STATUTORY RULES OF NORTHERN IRELAND

1996 No. 558

WELFARE OF ANIMALS

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

Made - - - -	*29th November 1996*
Coming into operation	*30th November 1996*

The Department of Agriculture, being a Department 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, in exercise of the powers conferred upon it by the said section 2(2) and of every other power enabling it in that behalf, hereby makes the following Regulations:

Part I

Preliminary

Citation and commencement

1. These Regulations may be cited as the Welfare of Animals (Slaughter or Killing) Regulations (Northern Ireland) 1996 and shall come into operation on 30th November 1996.

Interpretation

2.—(1) In these Regulations—

"animal" includes bird;

"adverse weather condition" means any weather condition, including direct sunlight, which has an adverse effect on the welfare of an animal;

"authorised person" means any person authorised in writing by the Department for the purposes of these Regulations;

"commercial", in relation to the slaughter or killing of an animal, means slaughter or killing—

(a) in the course or furtherance of a business or for reward;

(**1**) S.I.1972/1811
(**2**) 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)

(b) by, or on behalf of, the purchaser of an animal on premises belonging to, occupied by or under the control of the seller of the animal; or

(c) in a market place;

"container" means any transport crate in which an animal is delivered to a slaughterhouse or knacker's yard;

"contravention", in relation to any provision of these Regulations, includes a failure to comply with that provision;

"the Department" means the Department of Agriculture for Northern Ireland;

"horse" includes any hinny, ass or mule;

"killing", in relation to an animal, means causing the death of the animal by any process other than slaughter;

"knacker's yard" means any premises used for the commercial slaughter or killing of solipeds, ruminants, pigs, rabbits or birds, the flesh of which is not intended for human consumption, including any associated facilities for moving or lairaging such animals;

"lairaging", in relation to an animal, means keeping the animal in a stall, pen, covered area or field used by a slaughterhouse or knacker's yard in order to confine it until it is slaughtered or killed to give it any necessary attention before it is slaughtered or killed;

"movement", in relation to an animal, means unloading it or driving it from an unloading place, stall or pen at a slaughterhouse or knacker's yard to the premises or place where it is to be lairaged, slaughtered or killed;

"pithing", in relation to an animal, means the destruction of its brain tissue after stunning to the extent that irreversible loss of consciousness is ensured;

"restraining pen" means a pen or compartment which is—

(a) suitable for restraining for slaughter by a religious method (as defined in paragraph 2 of Schedule 12) in an upright position any ox, bullock, cow, heifer or steer or any calf which is too large to be restrained manually on a cradle or on a table;

(b) constructed so as to permit one animal at a time to be confined in it without discomfort and so as to prevent any substantial movement of the animal forwards, backwards or sideways once it has been placed in position for slaughter; and

(c) approved by the Department under paragraph 3 of Schedule 12;

"restraint", in relation to an animal, means the application of any procedure designed to restrict its movements in order to facilitate effective stunning or killing;

"slaughter", in relation to an animal, means causing the death of the animal by bleeding;

"slaughterhouse" means any premises used for the commercial slaughter or killing of solipeds, ruminants, pigs, rabbits or birds the flesh of which is intended for human consumption, including any associated facilities for moving or lairaging such animals;

"stunning", in relation to an animal, means any process which causes immediate loss of consciousness which lasts until death;

"stunning pen" means a pen or compartment which is suitable for confining adult bovine animals while they are being stunned and which is so constructed that it—

(a) permits one animal at a time to be confined in it without discomfort;

(b) prevents any substantial movement forwards, backwards or sideways of an animal confined in it;

(c) restricts the movement of the head of any animal confined in it without causing the animal any avoidable excitement so as to permit accurate stunning and allows the head of the animal to be released immediately after the animal has been stunned; and

(d) allows unimpeded access to the forehead of the animal confined in it;

"wild game" means wild land mammals which are hunted (including wild mammals living within an enclosed area under conditions of freedom similar to those enjoyed by wild game) and wild birds.

(2) For the purposes of these Regulations, a person permits any act or omission if he knows of, or might reasonably be expected to know of, that act or omission.

(3) Any provision in these Regulations which applies to an animal awaiting slaughter or killing applies until that animal is dead.

(4) The Interpretation Act (Northern Ireland) 1954(**3**), except section 20(2) and (3), shall apply to these Regulations as it applies to a Measure of the Northern Ireland Assembly.

Application and exemptions

3.—(1) These Regulations apply to the movement, lairaging, restraint, stunning, slaughter and killing of animals bred or kept for the production of meat, skin, fur or other products, to methods of killing animals for the purpose of disease control and to the killing of surplus chicks and embryos in hatchery waste.

(2) These Regulations do not apply to any act lawfully done under the Animals (Scientific Procedures) Act 1986(**4**).

(3) These Regulations do not apply to any animal which is killed during a sporting event.

(4) These Regulations do not apply to the killing of wild game.

Humane treatment of animals

4.—(1) No person engaged in the movement, lairaging, restraint, stunning, slaughter or killing of animals shall—

(a) cause any avoidable excitement, pain or suffering to any animal; or

(b) permit any animal to sustain any avoidable excitement, pain or suffering.

