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STATUTORY INSTRUMENTS

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**1994 No. 2126**

**ANIMALS**

**PREVENTION OF CRUELTY**

**The Welfare of Livestock Regulations 1994**

*Approved by both Houses of Parliament*

*Made - - - - 27th July 1994*

*Coming into force - - 10th August 1994*

The Minister of Agriculture, Fisheries and Food, the Secretary of State for Scotland and the Secretary of State for Wales, in exercise of the powers conferred by section 2 of the Agriculture (Miscellaneous Provisions) Act 1968(1) and now vested in them(2), acting jointly, and the said Minister and the Secretary of State, being Ministers designated(3) for the purposes of section 2(2) of the European Communities Act 1972(4) in relation to the Common Agricultural Policy of the European Community, acting jointly, in exercise of the powers conferred on them by the said section 2(2) of the said 1972 Act and of all other powers enabling them in that behalf, and after consultation (in accordance with section 2 of the said 1968 Act) 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:

**Citation and commencement**

1. These Regulations, which implement—

- (a) the European Convention for the Protection of Animals kept for Farming Purposes of 10th March 1976 as read with the Protocol of Amendment to the European Convention for the Protection of Animals kept for Farming Purposes of 6th February 1992;
- (b) Council Directive [88/166/EEC](#) laying down minimum standards for the protection of laying hens kept in battery cages(5);
- (c) Council Directive [91/629/EEC](#) laying down minimum standards for the protection of calves(6);

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(1) [1968 c. 34](#); section 50(1) contains a definition of “the Ministers”.  
(2) In the case of the Secretary of State for Wales by virtue of S.I. [1978/272](#).  
(3) S.I. [1972/1811](#).  
(4) [1972 c. 68](#).  
(5) OJ No. L74, 19.3.88, p.83.  
(6) OJ No. L340, 11.12.91, p.28.

- (d) Council Directive [91/630/EEC](#) laying down minimum standards for the protection of pigs<sup>(7)</sup>;

may be cited as the Welfare of Livestock Regulations 1994 and shall come into force on the fourteenth day after the day on which they are made.

### Interpretation and application

#### 2.—(1) In these Regulations—

“automatic equipment” means automated or mechanical equipment, the failure of which will cause the livestock to suffer unnecessary pain or unnecessary distress unless the failure is rectified or other provision is made for the care of livestock;

“battery cage” means an enclosed space intended for laying hens in a battery system;

“battery system” means an arrangement of cages in rows or tiers or rows and tiers;

“boar” means a male pig after puberty, intended for breeding;

“calf” means a bovine animal aged six months or less;

“gilt” means a female pig intended for breeding, after puberty and before farrowing;

“intensive system” means a husbandry method in which livestock are kept in such numbers or density or in such conditions or at such production levels that their health and welfare depend upon frequent human attention;

“intensive unit” means a unit in which livestock are kept under an intensive system;

“laying hen” means an adult female domestic fowl (*Gallus gallus*) which is kept for egg production;

“pig” means an animal of the porcine species of any age, kept for breeding or fattening;

“piglet” means a pig from birth to weaning;

“rearing pig” means a pig from ten weeks to slaughter or service;

“sow” means a female pig after the first farrowing;

“stock-keeper” means the owner of the livestock or the person responsible for the livestock;

“weaner” means a pig from weaning to the age of ten weeks.

(2) Nothing in these Regulations shall apply to any act lawfully done under the Animals (Scientific Procedures) Act 1986<sup>(8)</sup>.

(3) These Regulations shall only apply in relation to livestock for the time being situated on agricultural land.

(4) These Regulations shall not apply in relation to bees or fish, including shellfish, crustaceans and molluscs.

(5) In these Regulations, a person knowingly permits livestock to be kept if—

- (a) the livestock is under his control, and
- (b) he knows or could reasonably be expected to know how the livestock is or may be kept.

### Keeping livestock

3.—(1) No person shall keep, or cause or knowingly permit to be kept, a laying hen in a battery cage unless the conditions of Schedule 1 to these Regulations are complied with.

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(7) OJ No. L340, 11.12.91, p.33.

(8) 1986 c. 14.

(2) No person shall keep, or cause or knowingly permit to be kept, a calf unless the conditions of Schedule 2 to these Regulations are complied with.

(3) No person shall keep, or cause or knowingly permit to be kept, a pig unless the conditions of Schedule 3 to these Regulations are complied with.

