

## 1995 No. 172

## WELFARE OF ANIMALS

Welfare of Livestock Regulations  
(Northern Ireland) 1995

Made . . . . . 14th April 1995

Coming into operation in accordance with regulation 1(2)  
and (3)

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(a) and, being a Department designated(b) for the purposes of section 2(2) of the European Communities Act 1972(c) 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 and commencement*

1.—(1) These Regulations may be cited as the Welfare of Livestock Regulations (Northern Ireland) 1995.

(2) Except as provided by paragraph (3) these Regulations shall come into operation on 24th May 1995.

(3) Regulation 4(1)(c) shall come into operation on 24th May 1996.

*Interpretation*

2.—(1) In these Regulations—

“automatic equipment” means automated or mechanical equipment, the failure of which will cause the livestock to suffer unnecessary pain or unnecessary distress unless the failure is rectified or other provision is made for the care of livestock;

“battery cage” means an enclosed space intended for laying hens in a battery system;

“battery system” means an arrangement of cages in rows or tiers or rows and tiers;

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

(a) 1972 c. 7 (N.I.) as amended by S.I. 1994/1891 (N.I. 6) Art. 10

(b) S.I. 1972/1811

(c) 1972 c. 68

- “calf” means a bovine animal aged six months or less;
- “gilt” means a female pig intended for breeding, after puberty and before farrowing;
- “intensive system” means a husbandry method in which livestock are kept in such numbers or density or in such conditions or at such production levels that their health and welfare depend upon frequent human attention;
- “intensive unit” means a unit in which livestock are kept under an intensive system;
- “laying hen” means an adult female domestic fowl (*Gallus gallus*) which is kept for egg production;
- “pig” means an animal of the porcine species of any age, kept for breeding or fattening;
- “piglet” means a pig from birth to weaning;
- “rearing pig” means a pig from ten weeks of age to the date of slaughter or service;
- “sow” means a female pig after the first farrowing;
- “stall or pen” includes any form of accommodation in which livestock are kept;
- “stock-keeper” means the owner of the livestock or the person responsible for the livestock;
- “tether” in relation to livestock, means to so secure or harness by any chain, rope, webbing or other material as to restrict movement;
- “the Act” means the Welfare of Animals Act (Northern Ireland) 1972(a);
- “weaner” means a pig from weaning to ten weeks of age.

(2) Nothing in these Regulations shall apply to any act lawfully done under the Animals (Scientific Procedures) Act 1986(b).

(3) These Regulations shall only apply in relation to livestock for the time being situated on agricultural land.

(4) These Regulations shall not apply in relation to bees or fish, including shellfish, crustaceans and molluscs.

(5) In these Regulations, a person knowingly permits livestock to be kept if—

- (a) the livestock is under his control; and
- (b) he knows or could reasonably be expected to know how the livestock is or may be kept.

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

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(a) 1972 c. 7 (N.I.) as amended by S.I. 1994/1891 (N.I. 6) Articles 10 and 11 and 13 to 15

(b) 1986 c. 14

(c) 1954 c. 33 (N.I.)

*Keeping livestock*

3.—(1) A person shall not keep, or cause or knowingly permit to be kept, a laying hen in a battery cage unless the appropriate conditions set out in Schedule 1 are complied with in relation to that hen.

(2) A person shall not keep, or cause or knowingly permit to be kept, a calf unless the appropriate conditions set out in Schedule 2 are complied with in relation to that calf.

(3) A person shall not keep, or cause or knowingly permit to be kept, a pig unless the appropriate conditions set out in Schedule 3 are complied with in relation to that pig.

(4) A person shall not keep, or cause or knowingly permit to be kept, other livestock unless the appropriate conditions set out in Schedule 4 are complied with in relation to that livestock.

*Welfare codes*

4.—(1) Any person who employs or engages persons to attend to livestock shall ensure that the person attending to the livestock—

- (a) is acquainted with the provisions of all relevant welfare codes relating to the livestock being attended;
- (b) has access to a copy of those welfare codes while he is attending the livestock; and
- (c) has received instruction and guidance on those welfare codes.

