



# Protection of Animals (Anaesthetics) Act 1954

1954 CHAPTER 46 2 and 3 Eliz 2

[<sup>F1</sup>An Act to repeal the Animals (Anaesthetics) Act, 1919, and to extend the provisions of the Protection of Animals Acts in relation to the performance of operations on animals.] [30th July 1954]

## Textual Amendments

**F1** Act repealed (E.W.) (27.3.2007 for W., 6.4.2007 for E.) and s. 2(2) and Sch. 2 Pt. 1 repealed (E.W.S.) (27.3.2007 for W., 6.4.2007 for E.) by [Animal Welfare Act 2006 \(c. 45\)](#), s. 68(3), [Sch. 4](#) (with ss. 1(2), 58(1), 59, 60); [S.I. 2007/1030](#), art. 2(1)(m); [S.I. 2007/499](#), [art. 2\(2\)\(m\)](#)

## Modifications etc. (not altering text)

- C1** Act: Functions transferred (27.12.1999) by [S.I. 1999/3141](#), art. 2(1), [Sch.](#) (with arts. 2(5), 3)
- C2** Act: Functions transferred (W.)(1.7.1999) by [S.I. 1999/672](#), art. 2, [Sch. 1](#)
- C3** Words of enactment omitted under authority of [Statute Law Revision Act 1948 \(c. 62\)](#), s. 3
- C4** Act applied (S.) (3.10.2003) by [Welfare of Farmed Animals \(Scotland\) Amendment Regulations 2003 \(S.S.I. 2003/488\)](#), [reg. 23\(2\)](#)

## 1 Use of anaesthetics in operations on animals.

[<sup>F1</sup>(1) If any operation to which this section applies is performed on any animal without the use of an anaesthetic so administered as to prevent any pain during the operation, that operation shall be deemed for the purposes of the principal Act to be an operation which is performed without due care and humanity.

[<sup>F2</sup>(1A) An operation to which this section applies that is performed on an animal without the use of an anaesthetic administered so as to prevent pain during the operation is, for the purposes of section 21 of the Animal Health and Welfare (Scotland) Act 2006 (asp 11), to be regarded as being performed without due care and humanity.]

*Status: Point in time view as at 27/03/2007.*

*Changes to legislation: There are currently no known outstanding effects for the Protection of Animals (Anaesthetics) Act 1954. (See end of Document for details)*

- (2) This section applies to any operation with or without the use of instruments which involves interference with the sensitive tissues or the bone structure of an animal, other than—
  - (a) the making of injections or extractions by means of a hollow needle; or
  - (b) an operation included in the First Schedule to this Act.
- (3) The Minister of Agriculture and Fisheries and [<sup>F3</sup>the Secretary of State for Scotland and the Secretary of State for Wales], acting jointly, may, after consultation with the Royal College of Veterinary Surgeons and with such persons appearing to [<sup>F3</sup>those Ministers] to represent agricultural interests as may appear to [<sup>F3</sup>those Ministers] appropriate, by order amend any of the ages specified in paragraph 6 of the said First Schedule; and any order under this subsection—
  - (a) shall be made by statutory instrument, which shall be subject to annulment in pursuance of a resolution of either House of Parliament; and
  - (b) may be varied or revoked by a subsequent order thereunder.
- (4) This Act shall be construed as one with the principal Act, so, however, that in this Act the expression “animal” shall not include a fowl or other bird, fish or reptile.
- (5) In this section, the expression “the principal Act” means—
  - (a) in relation to England and Wales, the <sup>M1</sup>Protection of Animals Act, 1911; and
  - <sup>F4</sup>(b) . . . . .  
as amended by or under any other enactment.]