(4) No person shall keep, or cause or knowingly permit to be kept, other livestock unless the conditions of Schedule 4 to these Regulations are complied with.

### **Welfare Codes**

4.—(1) Any person who employs or engages persons to attend to livestock shall ensure that the person attending to the livestock—

- (a) is acquainted with the provisions of all relevant welfare codes relating to the livestock being attended;
- (b) has access to a copy of those codes while he is attending the livestock; and
- (c) has received instruction and guidance on them.

(2) Any person who keeps livestock, or who causes or knowingly permits livestock to be kept, shall not attend the livestock unless he has access to all welfare codes relating to that livestock while he is attending to them, and is acquainted with the provisions of those codes.

(3) In this regulation “welfare code” means a current code issued under section 3 of the Agriculture (Miscellaneous Provisions) Act 1968.

### **Importation from third countries**

5.—(1) No person shall import a calf or a pig from a country outside the Economic Community unless it is accompanied by a certificate issued by the competent authority of that country, certifying that it has received treatment at least equivalent to that granted to animals of Community origin as provided for in Council Directive [91/629/EEC](#) or Council Directive [91/630/EEC](#).

(2) This regulation shall be enforced under the procedures relating to third country imports contained in the Animals and Animal Products (Import and Export) Regulations 1993<sup>(9)</sup>, and any contravention of this regulation shall be an offence under those Regulations.

### **Powers of entry**

6. Any person authorised by the Minister under section 6(1) of the Agriculture (Miscellaneous Provisions) Act 1968 and exercising powers of entry under that Act for the purposes of these Regulations may take with him a representative of the European Commission acting for the purposes of Council Directive [88/166/EEC](#), Council Directive [91/629/EEC](#) or Council Directive [91/630/EEC](#) as well as any person he takes under powers provided under section 6(3) of that Act.

### **Offences**

7. A person who contravenes or fails to comply with any provision of these Regulations other than regulation 5 shall be guilty of an offence under section 2 of the Agriculture (Miscellaneous Provisions) Act 1968.

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(9) S.I. [1993/3247](#).

### Revocations and amendments

8.—(1) The Welfare of Livestock (Intensive Units) Regulations 1978(**10**), the Welfare of Battery Hens Regulations 1987(**11**), the Welfare of Calves Regulations 1987(**12**), the Welfare of Livestock Regulations 1990(**13**) and the Welfare of Pigs Regulations 1991(**14**) are hereby revoked.

(2) In paragraph 6 of the first Schedule of the Protection of Animals (Anaesthetics) Act 1954(**15**) for the words—

“pig ... .. 2 months”

there shall be substituted the words—

“pig ... .. 4 weeks”.

In witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed the 25th July 1994.

*William Waldegrave*  
Minister of Agriculture, Fisheries and Food

*Hector Monro*  
Parliamentary Under Secretary of State, Scottish  
Office

27th July 1994

Signed by authority of the Secretary of State for Wales

*Gwilym Jones*  
Parliamentary Under Secretary of State, Welsh  
Office

26th July 1994

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(10) S.I. 1978/1800 as amended by S.I. 1990/1445.

(11) S.I. 1987/2020.

(12) S.I. 1987/2021.

(13) S.I. 1990/1445.

(14) S.I. 1991/1477.

(15) 1954 c. 46; paragraph 6 was amended by the Protection of Animals (Anaesthetics) Act (Amendment) Order 1982, S.I. 1982/1626.

## SCHEDULE 1

Regulation 3(1)

