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DRAFT STATUTORY INSTRUMENTS

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**2002 No.**

**The Welfare of Farmed Animals  
(England) (Amendment) Regulations 2002**

**Amendments to the Welfare of Farmed Animals (England) Regulations 2000**

2.—(1) The Welfare of Farmed Animals (England) Regulations 2000<sup>(1)</sup> shall be amended in accordance with the following provisions of this regulation.

(2) In regulation 2(1)—

(a) for the definition of “laying hen” the following definition shall be substituted—

““laying hen” means a hen of the species *Gallus gallus* which has reached laying maturity and is kept for production of eggs not intended for hatching;”;

(b) after the definition of “laying hen”, the following definitions shall be inserted—

““litter” means any friable material enabling the hens to satisfy their ethological needs;

“nest” means a separate space for egg laying, the floor component of which may not include wire mesh that can come into contact with the birds, for an individual hen or for a group of hens;”;

(c) after the definition of “statutory welfare code”, the following definition shall be inserted—

““usable area” means an area, other than any nesting area, used by laying hens at least 30 cm wide with a floor slope not exceeding 14% and with headroom of at least 45 cm;”.

(3) Regulation 4 and Schedule 2 shall be revoked.

(4) For regulation 5 there shall be substituted the following regulation—

**“Additional duties on owners and keepers of poultry (other than those kept in the systems referred to in Schedules 3A, 3B and 3C)**

5. Owners and keepers of poultry (other than those kept in the systems referred to in Schedules 3A, 3B and 3C) shall ensure that, in addition to the requirements set out in Schedule 1, the conditions under which the birds are kept comply with the requirements set out in Schedule 3.”.

(5) After regulation 5 the following regulation shall be added—

**“Additional duties on owners and keepers of laying hens**

5A. Owners and keepers of establishments with more than 350 laying hens shall ensure that, in addition to the requirements set out in Schedule 1, the conditions under which the birds are kept comply with the requirements set out in Schedules 3A, 3B, 3C and 3D.”.

(6) In Schedule 1—

- (a) for paragraph 2(3)(a) there shall be substituted the following paragraph—
    - “(a) in the case of laying hens kept in all systems, paragraph 1 of Schedule 3D;”.
  - (b) for paragraph (7)(b)(i) there shall be substituted the following paragraph—
    - “(i) in the case of laying hens kept in all systems, paragraph 1 of Schedule 3D;”.
- (7) For Schedule 3 there shall be substituted the following provisions:

“SCHEDULE 3

Regulation 5

ADDITIONAL CONDITIONS UNDER WHICH POULTRY (OTHER THAN THOSE KEPT  
IN THE SYSTEMS REFERRED TO IN SCHEDULES 3A, 3B AND 3C) MUST BE KEPT

Where any poultry (other than those kept in the systems referred to in Schedules 3A, 3B and 3C) 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) After Schedule 3 there shall be inserted the Schedules 3A, 3B, 3C and 3D set out in the Schedule to these Regulations.

- (9) For paragraph (a) of regulation 12 there shall be substituted the following paragraph—
  - “(a) Council Directive [99/74/EC](#)(2) laying down minimum standards for the protection of laying hens.”.

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(2) OJNo. L. 203, 3.8.99, p.53.