(2) Any person who keeps livestock, or who causes or knowingly permits livestock to be kept, shall not attend the livestock unless he has access to all welfare codes relating to that livestock while he is attending to them, and is acquainted with the provisions of those codes.

(3) In this regulation “welfare code” in relation to any livestock being attended means a current code prepared and revised from time to time by the Department under section 3 of the Act.

*Importation from third countries*

5.—(1) A person shall not import a calf or a pig from a country outside the European Communities unless it is accompanied by a certificate issued by the competent authority of that country, certifying that it has received treatment at least equivalent to that granted to animals of Community origin as provided for in Council Directive 91/629/EEC or Council Directive 91/630/EEC.

(2) This regulation shall be enforced under the procedures relating to third country imports contained in the Animals and Animal Products (Import and Export) Regulations (Northern Ireland) 1995(a).

*Powers of entry*

6. An authorised officer who, for the purposes of ascertaining whether these Regulations have been contravened, is exercising his powers under section 5 of the Act to enter upon any land may take with him onto the land a representative of the European Commission acting for the purposes of Council Directive 88/166/EEC, Council Directive 91/629/EEC or Council Directive 91/630/EEC.

*Offences*

7.—(1) A person who contravenes any provision of these Regulations other than regulation 5 shall be guilty of an offence under section 2 of the Act.

(2) A person who contravenes regulation 5 shall be guilty of an offence under the Animals and Animal Products (Import and Export) Regulations (Northern Ireland) 1995 which is punishable under regulation 31(2) of those Regulations.

*Revocations*

8. The following Regulations are hereby revoked—

- (a) the Welfare of Battery Hens Regulations (Northern Ireland) 1989(a);
- (b) the Welfare of Livestock (Intensive Units) Regulations (Northern Ireland) 1978(b);
- (c) the Welfare of Pigs Regulations (Northern Ireland) 1991(c).

Sealed with the Official Seal of the Department of Agriculture on 14th April 1995.

(L.S.)

*P. T. Toal*

Assistant Secretary

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(a) S.R. 1989 No. 4  
(b) S.R. 1978 No. 360  
(c) S.R. 1991 No. 407

**Conditions under which laying hens in battery cages must be kept**

1. All cages shall comply with the following requirements—

- (a) the cage area, measured in a horizontal plane, for each laying hen shall be not less than—
  - (i) 1,000 cm<sup>2</sup> where one hen is kept in the cage;
  - (ii) 750 cm<sup>2</sup> where two hens are kept in the cage;
  - (iii) 550 cm<sup>2</sup> where three hens are kept in the cage; and
  - (iv) 450 cm<sup>2</sup> where four or more hens are kept in the cage;
- (b) the minimum cage area for each laying hen shall be capable of being used without restriction and may include the area where the non-waste deflection plate (otherwise known as the egg guard) is placed so long as that area is capable of being so used;
- (c) a feed trough of a length not less than 10 cm multiplied by the number of hens in the cage and capable of being used without restriction shall be provided;
- (d) except where nipple drinkers and drinking cups are provided, the cage shall have a continuous drinking channel which shall be—
  - (i) not less than 10 cm multiplied by the number of hens in the cage; and
  - (ii) capable of being used without restriction;
- (e) where drinking points are plumbed in, there shall be not less than two nipple drinkers or two drinking cups within reach of the cage;
- (f) the height of the cage, for 65% of its area, shall be not less than 40 cm, and, for the remainder of the area, shall be not less than 35 cm (the height being obtained by a vertical line from the floor to the nearest point in the roof and the area being obtained by multiplying 450 cm<sup>2</sup> by the number of hens kept in the cage);
- (g) the floor of the cage shall be constructed so as to support adequately each of the forward facing claws of each foot;
- (h) the slope of the floor shall not exceed 14% or 8 degrees, when made of rectangular wire mesh, and 21.3% or 12 degrees for other types of floor.