### CONDITIONS UNDER WHICH LAYING HENS IN BATTERY CAGES MUST BE KEPT

- 1.—(1) All cages must comply with the following requirements—
- (a) the cage area, measured in a horizontal plane, for each laying hen shall be not less than—
    - (i) 1000 cm<sup>2</sup> where one hen is kept in the cage,
    - (ii) 750 cm<sup>2</sup> where two hens are kept in the cage,
    - (iii) 550 cm<sup>2</sup> where three hens are kept in the cage, and
    - (iv) 450 cm<sup>2</sup> where four or more hens are kept in the cage;
  - (b) the minimum cage area for each laying hen shall be capable of being used without restriction and may include the area where the non-waste deflection plate (otherwise known as the egg guard) is placed so long as that area is capable of being so used;
  - (c) a feed trough of a length of not less than 10 cm multiplied by the number of hens in the cage and capable of being used without restriction shall be provided;
  - (d) except where nipple drinkers and drinking cups are provided, the cage shall have a continuous drinking channel which shall be not less than 10 cm multiplied by the number of hens in the cage, and capable of being used without restriction;
  - (e) where drinking points are plumbed in, there shall be a minimum of two nipple drinkers or two drinking cups within reach of the cage;
  - (f) the height of the cage, for 65% of its area, shall be not less than 40 cm, and, for the remainder of the area, shall be not less than 35 cm (the height being obtained by a vertical line from the floor to the nearest point in the roof and the area being obtained by multiplying 450 cm<sup>2</sup> by the number of birds kept in the cage);
  - (g) the floor of the cage shall be constructed so as to support adequately each of the forward facing claws of each foot;
  - (h) the slope of the floor shall not exceed 14% or 8 degrees, when made of rectangular wire mesh, and 21.3% or 12 degrees for other types of floor.
- (2) Until 1st January 1995, paragraph 1(1) above shall not apply in relation to battery cages built and put into use before 1st January 1988 provided the cages have not been reconstructed since that date.
2. Battery cages shall be designed, constructed and maintained in such a way and materials used shall be such as to prevent any injury or unnecessary suffering to laying hens to the extent possible in the existing state of technology.
3. The design and size of the cage opening must be such that laying hens can be put in or taken out without causing injury or unnecessary suffering. In particular there must be no sharp edges or protrusions which are likely to cause injury or unnecessary suffering or allow laying hens to become trapped.
4. The cages must be suitably equipped and maintained to prevent escape.
5. Except in the case of therapeutic or prophylactic treatment, all laying hens shall have access to adequate, nutritious and hygienic feed each day in sufficient quantity to maintain them in good health and to satisfy their nutritional needs, and to adequate fresh drinking water at all times.
6. Insulation and ventilation of the building must ensure that air velocity, dust level, temperature, relative air humidity and gas concentrations are kept within limits that are not harmful to the laying hens.

7. In the case of artificial lighting, the laying hens must have an appropriate resting period each day during which the light intensity must be reduced in such a way that they can rest properly.

8. The laying hens shall be cared for by a sufficient number of personnel with adequate knowledge and experience of laying hens and of the production system used.

9. The flock or group of laying hens shall be inspected thoroughly at least once a day. A source of light (whether fixed or portable) shall be available which is strong enough for each bird to be seen clearly and, if need be, thoroughly inspected at any time.

10. Accommodation comprising more than three tiers of cages shall not be used unless suitable devices or measures make it possible to inspect thoroughly all tiers without difficulty.

11. When laying hens do not appear to be in good health or show behavioural changes, steps shall be taken to establish the cause and appropriate remedial action shall be taken, e.g. treatment, isolation, culling or correction of environmental factors. If the cause is traced to an environmental factor in the production unit which it is not essential to remedy immediately, remedial action shall be taken as soon as practicable and in any event when the accommodation is next emptied and before the next batch of laying hens is put in.

12. All automatic equipment must be thoroughly inspected at least once daily. Where defects are discovered these must be rectified immediately or, if this is impracticable, appropriate steps taken to safeguard the health and welfare of the laying hens until the defect has been rectified. Alternative ways of feeding and of maintaining a satisfactory environment must be available for use in the event of a breakdown.

13. There shall be an alarm system to warn the stock-keeper of failure of any essential automated ventilation equipment.

14. The alarm referred to in paragraph 13 above shall be tested by a stock-keeper or other competent person not less than once every seven days in order to check that there is no defect in it and, if any defect is found in such alarm (whether or not on it being tested in accordance with this paragraph) it shall be rectified forthwith.

15. Every time all the cages housed together are emptied they shall be thoroughly cleansed and disinfected before the next batch of laying hens is put in. While the cages are occupied, the surfaces and all equipment shall be kept satisfactorily clean.

16. No person shall apply an electrical current to laying hens for the purposes of immobilisation.

## SCHEDULE 2

Regulation 3(2)

### CALVES

1.—(1) Where calves are housed in groups, they shall have sufficient unobstructed floor space to be able to turn round and lie down without hindrance, and in any event each calf of 150 kg or more live weight must have at least 1.5 square metres unobstructed floor space.

(2) Until 1st January 2004, the preceding sub-paragraph shall not apply in relation to accommodation in use before 1st January 1994.

