
STATUTORY INSTRUMENTS

1991 No. 1477

ANIMALS

PREVENTION OF CRUELTY

The Welfare of Pigs Regulations 1991

Approved by both Houses of Parliament

Made - - - - 26th June 1991

Coming into force - - 1st October 1991

The Minister of Agriculture, Fisheries and Food, the Secretary of State for Scotland and the Secretary of State for Wales, acting jointly in exercise of the powers conferred by section 2 of the Agriculture (Miscellaneous Provisions) Act 1968(1) and now vested in them(2), and of all other powers enabling them in that behalf, and after consultation with such persons appearing to them to represent any interests concerned as they have considered appropriate, hereby make the following Regulations, a draft of which has been approved by resolution of each House of Parliament:

Title and commencement

1. These Regulations may be cited as the Welfare of Pigs Regulations 1991 and shall come into force on 1st October 1991.

Prohibitions relating to tethers

2.—(1) If any pig which is for the time being on agricultural land is tethered, any person responsible for tethering it shall be guilty of an offence under section 2 of the Agriculture (Miscellaneous Provisions) Act 1968.

(2) For the purposes of paragraph (1), a person is responsible for tethering a pig if the pig is under his control and he—

- (a) tethers it or causes or permits it to be tethered; or
- (b) may reasonably be expected to know that it is or may be tethered.

(3) A person shall not be guilty of an offence by virtue of paragraph (1) by reason of the tethering of a pig while it is undergoing any examination, test, treatment or operation carried out for veterinary purposes.

(1) 1968 c. 34; see section 50(1) for the definition of “the Ministers”.
(2) In the case of the Secretary of State for Wales, by virtue of S.I.1978/272.

Prohibitions relating to stalls and pens

- 3.—(1) Where a pig is kept in a stall or pen on agricultural land (whether or not on its own)—
- (a) the pig must be free to turn round without difficulty at all times; and
 - (b) the stall or pen must have at least the minimum dimensions for keeping the pig in the stall or pen on its own;

and if the pig is kept in a stall or pen in contravention of this paragraph any person responsible for its being so kept shall be guilty of an offence under section 2 of the Agriculture (Miscellaneous Provisions) Act 1968.

(2) For the purposes of paragraph (1)(b), a stall or pen has the minimum dimensions for keeping a pig in the stall or pen on its own if—

- (a) the area of the stall or pen is not less than the square of the length of the pig; and
- (b) none of the sides of the stall or pen has a length which is less than seventy-five per cent of the length of the pig.

References above to the length of the 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; any references to dimensions are references to internal dimensions.

(3) For the purposes of paragraph (1), a person is responsible for a pig being kept in a stall or pen in contravention of that paragraph if the pig is under his control and he—

- (a) keeps it or causes or permits it to be kept there in contravention of that paragraph; or
- (b) may reasonably be expected to know that it is or may be so kept.

(4) A person shall not be guilty of an offence by virtue of paragraph (1) by reason of the keeping of a pig in a stall or pen—

- (a) while it is undergoing any examination, test, treatment or operation carried out for veterinary purposes;
- (b) for the purposes of service, artificial insemination or collection of semen;
- (c) while it is fed on any particular occasion;
- (d) for the purposes of marking, washing or weighing it;
- (e) while its accommodation is being cleaned;
- (f) while it is awaiting loading for transportation;

provided that the period during which it is so kept is not longer than necessary for the purpose in view.

(5) A person shall not be guilty of an offence by virtue of paragraph (1) by reason of the keeping of a female pig in a stall or pen during the period beginning seven days before 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.

(6) A pig shall not be regarded as being kept in a stall or pen in which it could not be kept without contravening paragraph (1) by virtue of the fact that it can enter and leave such a stall or pen at will, provided that the stall or pen is entered from a stall or pen in which the pig is kept without contravening that paragraph.

Transitional

4. A person shall not be guilty of an offence under regulation 2 or 3 by virtue of the use on any land before 1st January 1999 of any tether, stall or pen which was in use on that land before 1st October 1991.

Saving

5. The provisions of these Regulations are in addition to, and not in substitution for, the provisions of the Welfare of Livestock Regulations 1990(3) and nothing contained in these Regulations shall affect, or be affected by, the provisions of those Regulations.

In witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 25th June 1991.

L.S.

John Selwyn Gummer
Minister of Agriculture, Fisheries and Food

24th June 1991

Strathclyde
Parliamentary Under Secretary of State, Scottish
Office

26th June 1991

Nicholas Bennett
Parliamentary Under Secretary of State, Welsh
Office

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations apply on agricultural land. They prohibit the tethering of pigs (regulation 2) and the keeping of any pig in a stall or pen unless the stall or pen meets specified requirements (regulation 3) subject to certain exceptions (regulations 2(3), 3(4) and (5)).

These Regulations create offences under section 2 of the Agriculture (Miscellaneous Provisions) Act 1968 for which the penalty on summary conviction is imprisonment for a term not exceeding 3 months or a fine not exceeding level 4 on the standard scale (currently £1000), or both.