2. Battery cages shall be designed, constructed and maintained in such a way and materials used shall be such as to prevent any injury or unnecessary suffering to laying hens to the extent possible in the existing state of technology.

3. The design and size of the cage opening shall be such that laying hens can be put in or taken out without causing injury or unnecessary suffering. In particular there shall be no sharp edges or protrusions which are likely to cause injury or unnecessary suffering or allow laying hens to become trapped.

4. The cages shall be suitably equipped and maintained to prevent a hen escaping.

5. Except in the case of therapeutic or prophylactic treatment, all laying hens shall have access to adequate, nutritious and hygienic feed each day in sufficient quantity to maintain them in good health and to satisfy their nutritional needs, and to adequate fresh drinking water at all times.

6. Insulation and ventilation of the building shall ensure that air velocity, dust level, temperature, relative air humidity and gas concentrations are kept within limits that are not harmful to the laying hens.

7. In the case of artificial lighting, the laying hens shall have an appropriate resting period each day during which the light intensity must be reduced in such a way that they can rest properly.

8. The laying hens shall be cared for by a sufficient number of personnel with adequate knowledge and experience of laying hens and of the production system used.

9. The flock or group of laying hens shall be inspected thoroughly at least once a day. A source of light (whether fixed or portable) shall be available which is strong enough for each bird to be seen clearly and, if need be, thoroughly inspected at any time.

10. Accommodation comprising more than three tiers of cages shall not be used unless suitable devices or measures make it possible to inspect thoroughly all tiers without difficulty.

11. When laying hens do not appear to be in good health or show behavioural changes, steps shall be taken to establish the cause and appropriate remedial action shall be taken, for example treatment, isolation, culling or correction of environmental factors. If the cause is traced to an environmental factor in the production unit which it is not essential to remedy immediately, remedial action shall be taken as soon as practicable and in any event when the accommodation is next emptied and before the next batch of laying hens is put in.

12. All automatic equipment shall be thoroughly inspected at least once daily to check that there is no defect in it. Where defects are found these shall be rectified immediately or, if this is impracticable, appropriate steps taken to safeguard the health and welfare of the laying hens until the defect has been rectified. Alternative ways of feeding and of maintaining a satisfactory environment shall be available for use in the event of a breakdown.

13. There shall be an alarm system to warn the stock-keeper of failure of any essential automated ventilation equipment.

14. The alarm referred to in paragraph 13 shall be tested by a stock-keeper or other competent person not less than once every seven days in order to check that there is no defect in it and, if any defect is found in such alarm (whether or not on it being tested in accordance with this paragraph) it shall be rectified forthwith.

15. Every time all the cages housed together are emptied they shall be thoroughly cleansed and disinfected before the next batch of laying hens is put in. While the cages are occupied, the surfaces and all equipment shall be kept satisfactorily clean.

16. A person shall not apply an electrical current to laying hens for the purposes of immobilisation.

**Conditions under which calves must be kept**

1.—(1) Where calves are housed in groups, they shall have sufficient unobstructed floor space to be able to turn round and lie down without hindrance, and in any event each calf of 150 kg or more live weight shall have at least 1.5 square metres unobstructed floor space.

(2) Until 1st January 2004, sub-paragraph (1) shall not apply in relation to accommodation in use before 1st January 1994.

(3) Where a calf is tethered, anything used for that purpose shall not cause injury to that calf and shall be inspected regularly and adjusted as necessary to ensure a comfortable fit. Each thing used for the purpose of tethering a calf shall be of sufficient length to allow that calf to stand up, lie down, rest and groom itself without hindrance and the design of the thing shall be such as to avoid, as far as possible, any risk of strangulation or injury.

2. Where a calf is housed in an individual stall or pen—

(a) the stall or pen shall have at least one perforated wall which enables the calf to see other animals in neighbouring pens or stalls unless isolated for veterinary reasons except that until 1st January 2004, this shall not apply in relation to accommodation in use before 1st January 1994;

(b) the width of the stall or pen shall be no less than the height of the calf at the withers;

(c) the calf shall be able to stand up, turn round, lie down, rest and groom itself without hindrance.

