STATUTORY RULES OF NORTHERN IRELAND

2008 No. 277

WELFARE OF ANIMALS

The Welfare of Animals (Slaughter or Killing) (Amendment) Regulations (Northern Ireland) 2008

Made - - - -	*30th June 2008*
Coming into operation	*31st July 2008*

The Department of Agriculture and Rural Development is designated(**1**) for the purposes of section 2(2) of the European Communities Act 1972(**2**) in relation to the common agricultural policy of the European Community.

The Department of Agriculture and Rural Development makes the following Regulations in exercise of the powers conferred by that section.

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Welfare of Animals (Slaughter or Killing) (Amendment) Regulations (Northern Ireland) 2008 and shall come into operation on 31st July 2008.

(2) The Interpretation Act (Northern Ireland) 1954(**3**) applies to these Regulations as it applies to an Act of the Assembly.

Amendment of the Welfare of Animals (Slaughter or Killing) Regulations (Northern Ireland) 1996

2.—(1) The Welfare of Animals (Slaughter or Killing) Regulations (Northern Ireland) 1996(**4**) are amended in accordance with paragraphs (2) to (5).

(2) For regulation 15, substitute—

"**The killing of animals elsewhere than in a slaughterhouse or knacker's yard**

15.—(1) Subject to sub-paragraph (2) and regulations 16 to 19, where any soliped, ruminant, pig, rabbit or bird is killed elsewhere than in a slaughterhouse or knacker's yard, it shall be killed in accordance with Parts I and III of Schedule 5.

(**1**) S.I. 2000/2812
(**2**) 1972 c. 68
(**3**) 1954 c. 33 (N.I.)
(**4**) S.R. 1996 No. 558 as amended by S.R. 2000 No. 76, as modified by S.R. 2000 No. 78, as amended by S.R. 2001 No. 66, S.R. 2001 No. 186, S.R. 2002 No. 304 and S.R. 2004 No. 209

(2) Schedule 7A shall have effect in relation to the killing of birds by exposure to gas mixtures elsewhere than in a slaughterhouse.".

(3) In paragraph 11 of Schedule 3 (requirements for animals awaiting slaughter or killing)—

(a) before sub-paragraph (a), insert "(za) the use of such an instrument is avoided as far as possible;"; and

(b) for sub-paragraph (a), substitute—

"(a) the shocks last no more than one second each, are adequately spaced out and are not used repeatedly if the animal fails to respond;".

(4) In paragraph 13 of Schedule 5 (stunning or killing animals other than animals reared for fur), for sub-paragraphs (c) and (d) substitute—

"(c) for birds only, decapitation or dislocation of the neck;

(d) exposure of pigs and birds to gas mixtures in a slaughterhouse in accordance with Schedule 7; or

(e) exposure of birds to gas mixtures elsewhere than in a slaughterhouse in accordance with Schedule 7A.".

(5) After Schedule 7 (killing pigs and birds by exposure to gas mixtures), insert—

"SCHEDULE 7A Regulation 15(2)

Killing Birds by Exposure to Gas Mixtures Elsewhere than in a Slaughterhouse

PART 1

Interpretation

1. In this Schedule—

"bird" means any domestic fowl, turkey, pheasant, quail, partridge, goose, duck or guinea fowl;

"bird shed" means a building designed and constructed to house birds that has been sealed so as to be capable of containing the gas mixture mentioned in combination 1 in the table in Part VI;

"breeder hen" means a domestic fowl which has reached laying maturity and is kept for the production of eggs intended for hatching;

"chamber" means a bird shed or gas container in which end of lay hens, end of life breeder hens or birds are killed by exposure to gas or gas mixtures mentioned in the second column of the table in Part VI;

"end of lay hen" means a laying hen no longer required for the production of eggs;

"end of life breeder hen" means a breeder hen no longer required for the production of hatching eggs;

"gas container" means a receptacle capable of containing the gas mixtures mentioned in combinations 2 or 3 in the table in Part VI;

"gas mixture" means any of the combinations of gases listed in Part VI;

"laying hen" means a domestic fowl which has reached laying maturity and is kept for the production of eggs not intended for hatching;

PART II

Killing birds by exposure to gas mixtures

2. No person shall kill, or cause or permit to be killed, birds by exposure to gas mixtures elsewhere than in a slaughterhouse except where permitted by Part III or authorised in accordance with Part IV.

PART III

End of lay hens and end of life breeder hens

3.—(1) Subject to sub-paragraphs (2) and (3), end of lay hens and end of life breeder hens may be killed on premises where they are kept as laying or breeder hens by exposure to gas mixtures in accordance with Part VI.

(2) The owner of the end of lay hens or the end of life breeder hens shall give the Department a minimum of five working days' notice specifying—

(a) the owner's name and address;

(b) the address of the premises at which the killings will take place;

(c) the date on which the killings will take place;

(d) which of the combinations of gas and chamber listed in the table in Part VI is intended to be used for the killings;

(e) the number and age of the hens being killed and whether kept as laying or breeder hens.

(3) Part V applies to the killing of end of lay hens and end of life breeder hens permitted by this paragraph.

PART IV

Killing where there is a restriction on movement

4.—(1) The Department may authorise the killing of birds elsewhere than in a slaughterhouse by exposure to gas mixtures in accordance with Part VI if—.

(a) an event occurs in Northern Ireland or the Republic of Ireland that makes the movement of birds from the premises where they are kept to a slaughterhouse impracticable; and

(b) it is foreseeable that the welfare of the birds will be compromised as a result of the restrictions on their movement.

(2) An authorisation issued under this paragraph—

(a) shall be in writing;

(b) may be general or specific;

(c) shall be subject to the conditions set out in sub-paragraph (3);

(d) may include such other conditions as may be specified in the authorisation; and

(e) may at any time be amended, suspended or revoked by notice in writing—

(i) in the case of a general authorisation, by publication in such manner as the Department sees fit, and

(ii) in the case of a specific authorisation, by service on the individual to whom the authorisation was granted.