STATUTORY RULES OF NORTHERN IRELAND

2003 No. 244

WELFARE OF ANIMALS

Welfare of Farmed Animals (Amendment) Regulations (Northern Ireland) 2003

Made - - - -	*17th April 2003*
Coming into operation	*1st June 2003*

The Department of Agriculture and Rural Development(**1**), in exercise of the powers conferred on it by section 2(1) of the Welfare of Animals Act (Northern Ireland) 1972(**2**) and being a Department designated(**3**) for the purposes of section 2(2) of the European Communities Act 1972(**4**) in relation to the common agricultural policy of the European Community, in exercise of the powers conferred on it by the said section 2(2) and of every other power enabling it in that behalf and after consultation with such persons appearing to it to represent any interests concerned as it considers appropriate, hereby makes the following Regulations:

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Welfare of Farmed Animals (Amendment) Regulations (Northern Ireland) 2003 and shall come into operation in accordance with paragraphs (2) to (4).

(2) For the purposes of paragraph 30 of Schedule 6, these Regulations shall have effect in relation to all buildings used for the keeping of pigs immediately before 1st June 2003 [the day these Regulations were brought into operation generally] from 1st January 2005.

(3) For the purposes of paragraphs 13 and 38 to 40 of Schedule 6, these Regulations shall have effect in relation to all buildings used for the keeping of pigs immediately before 1st June 2003 [the day these Regulations were brought into operation generally] from 1st January 2013.

(4) For all other purposes these Regulations shall come into operation on 1st June 2003.

(5) The Interpretation Act (Northern Ireland) 1954(**5**) shall apply to these Regulations as it applies to an Act of the Northern Ireland Assembly.

(6) In this regulation, references to Schedule 6 mean Schedule 6 to the Welfare of Farmed Animals Regulations (Northern Ireland) 2000 as substituted by these Regulations.

(**1**) Formerly the Department of Agriculture for Northern Ireland; *see*S.I. 1999/283 (N.I.) Article 3(4)
(**2**) 1972 c. 7 (N.I.) as amended by S.I. 1994/1891 (N.I. 6) Articles 10 and 11
(**3**) S.I. 2000/2812
(**4**) 1972 c. 68
(**5**) 1954 c. 33 (N.I.)

Amendment of the Welfare of Farmed Animals Regulations (Northern Ireland) 2000

2. The Welfare of Farmed Animals Regulations (Northern Ireland) 2000(**6**) shall be amended as provided in regulations 3 to 5.

3. In regulation 2 the following paragraph shall be inserted after paragraph (3) –

"(3A) Expressions which are not defined in paragraph (1) and which appear in Council Directives 91/630/EEC(**7**) and 2001/88/EC(**8**) and Commission Directive 2001/93/EC(**9**) have the same meaning in these Regulations as they have for the purposes of that Community legislation.".

4. After regulation 8 the following regulation shall be inserted –

"**Training**

8A. Any person who employs or engages persons to attend to pigs must ensure that that person has received instructions and guidance on the relevant provisions of these Regulations.".

5. For Schedule 6 there shall be substituted the following Schedule –

"SCHEDULE 6 Regulation 8

ADDITIONAL CONDITIONS THAT APPLY TO THE KEEPING OF PIGS

PART I

Interpretation

1. In this Schedule –

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

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

"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; and

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

PART II

GENERAL ADDITIONAL CONDITIONS

Inspection

2. All pigs shall be inspected by the owner or keeper of the pigs at least once a day to check that they are in a state of well-being.

(**6**) S.R. 2000 No. 270 as amended by S.R. 2002 No. 259
(**7**) O.J. No. L340, 11.12.91, p. 33
(**8**) O.J. No. L316, 1.12.2001, p. 1
(**9**) O.J. No. L316, 1.12.2001, p. 36

3. Where necessary, sick or injured pigs shall be temporarily isolated in suitable accommodation with dry comfortable bedding.