3. Materials used for the construction of housing for keeping calves 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.

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

5.—(1) All automatic equipment shall be thoroughly inspected by a stock-keeper or other competent person not less than 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 an artificial 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 not less than 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) such defect shall be rectified forthwith.

6. 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, it shall function 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.

7.—(1) Calves in intensive systems shall be thoroughly inspected by a stock-keeper not less than once each day to check that they are in a state of well-being.

(2) Where calves are found not to be in a state of well-being (whether on inspection in accordance with this paragraph or at any other time) such measures shall immediately be taken as are required to safeguard them from unnecessary pain or unnecessary distress. Sick or injured calves shall, where necessary, be isolated in suitable accommodation with dry, comfortable bedding. Veterinary advice shall be obtained as soon as possible for calves which are not responding to the stock-keeper's care.

8. Housing, pens, equipment and utensils used for calves shall be properly cleansed and disinfected regularly to prevent cross-infection and the build-up of disease-carrying organisms. Faeces, urine and uneaten or spilt food shall be removed as often as necessary to minimise smell and avoid attracting flies or rodents.

9. Where calves are kept in a building, floors shall be smooth but not slippery so as to prevent injury to the calves and so designed as not to cause injury or suffering to calves standing or lying on them. They shall be suitable for the size and weight of the calves and form a rigid, even and stable surface. Appropriate bedding shall be provided for all calves less than two weeks of age.

10. All calves shall be kept on, or have access to, a lying area which is clean, comfortable and does not adversely affect the calves, and is well drained or well maintained with dry bedding.

11. Calves shall be fed on a wholesome diet appropriate to their age, weight, species and behavioural and physiological needs, which includes sufficient iron and which is fed to them in sufficient quantities to maintain them in good health and to promote a positive state of well-being.

12. If the calf is more than fourteen days of age, it shall have access each day to dried feed or forage material containing sufficient digestible fibre (which shall be not less than 100 to 200 grammes daily depending on the age of the animal) so as not to impair the development of its rumen.

13. Calves shall not be muzzled.

14. All calves shall be fed at least once each day. Where calves are housed in a group and do not have continuous access to feed, or are not fed by an automatic feeding system, each calf shall have access to the food at the same time as the others in the feeding group.

15. All calves shall be provided with an adequate supply of fresh drinking water each day.

16. Feeding and watering equipment shall be designed, constructed, placed and maintained so that contamination of the calves' food and water is minimised.

17. 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.

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

19. A person shall not apply an electrical current to calves for the purposes of immobilisation.

**Pigs**

## PART I

## GENERAL CONDITIONS

1. Subject to paragraph 22(a), 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 veterinary purposes.

2.—(1) Subject to paragraph 22(b) and to sub-paragraphs (2) and (3), a pig (whether or not on its own) shall not be kept in a stall or pen unless—

- (a) it is free at all times to turn round without difficulty;
- (b) the internal area of the stall or pen is not less than the square of the length of the pig; and
- (c) every internal side of the stall or pen has a length which is not less than seventy-five per cent of the length of the pig.

(2) The provisions of sub-paragraph (1) shall not apply in relation to any pig while—

- (a) it is undergoing any examination, test, treatment or operation carried out for any veterinary purpose;
- (b) it is being serviced or artificially inseminated or is having its semen collected;
- (c) it is being fed on any particular occasion;
- (d) it is being marked, washed, weighed or measured;
- (e) its usual accommodation is being cleaned; or
- (f) it is awaiting loading for transportation,

provided that the pig is not kept in any stall or pen which does not comply with the requirements of sub-paragraph (1) for longer than is necessary for such purpose.