**Textual Amendments**

**F1** Act repealed (E.W.) (27.3.2007 for W., 6.4.2007 for E.) and s. 2(2) and Sch. 2 Pt. 1 repealed (E.W.S.) (27.3.2007 for W., 6.4.2007 for E.) by [Animal Welfare Act 2006 \(c. 45\)](#), s. 68(3), [Sch. 4](#) (with ss. 1(2), 58(1), 59, 60); S.I. 2007/1030, art. 2(1)(m); S.I. 2007/499, [art. 2\(2\)\(m\)](#)

**F2** S. 1(1A) inserted (S.) (6.10.2006) by [Animal Health and Welfare \(Scotland\) Act 2006 \(asp 11\)](#), s. 55(1), [sch. 2 para. 7\(a\)](#) (with s. 54); S.S.I. 2006/482, art. 2

**F3** Words substituted by S.I. 1978/272, [Sch. 5 para. 5](#)

**F4** S. 1(5)(b) repealed (S.) (6.10.2006) by [Animal Health and Welfare \(Scotland\) Act 2006 \(asp 11\)](#), s. 55(1), [sch. 2 para. 7\(b\)](#) (with s. 54); S.S.I. 2006/482, art. 2

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**Modifications etc. (not altering text)**

**C5** Style and title of Minister of Agriculture and Fisheries now changed to Minister of Agriculture, Fisheries and Food: S.I. 1955/554 (1955 I, p. 1200)

**C6** Certain functions of Minister of Agriculture, Fisheries and Food transferred by S.I. 1978/272, [art. 2](#)

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**Marginal Citations**

**M1** 1911 c. 27.

**2 Citation, repeal, extent and commencement.**

- [<sup>F1</sup>(1) This Act may be cited as the Protection of Animals (Anaesthetics) Act, 1954.
- (2) . . . . .
- (3) This Act and the Acts specified in Part II of the said Second Schedule may be cited together as the Protection of Animals (Scotland) Acts, 1912 to 1954.

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**Changes to legislation:** There are currently no known outstanding effects for the Protection of Animals (Anaesthetics) Act 1954. (See end of Document for details)

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- (4) ..... **F5**
- (5) This Act shall not extend to Northern Ireland.
- (6) This Act shall come into operation on the first day of September, nineteen hundred and fifty-four.]

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**Textual Amendments**

- F1** Act repealed (E.W.) (27.3.2007 for W., 6.4.2007 for E.) and s. 2(2) and Sch. 2 Pt. 1 repealed (E.W.S.) (27.3.2007 for W., 6.4.2007 for E.) by [Animal Welfare Act 2006 \(c. 45\)](#), s. 68(3), [Sch. 4](#) (with ss. 1(2), 58(1), 59, 60); S.I. 2007/1030, art. 2(1)(m); S.I. 2007/499, [art. 2\(2\)\(m\)](#)
- F5** S. 2(4) repealed by [Statute Law \(Repeals\) Act 1974 \(c. 22\)](#), [Sch. Pt. XI](#)

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## SCHEDULES

### FIRST SCHEDULE

Section 1.

#### EXCEPTED OPERATIONS

[<sup>F1</sup> [<sup>F6</sup> Any procedure duly authorised under the Animals (Scientific Procedures) Act 1986].

##### Textual Amendments

- F1** Act repealed (E.W.) (27.3.2007 for W., 6.4.2007 for E.) and s. 2(2) and Sch. 2 Pt. 1 repealed (E.W.S.) (27.3.2007 for W., 6.4.2007 for E.) by [Animal Welfare Act 2006 \(c. 45\)](#), s. 68(3), [Sch. 4](#) (with ss. 1(2), 58(1), 59, 60); S.I. 2007/1030, art. 2(1)(m); S.I. 2007/499, [art. 2\(2\)\(m\)](#)
- F6** Sch. 1 para. 1 substituted by [Animals \(Scientific Procedures\) Act 1986 \(c. 14, SIF 4:5\)](#), s. 27(2), [Sch. 3 para. 3](#)

2 The rendering in emergency of first aid for the purpose of saving life or relieving pain.

##### Textual Amendments

- F1** Act repealed (E.W.) (27.3.2007 for W., 6.4.2007 for E.) and s. 2(2) and Sch. 2 Pt. 1 repealed (E.W.S.) (27.3.2007 for W., 6.4.2007 for E.) by [Animal Welfare Act 2006 \(c. 45\)](#), s. 68(3), [Sch. 4](#) (with ss. 1(2), 58(1), 59, 60); S.I. 2007/1030, art. 2(1)(m); S.I. 2007/499, [art. 2\(2\)\(m\)](#)