(2) Without prejudice to paragraph (3), no person shall engage in the movement, lairaging, restraint, stunning, slaughter or killing of any animal unless he has the knowledge and skill necessary to perform those tasks humanely and efficiently in accordance with these Regulations.

(3) Schedule 1 shall have effect in relation to the licensing of slaughtermen.

(4) Parts II and III are without prejudice to the generality of paragraphs (1) and (2).

Safeguarding the welfare of animals

5. The occupier of a slaughterhouse or knacker's yard shall ensure that at all times when there are live animals on the premises a person (whether or not himself) is available who is competent, and who has authority to take whatever action may be necessary to safeguard the welfare of the animals in accordance with these Regulations.

(**3**) 1954 c. 33 (N.I.)
(**4**) 1986 c. 14

Animal welfare legislation and codes

6.—(1) The occupier of a slaughterhouse or knacker's yard shall ensure that any person who is involved in any of the activities governed by these Regulations—

(a) is acquainted with the provisions of the legislation, and of any welfare codes, relevant to the operations that that person carries out;

(b) has access to a copy of any such welfare code at the slaughterhouse or knacker's yard;

(c) has received instruction and guidance on the requirements of such legislation and any such welfare code; and

(d) where, by virtue of paragraph 3 of Schedule 1, any such activity requires a licence, has the appropriate licence.

(2) In this regulation, "welfare code" means any current code issued under regulation 7.

Codes of practice

7.—(1) The Department may from time to time, after consultation with such organisations as appear to it to represent the interests concerned—

(a) prepare and issue codes of practice for the purpose of providing guidance in respect of these Regulations; and

(b) revise any such code by revoking, varying, amending or adding to the provisions of the code.

(2) A code prepared in pursuance of this regulation and any alterations proposed to be made on the revision of such a code shall be laid before the Assembly and the Department shall not issue the code or revised code, as the case may be, within the statutory period next after the code or, as the case may be, the proposed alterations were so laid.

(3) If, within the period mentioned in paragraph (2), the Assembly resolves that the code be not issued or the proposed alterations be not made, the Department shall not issue the code or revised code (without prejudice to its power under that paragraph to lay further codes or proposed alterations before the Assembly).

(4) The Department shall cause any code issued or revised under this regulation to be printed and distributed, and may make such arrangements as it thinks fit for its distribution, including causing copies of it to be put on sale to the public at such reasonable price as the Department may determine.

(5) A failure on the part of any person to follow any guidance contained in a code issued under this regulation shall not of itself render that person liable to proceedings of any kind.

(6) If, in proceedings against any person for an offence consisting of the contravention of any provision of these Regulations, it is shown that, at any material time, he failed to follow any guidance contained in a code issued under this regulation, being guidance which was relevant to the provision concerned, that failure may be relied upon by the prosecution as tending to establish his guilt.

Part II

Requirements Applicable to Slaughterhouses and Knackers' Yards

Construction, equipment and maintenance of slaughterhouses and knackers' yards

8. Schedule 2 shall have effect in relation to the construction, equipment and maintenance of slaughterhouses and knackers' yards.

The slaughter of animals in slaughterhouses and knackers' yards

9. Where any soliped, ruminant, pig, rabbit or bird is brought into a slaughterhouse or knacker's yard for slaughter, that animal shall be—

(a) moved and lairaged in accordance with Schedule 3;

(b) restrained in accordance with Schedule 4;

(c) subject to regulation 22, stunned before slaughter in accordance with Parts I and II of Schedule 5; and

(d) bled or pithed in accordance with Schedule 6.

The killing of animals in slaughterhouses and knackers' yards

10. Where any soliped, ruminant, pig, rabbit or bird is brought into a slaughterhouse or knacker's yard for killing, that animal shall be—

(a) moved and lairaged in accordance with Schedule 3;

(b) restrained in accordance with Schedule 4; and

(c) subject to regulation 11, killed in accordance with Parts I and III of Schedule 5.

The killing of pigs and birds by exposure to gas mixtures

11. Schedule 7 shall have effect in relation to the killing of pigs and birds by exposure to gas mixtures.

Additional provisions for the slaughter or killing of horses

12. Without prejudice to regulations 9 and 10, Schedule 8 shall have effect in relation to the slaughter or killing of horses.

Part III

Slaughter or Killing Elsewhere than in Slaughterhouses or Knackers' Yards

Application of Part III

13.—(1) This Part applies to the slaughter or killing of animals elsewhere than in a slaughterhouse or knacker's yard.

(2) This Part does not apply in the case of any animal which has to be slaughtered or killed immediately for emergency reasons relating to the welfare of that animal.

The slaughter of animals elsewhere than in a slaughterhouse or knacker's yard

14. Subject to regulations 16 and 17, where any soliped, ruminant, pig, rabbit or bird is slaughtered elsewhere than in a slaughterhouse or knacker's yard, that animal shall be—

(a) restrained in accordance with Schedule 4;

(b) subject to regulation 22, stunned before slaughter in accordance with Parts I and II of Schedule 5; and

(c) bled or pithed in accordance with Schedule 6.