(3) Nothing in sub-paragraph (1) shall prohibit—

- (a) a pig from being kept in any stall or pen which it is able to enter and leave at will, provided that such stall or pen is entered from another stall or pen which complies with the requirements of sub-paragraph (1); or
- (b) the keeping of a female pig in any stall or pen during the period commencing 7 days prior to the predicted day of her farrowing and ending on the day on which the weaning of her piglets (including any piglets fostered by her) is complete.

(4) For the purposes of sub-paragraph (1) references to the length of a pig are references to its length from the tip of its snout to the base of its tail while it is standing with its back straight.

3. Materials used for the construction of housing for keeping pigs, and all equipment with which pigs may come into contact, shall not be harmful to the pigs and shall be capable of being thoroughly cleansed and disinfected.

4. Subject to paragraph 23, insulation, heating and ventilation of the building shall ensure that the air circulation, dust level, temperature, relative air humidity and gas concentrations are kept within limits which are not harmful to the pigs.

5.—(1) All automatic equipment shall be thoroughly inspected by a stock-keeper or other competent person not less than 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 pigs from suffering unnecessary pain or unnecessary distress as a result of the defect.

(3) Where the automatic equipment includes an artificial 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 pigs 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 not less than 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) such defect shall be rectified forthwith.

6. Subject to paragraph 23, pigs 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, it shall function 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 pigs to be inspected at any time shall be available.

7.—(1) Pigs shall be thoroughly inspected by a stock-keeper not less than once each day to check that they are in a state of well-being.

(2) Where pigs are found not to be in a state of well-being (whether on inspection in accordance with this paragraph or at any other time) such measures shall immediately be taken to safeguard them from unnecessary pain or unnecessary distress. Sick or injured pigs shall, where necessary, be isolated in suitable accommodation with dry, comfortable bedding. Veterinary advice shall be obtained as soon as possible for pigs which are not responding to the stock-keeper's care.

8. If pigs are kept together, measures shall be taken to prevent fighting which goes beyond normal behaviour. Pigs which show persistent aggression towards others or are victims of such aggression shall be isolated or kept separate from the group.

9. Subject to paragraph 23, the accommodation for pigs shall be constructed in such a way as to allow each pig to—

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

(b) have a clean place in which it can rest; and

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

10. Where a pig is permitted in accordance with paragraph 1 or 22(a) to be tethered, anything used for that purpose shall not cause injury to that pig and shall be inspected regularly and adjusted as necessary to ensure a comfortable fit. Each thing used for the purpose of tethering pigs shall be of sufficient length to allow the conditions set out in paragraph 9 to be satisfied in relation to each pig and the design of that thing shall be such as to avoid, as far as possible, any risk of strangulation or injury.

11. Housing, pens, equipment and utensils used for pigs shall be properly cleansed and disinfected as necessary to prevent cross-infection and the build-up of disease-carrying organisms. Faeces, urine and uneaten or spilt food shall be removed as often as necessary to minimise smell and avoid attracting flies or rodents.

12. Subject to paragraph 23, floors shall be smooth but not slippery so as to prevent injury to the pigs and so designed as not to cause injury or suffering to pigs standing or lying on them. They shall be suitable for the size and weight of the pigs and form a rigid, even and stable surface.

13. Pigs shall be provided with a diet appropriate to their age, weight, species and behavioural and physiological needs, to promote a positive state of health and well-being.

14. All pigs shall be fed at least once each day. Where pigs are housed in a group and do not have continuous access to food, or are not fed by an automatic feeding system, each pig shall have access to the food at the same time as the others in the group.

15. All pigs shall be provided with an adequate supply of fresh drinking water each day.

16. Feeding and watering equipment shall be designed, constructed, placed and maintained so that contamination of the pigs' food and water is minimised.

17. In addition to the measures normally taken to prevent tail-biting and other vices and in order to enable them to satisfy their behavioural needs, all pigs, taking into account environment and stocking density, shall be able to obtain straw or other material or object suitable to satisfy those needs.