(3) Where tethers are used, they must not cause injury to the calves and must be inspected regularly and adjusted as necessary to ensure a comfortable fit. Each tether must be of sufficient length to allow the calves to stand up, lie down, rest and groom itself without hindrance. The design must be such as to avoid, as far as possible, any risk of strangulation or injury.

2. Where a calf is housed in an individual stall or pen—

- (a) the stall or pen shall have at least one perforated wall which enables the calf to see other animals in neighbouring pens or stalls unless isolated for veterinary reasons, except that until 1st January 2004, this shall not apply in relation to accommodation in use before 1st January 1994;
- (b) the width of the stall or pen shall be no less than the height of the calf at the withers;
- (c) the calf must be able to stand up, turn round, lie down, rest and groom itself without hindrance.

3. Materials used for the construction of calf accommodation and all equipment with which calves may come into contact shall not be harmful to the calves and shall be capable of being thoroughly cleansed and disinfected.

4. Insulation, heating and ventilation of the building must ensure that the air circulation, dust level, temperature, air relative humidity and gas concentrations are kept within limits which are not harmful to the calves.

5.—(1) All automatic equipment shall be thoroughly inspected by a stock-keeper, or other competent person, not less than once each day to check that there is no defect in it.

(2) Where a defect is found in the automatic equipment (whether on inspection of the equipment in accordance with this paragraph or at any other time)—

- (a) the defect shall be rectified forthwith, or
- (b) if this is impracticable, such measures shall immediately be taken and shall be maintained until the defect is rectified, as are required to safeguard the calves from suffering unnecessary pain or unnecessary distress as a result of the defect.

(3) Where the automatic equipment includes a ventilation system the system shall contain—

- (a) an alarm which will give adequate warning of the failure of that system to function properly (which alarm will operate even if the principal electricity supply to it has failed), and
- (b) additional equipment or means of ventilation (whether automatic or not), which, in the event of such a failure of the ventilation system, will provide adequate ventilation so as to prevent the calves from suffering unnecessary distress as a result of the failure.

(4) The alarm system mentioned in the preceding sub-paragraph shall be tested and the additional equipment mentioned there shall be thoroughly inspected, in each case, by a stock-keeper or other competent person not less than once every seven days in order to check that there is no defect in it and, if any defect is found in such alarm or equipment (whether or not on it being tested or inspected in accordance with this paragraph) it shall be rectified forthwith.

6. Calves must not be kept permanently in darkness. To meet their behavioural and physiological needs, appropriate natural or artificial lighting shall be provided; if the latter, it must function for a period at least equivalent to the period of natural light normally available between 9.00 a.m. and 5.00 p.m. In addition, suitable lighting (fixed or portable) strong enough to allow the calves to be inspected at any time shall be available.

7. Calves in intensive systems shall be thoroughly inspected by a stock-keeper not less than once each day to check that they are in a state of well-being.

8. Where calves are found not to be in a state of well-being such measures shall immediately be taken as are required to safeguard them from unnecessary pain or unnecessary distress. Sick or injured calves shall, where necessary, be isolated in suitable accommodation with dry, comfortable bedding. Veterinary advice must be obtained as soon as possible for calves which are not responding to the stock-keeper's care.

9. Housing, pens, equipment and utensils used for calves must as necessary be properly cleansed and disinfected to prevent cross-infection and the build-up of disease-carrying organisms, and faeces,

urine and uneaten or spilt food must be removed as often as necessary to minimise smell and avoid attracting flies or rodents.

**10.** Where calves are kept in a building, floors must be smooth but not slippery so as to prevent injury to the calves and so designed as not to cause injury or suffering to calves standing or lying on them. They must be suitable for the size and weight of the calves and form a rigid, even and stable surface. Appropriate bedding must be provided for all calves less than two weeks old.

**11.** All calves shall be kept on, or have access at all times to, a lying area which is clean, comfortable and does not adversely affect the calves, and is well drained or well maintained with dry bedding.

**12.** Calves shall be fed on a wholesome diet appropriate to their age, weight, species and behavioural and physiological needs, which includes sufficient iron and which is fed to them in sufficient quantity to maintain them in good health and to promote a positive state of well-being.

**13.** If the calf is more than 14 days old, it shall have access each day to dried feed or forage material containing sufficient digestible fibre (which shall be not less than 100-200 grammes daily depending on the age of the animal) so as not to impair the development of its rumen.