Tethering

4. A person shall not tether or cause to be tethered any pig except while it is undergoing any examination, test, treatment or operation carried out for any veterinary purpose.

5.—(1) Where the use of tethers is permitted in accordance with paragraph 4, they shall not cause injury to the pigs and shall be inspected regularly and adjusted as necessary to ensure a comfortable fit.

(2) Each tether shall be of sufficient length to allow the pigs to move as stipulated in paragraph 6(2) and the design shall be such as to avoid, as far as possible, any risk of strangulation, pain or injury.

Accommodation

6.—(1) A pig shall be free to turn round without difficulty at all times.

(2) The accommodation used for pigs shall be constructed in such a way as to allow each pig to –

(a) stand up, lie down and rest without difficulty;

(b) have a clean, comfortable and adequately drained place in which it can rest;

(c) see other pigs, unless the pig is isolated for veterinary reasons;

(d) maintain a comfortable temperature; and

(e) have enough space to allow it and all the other animals in the accommodation to lie down at the same time.

7.—(1) The dimension of any stall or pen used for holding individual pigs in accordance with these Regulations shall be such that the internal area is not less than the square of the length of the pig, and no internal side is less than 75% of the length of the pig, the length of the pig in each case being measured from the tip of its snout to the base of its tail while it is standing with its back straight.

(2) Paragraph (1) shall not apply to a female pig for the period starting seven days before the predicted day of her farrowing and the day on which the weaning of her piglets (including any piglets fostered by her) is complete.

(3) A person shall not be guilty of an offence in accordance with regulation 13(1) of contravening or failing to comply with this paragraph by reason of the keeping of a pig in a stall or pen –

(a) while it is undergoing any examination, test, treatment or operation carried out for veterinary purposes;

(b) for the purposes of service, artificial insemination or collection of semen;

(c) while it is fed on any particular occasion;

(d) for the purposes of marking, washing or weighing it;

(e) while its accommodation is being cleaned; or

(f) while it is awaiting loading for transportation,

provided that the period during which it is so kept is not longer than necessary for the purpose in question.

(4) A person shall not be guilty of an offence in accordance with regulation 13(1) of contravening or failing to comply with this paragraph by reason of the keeping of a pig in a stall or pen which the pig can enter or leave at will, provided that the stall or pen is entered from a stall or pen in which the pig is kept without contravention of this paragraph.

Artificially lit buildings

8. Subject to paragraph 16 of Schedule 1, where pigs are kept in an artificially lit building then lighting with an intensity of at least 40 lux shall be provided for a minimum period of 8 hours per day.

Prevention of fighting

9.—(1) If pigs are kept together, measures shall be taken to prevent fighting which goes beyond normal behaviour.

(2) Pigs which show persistent aggression towards others or are victims of such aggression shall be isolated or kept separate from the group.

Cleansing and disinfection

10.—(1) Housing, pens, equipment and utensils used for pigs must be properly cleansed and disinfected as necessary to prevent cross-infection and the build-up of disease-carrying organisms.

(2) Faeces, urine and uneaten or spilt food must be removed as often as necessary to minimise smell and avoid attracting flies or rodents.

Bedding

11. Where bedding is provided, this must be clean, dry and not harmful to the pigs.

Floors

12. Where pigs are kept in a building, floors shall –

(a) be smooth but not slippery so as to prevent injury to the pigs;

(b) be so designed, constructed and maintained so as not to cause injury or suffering to pigs standing or lying on them;

(c) be suitable for the size and weight of the pigs; and

(d) where no litter is provided, form a rigid, even and stable surface.

13. When concrete slatted floors are used for pigs kept in groups –

(a) the maximum width of the openings must be –

(i) 11mm for piglets

(ii) 14 mm for weaners

(iii) 18mm for rearing pigs; and

(iv) 20 mm for gilts after service and sows;

(b) the minimum slot width must be –

(i) 50 mm for piglets and weaners; and

(ii) 80 mm for rearing pigs, gilts after service and sows.