

2003 No. 476

ANIMALS

PREVENTION OF CRUELTY

**The Protection of Animals (Anaesthetics) (Scotland)
Amendment Order 2003**

<i>Made</i> - - - -	<i>1st October 2003</i>
<i>Laid before the Scottish Parliament</i>	<i>2nd October 2003</i>
<i>Coming into force</i> - -	<i>3rd October 2003</i>

The Scottish Ministers, in exercise of the powers conferred by section 1 of the Protection of Animals (Anaesthetics) Act 1954(a), and of all other powers enabling them in that behalf, after consulting the Royal College of Veterinary Surgeons and such other persons representing agricultural interests as appeared to them to be appropriate, hereby make the following Order:

Citation, commencement and extent

1.—(1) This Order may be cited as the Protection of Animals (Anaesthetics) (Scotland) Amendment Order 2003 and shall come into force on 3rd October 2003.

(2) This Order extends to Scotland only.

Amendment of the Protection of Animals (Anaesthetics) Act 1954

2. In paragraph 6 of the First Schedule (excepted operations) to the Protection of Animals (Anaesthetics) Act 1954(b) for “pig.....4 weeks” substitute “pig..... 8 days”.

ROSS FINNIE
A member of the Scottish Executive

St Andrew's House,
Edinburgh
1st October 2003

(a) 1954 c. 46 as amended by the Protection of Animals (Anaesthetics) Act 1964 (1964 c.39), section 1(3). The functions of the Secretary of State were transferred to the Secretary of State for Scotland and the Secretary of State for Wales by article 11(2) of, and paragraph 5 of Schedule 5 to, the Transfer of Functions (Wales) (No. 1) Order 1978 (S.I. 1978/272), and insofar as they were exercisable in relation to Scotland, were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998 (c.46).

(b) Paragraph 6 of the First Schedule was last relevantly amended by regulation 8(2) of the Welfare of Livestock Regulations 1994 (S.I. 1994/2126).

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends paragraph 6 of the First Schedule to the Protection of Animals (Anaesthetics) Act 1954. It reduces the age beyond which castration of pigs may not be performed without anaesthetic. Under this Order, castration may only be performed before the animal has reached the age of 8 days, as opposed to 4 weeks. This amendment is necessitated by the changes made by the Welfare of Farmed Animals (Scotland) Amendment Regulations 2003, implementing Council Directive 2001/88/EC (O.J. No. L 316, 1.12.2001, p.1) and Commission Directive 2001/93/EC (O.J. No. L 316 1.12.2001 p.36), which amend the Welfare of Farmed Animals (Scotland) Regulations 2000 (S.S.I. 2000/442 as amended by S.S.I. 2002/334), setting out requirements applying to the keeping of pigs. The amending Regulations include a similar provision relating to the castration of pigs.

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