**14.** Calves must not be muzzled.

**15.** All calves must be fed at least once a day. Where calves are housed in a group and do not have continuous access to feed, or are not fed by an automatic feeding system, each calf must have access to the food at the same time as the others in the feeding group.

**16.** All calves shall be provided with an adequate supply of fresh drinking water each day.

**17.** Feeding and watering equipment must be designed, constructed, placed and maintained so that contamination of the calves' feed and water is minimised.

**18.** The interior of any building (including the floor) to which calves have access shall be so constructed and maintained that there are no sharp edges or protrusions likely to cause injury or distress to the calves.

**19.** No inadequately constructed or insecure fittings shall be used for restraining calves.

**20.** No person shall apply an electrical current to calves for the purposes of immobilisation.

### SCHEDULE 3

Regulation 3(3)

### PIGS

### PART I

### GENERAL CONDITIONS

**1.—(1)** No person shall tether or cause to be tethered any pig except while it is undergoing any examination, test, treatment or operation carried out for any veterinary purpose.

**(2)** This paragraph shall not apply in relation to the use on any land before 1st January 1999 of any tether which was in use on that land before 1st October 1991.

**2.—(1)** A pig shall be free to turn round without difficulty at all times.

**(2)** The dimension of any stall or pen shall be such that the internal area is not less than the square of the length of the pig, and no internal side is less than seventy five per cent of the length of the

pig, the length of the pig in each case being measured from the tip of its snout to the base of its tail while it is standing with its back straight.

(3) This paragraph shall not apply in relation to a female pig for the period between seven days before the predicted day of her farrowing and the day on which the weaning of her piglets (including any piglets fostered by her) is complete.

(4) A person shall not be guilty of an offence under this paragraph 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 pig shall not be regarded as being kept in a stall or pen in which it could not be kept without contravention of this paragraph if it is in a stall or pen which it can enter or leave at will, provided that the stall or pen is entered from a stall or pen in which the pig is kept without contravention of this paragraph.

(6) This paragraph shall not apply in relation to the use on any land before 1st January 1999 of any stall or pen which was in use on that land before 1st October 1991.

**3.** Materials used for the construction of housing for pigs, and all equipment with which pigs may come into contact, shall not be harmful to the pigs and shall be capable of being thoroughly cleansed and disinfected.

**4.** Subject to paragraph 22 of this Part, insulation, heating and ventilation of the building must ensure that the air circulation, dust level, temperature, air relative humidity and gas concentrations are kept within limits which are not harmful to the pigs.

**5.** The interior of any building (including the floor) to which pigs have access shall be so constructed and maintained that there are no sharp edges or protrusions likely to cause injury or distress to the pigs.

**6.** No inadequately constructed or insecure fittings shall be used for restraining pigs.

**7.—(1)** All automatic equipment shall be thoroughly inspected by a stock-keeper, or other competent person, not less than once each day to check that there is no defect in it.

(2) Where a defect is found in the automatic equipment (whether on inspection of the equipment in accordance with this paragraph or at any other time)—

- (a) the defect shall be rectified forthwith, or
- (b) if this is impracticable, such measures shall immediately be taken and shall be maintained until the defect is rectified, as are required to safeguard the pigs from suffering unnecessary pain or unnecessary distress as a result of the defect.

(3) Where the automatic equipment includes a ventilation system the system shall contain—

- (a) an alarm which will give adequate warning of the failure of that system to function properly (which alarm will operate even if the principal electricity supply to it has failed) and

(b) additional equipment or means of ventilation (whether automatic or not) which, in the event of such a failure of the ventilation system, will provide adequate ventilation so as to prevent the pigs from suffering unnecessary distress as a result of the failure.

(4) The alarm system mentioned in the preceding sub-paragraph shall be tested and the additional equipment mentioned there shall be thoroughly inspected, in each case, by a stock-keeper or other competent person not less than once every seven days in order to check that there is no defect in it and, if any defect is found in such alarm or equipment (whether or not on it being tested or inspected in accordance with this paragraph) it shall be rectified forthwith.

**8.** Subject to paragraph 22 of this Part, pigs must not be kept permanently in darkness. To meet their behavioural and physiological needs, appropriate natural or artificial lighting shall be provided; if the latter, it must function for a period at least equivalent to the period of natural light normally available between 9.00 a.m. and 5.00 p.m. In addition, suitable lighting (fixed or portable) strong enough to allow the pigs to be inspected at any time shall be available.

