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SCOTTISH STATUTORY INSTRUMENTS

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**2010 No. 387**

**The Prohibited Procedures on Protected Animals  
(Exemptions) (Scotland) Regulations 2010**

**Citation and commencement**

1. These Regulations may be cited as the Prohibited Procedures on Protected Animals (Exemptions) (Scotland) Regulations 2010 and come into force on the day after the day on which they are made.

**Interpretation**

2. In these Regulations—

“agricultural land” means land used for agriculture (within the meaning of the Agriculture (Scotland) Act 1948<sup>(1)</sup>) which is so used for the purposes of a trade or business;

“bovine animal” means any animal of genera *Bos*, *Bison* or *Bubalus*;

“de-snooding” means the removal of the part of the male turkey’s wattle arising from the forehead and lying over the upper beak;

“disbudding” means the removal of the horn bud;

“dock” means the amputation of one or more coccygeal vertebrae of the tail of an animal;

“domestic fowl” means a domesticated member of the species *Gallus gallus*;

“dubbing” means the removal of all or part of the comb of a bird;

“equine animal” means any animal of the genus *Equus* including hybrids;

“infra-red procedure” means an automated procedure involving exposure of the tip of the beak of a chick to a focused high intensity infra-red beam designed to cause a limited area of tissue damage and subsequent loss of the beak tip;

“laying hen” means a domestic fowl which is kept or to be kept for the production of eggs not intended for hatching;

“meat chicken” means a domestic fowl which is kept or to be kept for the production of meat;

“non-farmed” when applied to an animal means a bovine animal, deer, goat, pig or sheep which is not bred or kept for the production of food, wool or skin or for other farming purposes, and includes—

- (a) an animal whilst at, or solely intended for use in, a competition, show or cultural or sporting event or activity;
- (b) an experimental or laboratory animal; and
- (c) an animal living in the wild;

“pinioning” means the disabling of the wing of a bird by the removal of the metacarpal bone and phalanges of one wing;

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(1) 1948 c.45, section 86(3).

“poultry” means any bird reared or kept in captivity for the production of meat or eggs for consumption, or of other products, for restocking supplies of game or for the purpose of any breeding programme for the production of such categories of birds;

“surgical castration” means any method of castration that involves cutting or tearing tissue but not crushing tissue at the neck of the scrotum using a rubber ring or other device; and

“surgical docking” means any method of docking that involves cutting or tearing tissue but not crushing tissue using a rubber ring or other device or using a hot iron.

### **Exempted Procedures**

**3.** The Scottish Ministers hereby specify the procedures described in column 1 of each of Schedules 1 to 12 where the procedure is carried out in relation to the particular type of protected animal<sup>(2)</sup> described in any of those Schedules and is carried out—

- (a) for a purpose which is specified, in relation to any such procedure, in column 2 of the corresponding entry in the relevant Schedule;
- (b) in hygienic conditions;
- (c) in such a way as to minimise the pain and suffering it causes to the animal;
- (d) in accordance with good practice; and
- (e) where applicable, in accordance with such conditions as are specified, in relation to any such procedure, in column 1 of the entry in the relevant Schedule,

as procedures in relation to which section 20 (mutilation) of the Animal Health and Welfare (Scotland) Act 2006 does not apply.

### **Revocations**

**4.** The following instruments are revoked:—

- (a) the Prohibited Procedures on Protected Animals (Exemptions) (Scotland) Regulations 2007<sup>(3)</sup>; and
- (b) the Prohibited Procedures on Protected Animals (Exemptions) (Scotland) Amendment Regulations 2009<sup>(4)</sup>.

St Andrew’s House,  
Edinburgh  
4th November 2010

*RICHARD LOCHHEAD*  
A member of the Scottish Executive

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<sup>(2)</sup> The term “protected animal” is defined in section 17 of the Animal Health and Welfare (Scotland) Act 2006.

<sup>(3)</sup> S.S.I. 2007/256, amended by S.S.I. 2009/47.

<sup>(4)</sup> S.S.I. 2009/47.