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

19. Inadequately constructed or insecure fittings shall not be used for restraining pigs.

20. Where pigs are kept in a building they shall be kept on, or have access at all times to, a lying area which is clean, comfortable and does not adversely affect them, and is well drained or well maintained with dry bedding. Where bedding is provided, this must be clean, dry and not harmful to the pigs.

21. A person shall not apply an electrical current to pigs for the purposes of immobilisation.

22. Until 1st January 1999—

- (a) nothing in paragraph 1 shall prohibit any pig from being tethered by anything which was in use for the purpose of tethering pigs before 1st October 1991; and
- (b) nothing in paragraph 2 shall prohibit a stall or pen from being used to keep any pig where it was in use for the purpose of keeping pigs before 1st October 1991.

23. Where pigs are kept in an environment which involves maintaining high temperatures and high humidity (known as the “sweat-box system”) paragraphs 4, 6, 9 and 12 shall not apply until 1st July 1995 after which date the use of any such system is prohibited.

## PART II

### BOARS

1. A stall or pen used to accommodate a boar shall be sited and constructed so as to allow any boar in that stall or pen to turn round and to hear, see and smell other pigs, and so as to provide for clean resting areas.

2. The lying area shall be dry and comfortable.

3. The minimum internal area of a stall or pen used to accommodate an adult boar shall be six square metres, except that a larger area shall be provided when a stall or pen is used for service.

## PART III

### SOWS AND GILTS

1. Pregnant sows and gilts shall—

- (a) where necessary, be treated against external and internal parasites;
- (b) if they are placed in farrowing crates, be thoroughly clean;
- (c) be provided with a clean, adequately drained, comfortable lying area; and
- (d) where necessary, be given suitable nesting material.

2. During farrowing, an unobstructed area behind the sow or gilt shall be available for the ease of natural or assisted farrowing.

3. A farrowing pen where sows are kept loose shall have some means of protecting the piglets, such as farrowing rails.

## PART IV

### PIGLETS

1. Piglets shall, where necessary, be provided with a source of heat and a solid, dry and comfortable lying area away from the sow where all of them can rest at the same time.

2. Where a farrowing crate is used, the piglets shall have sufficient space to be able to suckle without difficulty.

3. Tail docking or tooth clipping shall not be carried out except where there is evidence, on the farm, that injuries to sows' teats or to other piglets have occurred or are likely to occur as a result of not carrying out these procedures. Where tooth clipping appears to be necessary, this procedure shall only be carried out within seven days of birth.

4. Piglets shall not be weaned from the sow at an age of less than three weeks unless the welfare or health of the sow or piglets would otherwise be adversely affected.

## PART V

### WEANERS AND REARING PIGS

1. Pigs shall be placed in groups as soon as possible after weaning. They shall be kept in stable groups with as little mixing as possible.

2. All accommodation newly built or rebuilt or brought into use for the first time on or after 1st January 1994 shall comply with at least the following minimum requirements:

The unobstructed floor area available to each weaner or rearing pig reared in a group shall be at least:

- 0.15 square metres for each such pig where the average weight of the pigs in the group is 10 kg or less;
- 0.20 square metres for each such pig where the average weight of the pigs in the group is more than 10 kg but less than or equal to 20 kg;
- 0.30 square metres for each such pig where the average weight of the pigs in the group is more than 20 kg but less than or equal to 30 kg;
- 0.40 square metres for each such pig where the average weight of the pigs in the group is more than 30 kg but less than or equal to 50 kg;
- 0.55 square metres for each such pig where the average weight of the pigs in the group is more than 50 kg but less than or equal to 85 kg;
- 0.65 square metres for each such pig where the average weight of the pigs in the group is more than 85 kg but less than or equal to 110 kg;
- 1.00 square metre for each such pig where the average weight of the pigs in the group is more than 110 kg.

