Tail docking.

Tooth reduction.

Tusk trimming.

Birds

Identification Procedures:

[[F7]Micro-chipping.

Neck tagging.

Web notching.

Web tagging.

Wing tagging.

Other methods of identification involving a mutilation required by law.**]**

F7 Words in Sch. 1 substituted (3.12.2008) by The Mutilations (Permitted Procedures) (Wales) (Amendment) Regulations 2008 (S.I. 2008/3094), regs. 1(2), **6(2)**

F7 Words in Sch. 1 substituted (3.12.2008) by The Mutilations (Permitted Procedures) (Wales) (Amendment) Regulations 2008 (S.I. 2008/3094), regs. 1(2), **6(2)**

Procedures for the Control of Reproduction:

Castration.

Implantation of a subcutaneous contraceptive.

Ovidectomy.

Vasectomy.

Other Management Procedures:

Beak trimming of poultry.

Desnooding.

De-toeing of domestic fowl and turkeys.

Dubbing.

Laparoscopy.

Wing pinioning.

Sheep

Identification Procedures:

Ear clipping.

Ear notching.

Ear tagging.