3 The docking of the tail of a dog before its eyes are open.

##### Textual Amendments

- F1** Act repealed (E.W.) (27.3.2007 for W., 6.4.2007 for E.) and s. 2(2) and Sch. 2 Pt. 1 repealed (E.W.S.) (27.3.2007 for W., 6.4.2007 for E.) by [Animal Welfare Act 2006 \(c. 45\)](#), s. 68(3), [Sch. 4](#) (with ss. 1(2), 58(1), 59, 60); S.I. 2007/1030, art. 2(1)(m); S.I. 2007/499, [art. 2\(2\)\(m\)](#)

4 The amputation of the dew claws of a dog before its eyes are open.

##### Textual Amendments

- F1** Act repealed (E.W.) (27.3.2007 for W., 6.4.2007 for E.) and s. 2(2) and Sch. 2 Pt. 1 repealed (E.W.S.) (27.3.2007 for W., 6.4.2007 for E.) by [Animal Welfare Act 2006 \(c. 45\)](#), s. 68(3), [Sch. 4](#) (with ss. 1(2), 58(1), 59, 60); S.I. 2007/1030, art. 2(1)(m); S.I. 2007/499, [art. 2\(2\)\(m\)](#)

5 ..... **F7**

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#### Textual Amendments

- F1** Act repealed (E.W.) (27.3.2007 for W., 6.4.2007 for E.) and s. 2(2) and Sch. 2 Pt. 1 repealed (E.W.S.) (27.3.2007 for W., 6.4.2007 for E.) by [Animal Welfare Act 2006 \(c. 45\)](#), s. 68(3), [Sch. 4](#) (with ss. 1(2), 58(1), 59, 60); S.I. 2007/1030, art. 2(1)(m); S.I. 2007/499, [art. 2\(2\)\(m\)](#)
- F7** Sch. 1 para. 5 repealed by [Protection of Animals \(Anaesthetics\) Act 1964 \(c. 39\)](#), s. 1(1)(2)

[<sup>F8</sup>6 The castration of a male animal specified in the following table before it has reached the age so specified, that is to say—

bull	[ <sup>F9</sup> 2 months]
sheep	3 months
goat	2 months
[ <sup>F10</sup> pig, [ <sup>F11</sup> in Wales,] in England,	[ <sup>F11</sup> 4 weeks]; and 8 days]
[ <sup>F12</sup> pig	8 days]]

#### Textual Amendments

- F1** Act repealed (E.W.) (27.3.2007 for W., 6.4.2007 for E.) and s. 2(2) and Sch. 2 Pt. 1 repealed (E.W.S.) (27.3.2007 for W., 6.4.2007 for E.) by [Animal Welfare Act 2006 \(c. 45\)](#), s. 68(3), [Sch. 4](#) (with ss. 1(2), 58(1), 59, 60); S.I. 2007/1030, art. 2(1)(m); S.I. 2007/499, [art. 2\(2\)\(m\)](#)
- F8** Paras. 6, 6A substituted for para. 6 by [Protection of Animals \(Anaesthetics\) Act 1964 \(c. 39\)](#), s. 1(1)(3)
- F9** Words substituted by S.I. 1982/1626, [art. 2](#)
- F10** Entry "pig" in Sch. 1 para. 6 substituted (9.6.2003) by [Protection of Animals \(Anaesthetics\) \(Amendment\) \(No.2\) \(England\) Order 2003 \(S.I. 2003/1328\)](#), arts. 1, 2
- F11** Words in Sch. 1 para. 6 substituted (18.7.2003) by [Protection of Animals \(Anaesthetics\) Amendment \(Wales\) Order 2003 \(S.I. 2003/1844\)](#), arts. 1, 2
- F12** Entry "pig" in Sch. 1 para. 6 substituted (S.) (3.10.2003) by [Protection of Animals \(Anaesthetics\) \(Scotland\) \(Amendment\) Order 2003 \(S.S.I. 2003/476\)](#), arts. 1(1), 2

6A The foregoing paragraph shall not apply to the castration of an animal by using a rubber ring or other device to constrict the flow of blood to the scrotum unless the device is applied within the first week of life.