3. From 1st January 1998 the minimum requirements provided for in paragraph 2 shall apply to all accommodation.

## PART I

## GENERAL CONDITIONS UNDER WHICH LIVESTOCK MUST BE KEPT

1. Where livestock are kept in a building adequate lighting (whether fixed or portable) shall be available to enable them to be thoroughly inspected at any time.
2. The interior of any building (including the floor) to which livestock have access shall be constructed and maintained so that there are no sharp edges or protrusions likely to cause injury or distress to the livestock.
3. Inadequately constructed or insecure fittings shall not be used for restraining the livestock.
4. Livestock shall be fed a wholesome diet which is appropriate to their species and which is fed to them in sufficient quantity to maintain them in good health and to satisfy their nutritional needs.
5. Livestock shall be provided with an adequate supply of fresh drinking water each day and shall have access to food each day, except where a veterinary surgeon acting in the exercise of his profession otherwise directs.
6. Where any livestock, other than poultry, are kept in a building—
  - (a) they shall be kept on, or have access at all times to, a lying area which is well drained or well maintained with dry bedding; and
  - (b) suitable accommodation shall be available so as to enable any sick or injured livestock to be separated from other livestock and, when such accommodation is used by any sick or injured livestock, it shall have a suitably bedded floor.
7. Where any poultry (except laying hens kept in battery cages) are kept in a building, they shall be kept on, or have access at all times to, well maintained litter or to a well drained area for resting.
8. Where any lactating dairy cows or any cows which are calving are kept in any roofed accommodation they shall have access at all times to a well-drained and bedded lying area.
9. Where any cows which are calving are kept in a building, they shall be kept—
  - (a) in a pen or yard which is of such a size as to permit a person to attend the cows; and
  - (b) separate from other livestock other than calving cows.
10. Any hutches or cages in which any rabbits are kept shall be—
  - (a) of sufficient size to allow the rabbits to move around and to feed and drink without difficulty and to enable all the rabbits kept in them to lie on their sides at the same time; and
  - (b) of sufficient height to allow the rabbits to sit upright on all four feet without their ears touching the top of the hutch or cage.

11. Where any rabbits are kept in any accommodation which is exposed to the weather, suitable steps shall be taken so as to ensure that the rabbits have access to shelter from the action of the weather (including direct sunlight).

12. A person shall not apply an electrical current to livestock for the purposes of immobilisation.

## PART II

### ADDITIONAL CONDITIONS FOR INTENSIVE SYSTEMS

1. The livestock shall be thoroughly inspected by a stock-keeper not less than once each day to check that they are in a state of well-being.

2. Where livestock are found not to be in a state of well-being (whether on inspection of the livestock in accordance with the preceding paragraph or at any other time), such measures shall immediately be taken as are required to safeguard the livestock from suffering unnecessary pain or unnecessary distress.

3.—(1) All automatic equipment shall be thoroughly inspected by a stock-keeper or other competent person not less than 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 livestock from suffering unnecessary pain or unnecessary distress as a result of the defect.

(3) Where the automatic equipment includes an artificial 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 livestock 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 not less than 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 paragraph) it shall be rectified forthwith.

*(This note is not part of the Regulations.)*

These Regulations revoke and replace with amendments:

The Welfare of Livestock (Intensive Units) Regulations (Northern Ireland) 1978;

The Welfare of Battery Hens Regulations (Northern Ireland) 1989;

The Welfare of Pigs Regulations (Northern Ireland) 1991.

They implement as respects Northern Ireland—

Council Directive 88/166/EEC laying down minimum standards for the protection of laying hens kept in battery cages (O.J. No. L74, 19.3.88, p. 83);

Council Directive 91/629/EEC laying down minimum standards for the protection of calves (O.J. No. L340, 11.12.91, p. 28);

Council Directive 91/630/EEC laying down minimum standards for the protection of pigs (O.J. No. L340, 11.12.91, p. 33);

The European Convention for the Protection of Animals kept for Farming Purposes of 10th March 1976 as read with the Protocol of Amendment to the European Convention for the Protection of Animals kept for Farming Purposes of 6th February 1992 (both obtainable from HMSO, 16 Arthur Street, Belfast BT1 4GD).

