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SCOTTISH STATUTORY INSTRUMENTS

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**2002 No. 238**

**ANIMALS**

**PREVENTION OF CRUELTY**

**The Welfare of Animals (Slaughter or Killing)  
Amendment (Scotland) Regulations 2002**

<i>Made</i>	- - - -	<i>17th May 2002</i>
<i>Laid before the Scottish Parliament</i>	- - - -	<i>21st May 2002</i>
<i>Coming into force</i>	- -	<i>10th June 2002</i>

The Scottish Ministers, in exercise of the powers conferred by section 2(2) of the European Communities Act 1972<sup>(1)</sup> and of all other powers enabling them in that behalf, hereby make the following Regulations:

**Citation, commencement and extent**

1.—(1) These Regulations may be cited as the Welfare of Animals (Slaughter or Killing) Amendment (Scotland) Regulations 2002 and shall come into force on 10th June 2002.

(2) These Regulations extend to Scotland only.

**Amendment to the Welfare of Animals (Slaughter or Killing) Regulations 1995**

2.—(1) Schedule 7 to the Welfare of Animals (Slaughter or Killing) Regulations 1995<sup>(2)</sup> is amended in accordance with the following paragraphs.

(2) For paragraph 7(2) there is substituted—

“(2) In this Part “gas mixture” means either—

- (a) argon, nitrogen and other inert gases, or any mixture of these gases, in atmospheric air with a maximum of 2% oxygen by volume; or
- (b) any mixture of argon, nitrogen, or other inert gases with atmospheric air and carbon dioxide, provided that the carbon dioxide concentration does not exceed 30% by volume and the oxygen concentration does not exceed 2% by volume.”.

(3) In paragraph 8(c)(iii)(bb) omit “falls below 25% or”.

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(1) 1972 c. 68. Section 2(2) was amended by the Scotland Act 1998 (c. 46), Schedule 8, paragraph 15(3). The function conferred upon the Minister of the Crown under section 2(2) of the European Communities Act 1972, insofar as within devolved competence, was transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998.

(2) S.I.1995/731; to which there are amendments not relevant to this instrument.

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**Status:** This is the original version (as it was originally made). Scottish  
Statutory Instruments are not carried in their revised form on this site.

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(4) In paragraph 10(b)(ii) omit “below 25% by volume or”.

St Andrew’s House,Edinburgh  
17th May 2002

*ROSS FINNIE*  
A member of the Scottish Executive

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## EXPLANATORY NOTE

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

These Regulations amend the Welfare of Animals (Slaughter or Killing) Regulations 1995 (“the principal Regulations”) which gave effect to Council Directive [93/119/EC](#) on the protection of animals at the time of slaughter or killing (O.J. No. L 340, 31.12.93, p.21). These Regulations substitute a new paragraph 7(2) of Schedule 7 to the principal Regulations, so as to permit a new gas mixture for killing birds at the slaughterhouse. They also make consequential amendments to paragraphs 8 and 10 of that Schedule.

No Regulatory Impact Assessment has been prepared in relation to these Regulations.

These Regulations extend to Scotland only.