STATUTORY RULES OF NORTHERN IRELAND

1998 No. 251

WELFARE OF ANIMALS

Welfare of Livestock (Amendment) Regulations (Northern Ireland) 1998

Made - - - -	*17th July 1998*
Coming into operation	*31st August 1998*

The Department of Agriculture, in exercise of the powers conferred on it by section 2(1) of the Welfare of Animals Act (Northern Ireland) 1972(**1**) and being a Department designated(**2**) for the purposes of section 2(2) of the European Communities Act 1972(**3**) 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 Livestock (Amendment) Regulations (Northern Ireland) 1998 and shall come into operation on 31st August 1998.

(2) The Interpretation Act (Northern Ireland) 1954(**4**) shall apply to these Regulations as it applies to a Measure of the Northern Ireland Assembly.

Amendment of the Welfare of Livestock Regulations (Northern Ireland) 1995

2. The Welfare of Livestock Regulations (Northern Ireland) 1995(**5**) shall be amended as provided in regulations 3 to 5.

3. In regulation 2(1) after the definition of "calf" there shall be inserted the following definitions —

> ""Council Directive 91/629/EEC" means Council Directive 91/629/EEC(**6**) as amended by Council Directive 97/2/EC(**7**) and Commission Decision 97/182/EC(**8**);

(**1**) 1972 c. 7 (N.I.) as amended by S.I.1994/1891 (N.I. 6)Art. 10
(**2**) S.I. 1972/1811
(**3**) 1972 c. 68; section 2 is subject to Schedule 2 to that Act and is to be read with S.I. 1984/703 (N.I. 3) and S.I. 1994/2795 (N.I. 15)
(**4**) 1954 c. 33 (N.I.)
(**5**) S.R. 1995 No. 172
(**6**) O.J. No. L340, 11.12.91, p. 28
(**7**) O.J. No. L25, 28.1.97, p. 24

"fibrous food" means a food high in cellulose and related compounds and of low digestibility, with a fibre length more than 10 mm;".

4. For Schedule 2 (Conditions under which calves must be kept) there shall be substituted the following Schedule—

"SCHEDULE 2 Regulation 3(2)

Conditions under which calves must be kept

1.—(1) A calf shall not be confined in an individual stall or pen after the age of eight weeks, unless a veterinary surgeon certifies that its health or behaviour requires it to be isolated in order to receive treatment.

(2) The width of any individual stall or pen for a calf shall be at least equal to the height of the calf at the withers, measured in the standing position, and the length shall be at least equal to the body length of the calf, measured from the tip of the nose to the caudal edge of the *tuber ischii* (pin bone) multiplied by 1.1.

(3) Individual stalls or pens for calves (except those for isolating sick animals) shall have perforated walls which allow the calves to have direct visual and tactile contact.

(4) For calves kept in groups, the unobstructed space allowance available to each calf shall be at least 1.5 square metres for each calf with a live weight of less than 150 kilogrammes, at least 2.0 square metres for each calf with a live weight of 150 kilogrammes or more but less than 200 kilogrammes, and at least 3.0 square metres for each calf with a live weight of 200 kilogrammes or more.

(5) Each calf shall be able to stand up, turn around, lie down, rest and groom itself without hindrance.

(6) Subject to sub-paragraphs (7) and (8), each calf that is kept on a holding on which two or more calves are kept shall be able to see at least one other calf.

(7) Sub-paragraph (6) shall not apply to any calf that is kept in isolation on a holding on veterinary advice.

(8) For the purpose of calculating the number of calves being kept on a holding in order to determine whether sub-paragraph (6) applies, no account shall be taken of any calf that is being kept in isolation on that holding on veterinary advice.

2.—(1) Until 1st January 2004, sub-paragraphs (1), (3) and (4) of paragraph 1 shall not apply in relation to accommodation in use before 1st January 1998.

(2) Until 1st January 2004, in the case of accommodation brought into use after 1st January 1994 but before 1st January 1998—

(a) where calves are housed in groups, each calf of 150 kilogrammes or more live weight shall have at least 1.5 square metres unobstructed floor space; and

(b) where a calf is housed in an individual stall or pen, the stall or pen shall have at least one perforated wall which enables the calf to see other animals in neighbouring stalls or pens unless isolated for veterinary reasons.

3.—(1) Calves shall not be tethered, with the exception of group-housed calves which may be tethered for periods of not more than one hour when being fed milk or milk substitute.

(**8**) O.J. No. L76, 18.3.97, p. 30

(2) Where tethers are used in accordance with sub-paragraph (1), they shall not cause pain or injury to the calves and shall be inspected regularly and adjusted as necessary to ensure a comfortable fit.

(3) Each tether shall be designed to avoid the risk of strangulation or pain or injury and to allow the calf to lie down, rest, stand up and groom itself without hindrance.

4. Inadequately constructed or insecure fittings shall not be used for restraining calves.

5. Materials used for the construction of calf accommodation and all equipment with which calves may come into contact shall not be harmful to the calves and shall be capable of being thoroughly cleansed and disinfected.

6. The interior of any building (including the floor) to which calves have access shall be constructed and maintained so that there are no sharp edges or protrusions likely to cause injury or distress to the calves.

7. Insulation, heating and ventilation of the building in which calves are kept shall ensure that the air circulation, dust level, temperature, air relative humidity and gas concentrations are kept within limits which are not harmful to the calves.

8.—(1) All automatic equipment shall be thoroughly inspected by a stock-keeper, or other competent person, at least once each day to check that there is no defect in it.

(2) Where a defect is found in the automatic equipment, (whether on inspection of the equipment in accordance with this paragraph or at any other time)—

(a) the defect shall be rectified forthwith; or

(b) where it is not practicable to rectify the defect forthwith, such measures shall immediately be taken and shall be maintained until the defect is rectified, as are required to safeguard the calves from suffering unnecessary pain or unnecessary distress as a result of the defect.

(3) Where the automatic equipment includes a ventilation system the system shall contain—

(a) an alarm which will give adequate warning of the failure of that system to function properly (which alarm will operate even if the principal electricity supply to it has failed); and

(b) additional equipment or means of ventilation (whether automatic or not) which, in the event of such a failure of the ventilation system, will provide adequate ventilation so as to prevent the calves from suffering unnecessary distress as a result of the failure.

(4) The alarm mentioned in sub-paragraph (3)(*a)* shall be tested and the additional equipment mentioned in sub-paragraph (3)(b) shall be thoroughly inspected, in each case, by a stock-keeper or other competent person at least once every seven days in order to check that there is no defect in it and, if any defect is found in such alarm or equipment (whether or not on it being tested or inspected in accordance with this sub-paragraph) it shall be rectified forthwith.

9. Calves shall not be kept permanently in darkness. To meet their behavioural and physiological needs, appropriate natural or artificial lighting shall be provided; if the latter, for a period at least equivalent to the period of natural light normally available between 9.00 a.m. and 5.00 p.m. In addition, suitable lighting (fixed or portable) strong enough to allow the calves to be inspected at any time shall be available.

10. All housed calves shall be inspected by the stock-keeper responsible for the animals at least twice daily. Calves kept outside which are confined for rearing and fattening shall be inspected at least once daily to check that they are in a state of well-being. Any calf which appears to be ill or injured shall be treated appropriately without delay and veterinary advice shall be obtained as