The Regulations make specific provision for the welfare of laying hens in battery cages, calves and pigs and general provisions for other livestock, but do not apply in respect of bees or fish, including shellfish, crustaceans or molluscs.

In the case of laying hens in battery cages, they introduce amendments in relation to cage height requirements and make additional requirements in relation to testing alarms on automatic ventilation systems (regulation 3(1) and Schedule 1).

In the case of calves and pigs they regulate the construction, size and design of stalls and pens; use of tethers; insulation, heating and ventilation of buildings; daily inspection of automatic equipment and remedial action where necessary; the provision of an alarm where the automatic equipment includes an artificial ventilation system; provision of natural or artificial lighting; daily inspection of calves and pigs and remedial action where necessary; cleansing and disinfection of housing, pens, equipment and utensils and feeding and watering requirements. The minimum floor space for calves housed in groups and the requirement to have a perforated wall where a calf is housed in an individual stall or pen do not apply until 1st January 2004 for accommodation in use before 1st January 1994 (regulation 3(2) and (3) and Schedules 3 and 4).

In the case of pigs, they regulate the area to which pigs must have access, although the provisions on tethers and stall dimensions do not apply until 1st January 1999 for systems in use before 1st October 1991. Specific requirements are included for the housing of boars, sows, gilts, piglets, weaners and rearing pigs. The minimum floor area requirement for weaners and rearing pigs does not apply until 1st January 1998 for accommodation in use before 1st January 1994. The use of sweat-box systems for keeping pigs will be prohibited after 1st July 1995 (regulation 3(3) and Schedule 3).

In the case of livestock, other than battery hens, calves and pigs, the Regulations regulate the provision of adequate lighting; construction and maintenance of buildings; feeding and watering; bedding; separation of sick or injured livestock; requirements for cows which are lactating or calving; accommodation of rabbits and procedures involving electro-immobilisation of livestock. Existing requirements applying to intensive systems are extended to all systems of animal husbandry in which animals are kept in such numbers or density or in such conditions that their health and welfare depend upon frequent human attention. Where the automatic equipment of an intensive unit includes an artificial ventilation system that system must contain an alarm. In the event of failure the system must contain additional equipment or means of ventilation which will provide adequate ventilation so as to protect the livestock from suffering unnecessary distress (regulation 3(4) and Schedule 4).

Any person who employs or engages persons to attend livestock must ensure that such persons are acquainted with the provisions of relevant welfare codes, have access to those codes and have received instruction and guidance on them. A person shall not attend livestock unless he has access to and is acquainted with the provisions of relevant welfare codes (regulation 4).

Calves or pigs shall not be imported from a country outside the European Communities unless accompanied by a certificate issued by the competent authority of that country certifying that the animals have received treatment at least equivalent to that granted to animals of Community origin as provided for in Council Directive 91/629/EEC or Council Directive 91/630/EEC (regulation 5).

An authorised officer of the Department of Agriculture, who, for the purpose of ascertaining whether the Regulations have been contravened, is empowered by section 5 of the Welfare of Animals Act (Northern Ireland) 1972 to enter upon any land may take with him onto the land a representative of the European Commission (regulation 6).

The Regulations provide that a breach of any provision of the Regulations other than regulation 5 is an offence under section 2 of the Welfare of Animals Act (Northern Ireland) 1972. A person guilty of an offence under that section is liable on summary conviction to imprisonment for a term not exceeding three months or to a fine not exceeding level 4 on the standard scale (currently £2,500) or both. A breach of regulation 5 is an offence under the Animals and

Animal Products (Import and Export) Regulations (Northern Ireland) 1995. A person guilty of an offence under the provisions of those Regulations, which is punishable under regulation 31(2) of those Regulations is liable on summary conviction to a fine not exceeding the statutory maximum (currently £5,000) or to imprisonment for a term not exceeding three months or to both or on conviction on indictment to a fine or to imprisonment for a term not exceeding two years or to both (regulation 7).