**9.—(1)** Pigs shall be thoroughly inspected by a stock-keeper not less than once each day to check that they are in a state of well-being.

(2) Where pigs are found not to be in a state of well-being (whether on inspection in accordance with this paragraph or at any other time) such measures shall immediately be taken as are required to safeguard them from unnecessary pain or unnecessary distress. Sick or injured pigs shall, where necessary, be isolated in suitable accommodation with dry, comfortable bedding. Veterinary advice must be obtained as soon as possible for pigs which are not responding to the stock-keeper's care.

**10.** If pigs are kept together, measures must be taken to prevent fighting which goes beyond normal behaviour. Pigs which show persistent aggression towards others or are victims of such aggression shall be isolated or kept separate from the group.

**11.** Subject to paragraph 22 of this Part, accommodation used for pigs shall be constructed in such a way as to allow each pig to—

- (a) stand up, lie down and rest without difficulty;
- (b) have a clean place in which it can rest, and
- (c) see other pigs, unless the pig is isolated for veterinary reasons.

**12.** Where tethers are permitted in accordance with paragraph 1 above, they must not cause injury to the pigs and must be inspected regularly and adjusted as necessary to ensure a comfortable fit. Each tether shall be of sufficient length to allow the pigs to move as stipulated in paragraph 11 above. The design must be such as to avoid, as far as possible, any risk of strangulation or injury.

**13.** Housing, pens, equipment and utensils used for pigs must be properly cleansed and disinfected as necessary to prevent cross-infection and the build-up of disease-carrying organisms, and faeces, urine and uneaten or spilt food must be removed as often as necessary to minimise smell and avoid attracting flies or rodents.

**14.** Where pigs are kept in a building they shall be kept on, or have access at all times to, a lying area which is clean, comfortable and does not adversely affect them, and is well-drained or well maintained with dry bedding. Where bedding is provided, this must be clean, dry and not harmful to the pigs.

**15.** Subject to paragraph 22 of this Part, where pigs are kept in a building, floors shall be smooth but not slippery so as to prevent injury to the pigs and so designed as not to cause injury or suffering to pigs standing or lying on them. They must be suitable for the size and weight of the pigs and form a rigid, even and stable surface.

16. All pigs shall be fed on a wholesome diet appropriate to their species, age, weight and behavioural and physiological needs, which is fed to them in sufficient quantity to maintain them in good health and to promote a positive state of well-being.

17. All pigs must be fed at least once a day. Where pigs are housed in a group and do not have continuous access to feed, or are not fed by an automatic feeding system, each pig must have access to the food at the same time as the others in the feeding group.

18. All pigs shall be provided with an adequate supply of fresh drinking water each day.

19. Feeding and watering equipment must be designed, constructed, placed and maintained so that contamination of the pigs' feed and water is minimised.

20. In addition to the measures normally taken to prevent tail-biting and other vices and in order to enable them to satisfy their behavioural needs, all pigs, taking into account environment and stocking density, must have access to straw or other material or object suitable to satisfy those needs.

21. No person shall apply an electrical current to pigs for the purposes of immobilisation.

22. Where pigs are kept in an environment which involves maintaining high temperatures and high humidity (known as the "sweat-box system") paragraphs 4, 8, 11 and 15 of this Part shall not apply until 1st July 1995, after which date the use of any such system is prohibited.

## PART II

### BOARS

Boar pens shall be sited and constructed so as to allow the boar to turn round and to hear, see and smell other pigs, and to provide for clean resting areas. The lying area shall be dry and comfortable. The minimum pen size for an adult boar shall be six square metres, except that a larger area shall be provided when pens are used for service.

## PART III

### SOWS AND GILTS

1. Gilts and sows between weaning their piglets and the perinatal period shall, where necessary, be treated against external and internal parasites. If they are placed in farrowing crates, pregnant sows and gilts shall be thoroughly clean.

2. Gilts and sows between weaning their piglets and the perinatal period shall be provided with a clean, adequately drained, comfortable lying area and shall, if necessary, be given suitable nesting material.

3. During farrowing, an unobstructed area behind the sow or gilt shall be available for the ease of natural or assisted farrowing.

4. Farrowing pens where sows are kept loose must have some means of protecting the piglets, such as farrowing rails.

## PART IV

### PIGLETS

1. If necessary, piglets shall be provided with a source of heat and a solid, dry and comfortable lying area away from the sow where all of them can rest at the same time.