#### Textual Amendments

- F1** Act repealed (E.W.) (27.3.2007 for W., 6.4.2007 for E.) and s. 2(2) and Sch. 2 Pt. 1 repealed (E.W.S.) (27.3.2007 for W., 6.4.2007 for E.) by [Animal Welfare Act 2006 \(c. 45\)](#), s. 68(3), [Sch. 4](#) (with ss. 1(2), 58(1), 59, 60); S.I. 2007/1030, art. 2(1)(m); S.I. 2007/499, [art. 2\(2\)\(m\)](#)

7 Any minor operation performed by a veterinary surgeon or veterinary practitioner, being an operation which, by reason of its quickness or painlessness, is customarily so performed without the use of an anaesthetic.

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**Textual Amendments**

**F1** Act repealed (E.W.) (27.3.2007 for W., 6.4.2007 for E.) and s. 2(2) and Sch. 2 Pt. 1 repealed (E.W.S.) (27.3.2007 for W., 6.4.2007 for E.) by [Animal Welfare Act 2006 \(c. 45\)](#), s. 68(3), **Sch. 4** (with ss. 1(2), 58(1), 59, 60); S.I. 2007/1030, art. 2(1)(m); S.I. 2007/499, **art. 2(2)(m)**

**Modifications etc. (not altering text)**

- C7** Para. 7 amended by [Protection of Animals \(Anaesthetics\) Act 1964 \(c. 39\)](#), s. 1(1)(4)
- C8** Power to modify para. 7 given by [Agriculture \(Miscellaneous Provisions\) Act 1968 \(c. 34\)](#), s. 5
- C9** Paras. 7, 8 amended by S.I. 1980/685, **art. 2**

8 Any minor operation, whether performed by a veterinary surgeon or veterinary practitioner or by some other person, being an operation which is not customarily performed only by such a surgeon or practitioner.]

**Textual Amendments**

**F1** Act repealed (E.W.) (27.3.2007 for W., 6.4.2007 for E.) and s. 2(2) and Sch. 2 Pt. 1 repealed (E.W.S.) (27.3.2007 for W., 6.4.2007 for E.) by [Animal Welfare Act 2006 \(c. 45\)](#), s. 68(3), **Sch. 4** (with ss. 1(2), 58(1), 59, 60); S.I. 2007/1030, art. 2(1)(m); S.I. 2007/499, **art. 2(2)(m)**

**Modifications etc. (not altering text)**

- C10** Para. 8 amended by [Protection of Animals \(Anaesthetics\) Act 1964 \(c. 39\)](#), s. 1(1)(4)
- C11** Power to modify para. 8 given by [Agriculture \(Miscellaneous Provisions\) Act 1968 \(c. 34\)](#), s. 5
- C12** Paras. 7, 8 amended by S.I. 1980/685, **art. 2**

SECOND SCHEDULE

Section 2.

ACTS WHICH MAY BE CITED TOGETHER

[<sup>F1</sup>PART I

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## PART II

The <sup>M2</sup> Protection of Animals (Scotland) Act, 1912.

**Marginal Citations**

**M2** [1912 c. 14.](#)

The <sup>M3</sup> Protection of Animals (Scotland) Act, 1912, Amendment Act, 1921.

**Marginal Citations**

**M3** [1921 c. 22.](#)

The <sup>M4</sup> Performing Animals (Regulation) Act, 1925.

**Marginal Citations**

**M4** [1925 c. 38.](#)

The <sup>M5</sup> Protection of Animals Act, 1934.

**Marginal Citations**

**M5** [1934 c. 21.](#)

The <sup>M6</sup> Protection of Animals (Cruelty to Dogs) (Scotland) Act, 1934.

**Marginal Citations**

**M6** [1934 c. 25.](#)

The <sup>M7</sup> Protection of Animals (Amendment) Act, 1954. ]

**Marginal Citations**

**M7** [1954 c. 40.](#)

**Status:**

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**Changes to legislation:**

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