Draft Regulations laid before Parliament under section 61(2) of the Animal Welfare Act 2006, for approval by resolution of each House of Parliament.

DRAFT STATUTORY INSTRUMENTS

2008 No.

ANIMALS, ENGLAND

ANIMAL WELFARE

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

Made - - - -	***
Coming into force - -	***

The Secretary of State is, in relation to England, the appropriate national authority for the purpose of exercising the powers conferred by section 5(4) of the Animal Welfare Act 2006(**1**), and makes the following Regulations in exercise of those powers.

The Secretary of State has 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, each House of Parliament.

Title, commencement and application

1. These Regulations—

(a) may be cited as the Mutilations (Permitted Procedures) (England) (Amendment) Regulations 2008;

(b) come into force on the day after the day on which they are made;

(c) apply in England only.

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

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

(**1**) 2006 c. 45. The appropriate national authority is defined in section 62(1) of the Act.
(**2**) S.I. 2007/1100.

Regulation 3

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

"(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.".

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