2. Where a farrowing crate is used, the piglets must have sufficient space to be able to be suckled without difficulty.

3. Neither tail docking nor tooth clipping shall be carried out routinely but only when there is evidence, on the farm, that injuries to sows' teats or to other piglets have occurred or are likely to occur as a result of not carrying out these procedures. Where tooth clipping appears necessary, this shall only be carried out within seven days of birth.

4. Piglets must not be weaned from the sow at an age of less than three weeks unless the welfare or health of the dam or piglets would otherwise be adversely affected.

## PART V

### WEANERS AND REARING PIGS

1. Pigs shall be placed in groups as soon as possible after weaning. They shall be kept in stable groups with as little mixing as possible.

2. All accommodation newly built or rebuilt or brought into use for the first time on or after 1st January 1994 shall comply with at least the following requirements:

The unobstructed floor area available to each weaner or rearing pig reared in a group must be at least:

0.15 square metres for each pig where the average weight of the pigs in the group is 10 kg or less,

0.20 square metres for each pig where the average weight of the pigs in the group is more than 10 kg but less than or equal to 20 kg,

0.30 square metres for each pig where the average weight of the pigs in the group is more than 20 kg but less than or equal to 30 kg,

0.40 square metres for each pig where the average weight of the pigs in the group is more than 30 kg but less than or equal to 50 kg,

0.55 square metres for each pig where the average weight of the pigs in the group is more than 50 kg but less than or equal to 85 kg,

0.65 square metres for each pig where the average weight of the pigs in the group is more than 85 kg but less than or equal to 110 kg,

1.00 square metre for each pig where the average weight of the pigs in the group is more than 110 kg.

3. From 1st January 1998 the minimum standards provided for in the preceding paragraph shall apply to all accommodation.

## SCHEDULE 4

Regulation 3(4)

## PART I

### GENERAL CONDITIONS UNDER WHICH LIVESTOCK MUST BE KEPT

1. Where livestock are kept in a building adequate lighting (whether fixed or portable) shall be available to enable them to be thoroughly inspected at any time.

2. The interior of any building (including the floor) to which livestock have access shall be so constructed and maintained that there are no sharp edges or protrusions likely to cause injury or distress to the livestock.

3. No inadequately constructed or insecure fittings shall be used for restraining the livestock.

4. Livestock shall be fed a wholesome diet which is appropriate to their species and which is fed to them in sufficient quantity to maintain them in good health and to satisfy their nutritional needs.

5. Livestock shall be provided with an adequate supply of fresh drinking water each day and shall have access to food each day, except where a veterinary surgeon acting in the exercise of his profession otherwise directs.

6. Where any livestock, other than poultry, are kept in a building—

- (a) they shall be kept on, or have access at all times to, a lying area which is well-drained or well maintained with dry bedding; and
- (b) suitable accommodation shall be available so as to enable any sick or injured livestock to be separated from other livestock and, when such accommodation is used by any sick or injured livestock, it shall have a suitably bedded floor.

7. Where any poultry (except laying hens kept in battery cages) are kept in a building, they shall be kept on, or have access at all times to, well maintained litter or to a well-drained area for resting.

8. Where any lactating dairy cows or any cows which are calving are kept in any roofed accommodation they shall have access at all times to a well-drained and bedded lying area.

9. Where any cows which are calving are kept in a building, they shall be kept—

- (a) in a pen or a yard which is of such a size as to permit a person to attend the cows; and
- (b) separate from other livestock other than calving cows.

10. Any hutches or cages in which any rabbits are kept shall be—

- (a) of sufficient size to allow the rabbits to move around and to feed and drink without difficulty and to enable all the rabbits kept in them to lie on their sides at the same time; and
- (b) of sufficient height to allow the rabbits to sit upright on all four feet without their ears touching the top of the hutch or cage.

11. Where any rabbits are kept in any accommodation which is exposed to the weather, suitable steps shall be taken so as to ensure that the rabbits have access to shelter from the action of the weather (including direct sunlight).

12. No person shall apply an electrical current to livestock for the purposes of immobilisation.

## PART II

### ADDITIONAL CONDITIONS FOR INTENSIVE SYSTEMS

1. The livestock shall be thoroughly inspected by a stock-keeper not less than once each day to check that they are in a state of well-being.

2. Where livestock are found not to be in a state of well-being (whether on inspection of the livestock in accordance with the preceding paragraph or at any other time), such measures shall immediately be taken as are required to safeguard the livestock from suffering unnecessary pain or unnecessary distress.

3.—(1) All automatic equipment shall be thoroughly inspected by a stock-keeper, or other competent person, not less than once each day to check that there is no defect in it.

- (2) Where a defect is found in the automatic equipment (whether on inspection of the equipment in accordance with this paragraph or at any other time)—
- (a) the defect shall be rectified forthwith, or
  - (b) if this is impracticable, such measures shall immediately be taken and shall be maintained until the defect is rectified, as are required to safeguard the livestock from suffering unnecessary pain or unnecessary distress as a result of the defect.
- (3) Where the automatic equipment includes a ventilation system the system shall contain—
- (a) an alarm which will give adequate warning of the failure of that system to function properly (which alarm will operate even if the principal electricity supply to it has failed), and
  - (b) additional equipment or means of ventilation (whether automatic or not) which, in the event of such a failure of the ventilation system, will provide adequate ventilation so as to prevent the livestock from suffering unnecessary distress as a result of the failure.
- (4) The alarm system mentioned in the preceding sub-paragraph shall be tested and the additional equipment mentioned there shall be thoroughly inspected, in each case, by a stock-keeper or other competent person not less than once every seven days in order to check that there is no defect in it and, if any defect is found in such alarm or equipment (whether or not on it being tested or inspected in accordance with this paragraph) it shall be rectified forthwith.

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## EXPLANATORY NOTE

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

These Regulations revoke and replace with amendments:

The Welfare of Livestock (Intensive Units) Regulations 1978 (S.I. [1978/1800](#));

The Welfare of Battery Hens Regulations 1987 (S.I. [1987/2020](#));

The Welfare of Calves Regulations 1987 (S.I. [1987/2021](#));

The Welfare of Livestock Regulations 1990 (S.I. [1990/1445](#)); and

The Welfare of Pigs Regulations 1991 (S.I. [1991/1477](#));

and amend the Protection of Animals (Anaesthetics) Act 1954.

They implement—

the European Convention for the Protection of Animals kept for Farming Purposes of 10th March 1976 as read with the Protocol of Amendment to the European Convention for the Protection of Animals kept for Farming Purposes of 6th February 1992 (both available from HMSO, PO Box 276, London SW8 5DT);

Council Directive [88/166/EEC](#) laying down minimum standards for the protection of laying hens kept in battery cages (OJ No. L74, 19.3.88, p.83);

Council Directive [91/629/EEC](#) laying down minimum standards for the protection of calves (OJ No. L340, 11.12.91, p.28);

Council Directive [91/630/EEC](#) laying down minimum standards for the protection of pigs (OJ No. L340, 11.12.91, p.33).

They make specific provision for the welfare of laying hens in battery cages, calves and pigs and general provision for other livestock, but do not apply in respect of bees or fish, including shellfish, crustaceans or molluscs.

Existing requirements applying to intensive systems are extended to all systems of animal husbandry in which animals are kept in such numbers or density or in such conditions that their health and welfare depend upon frequent human attention, so as to comply with the Council of Europe Convention on Animals kept for Farming Purposes as amended by the Protocol of Amendment of 6th February 1992.

In the case of laying hens in battery cages, the Regulations introduce amendments in relation to cage height requirements and make additional requirements in relation to testing alarms on automatic ventilation systems. Until 1st January 1995, the provisions in Schedule 1 of paragraph 1 (minimum cage requirements) shall not apply in relation to battery cages in use before 1st January 1988, provided the accommodation has not been reconstructed since that date.

In the case of calves, they regulate the area to which the calves must have access, although the provisions in Schedule 2 of paragraph 1(1) (minimum floor space for calves in groups) and 2(a) (requirement for individual stalls to have a perforated wall) do not apply until 1st January 2004 for accommodation in use before 1st January 1994.

In the case of pigs, they regulate the area to which pigs must have access, although the provisions in Part I, Schedule 3 of paragraph 1 (tethers) and 2 (stall dimensions) do not apply until 1st January 1999 to tethers and stalls in use before 1st October 1991 and the provisions in Part V, Schedule 3 of paragraph 2 (minimum floor area) do not apply until 1st January 1998 for accommodation in use before 1st January 1994. The use of sweat box systems for keeping pigs will be prohibited after 1st July 1995.

A Compliance Cost Assessment has been prepared and placed in the library of each House of Parliament.