

*Draft Regulations laid before the Scottish Parliament under section 51(3) of the Animal Health and Welfare (Scotland) Act 2006 for approval by resolution of the Scottish Parliament.*

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DRAFT SCOTTISH STATUTORY INSTRUMENTS

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**2020 No.**

**ANIMALS**

**The Welfare of Farmed Animals  
(Scotland) Amendment Regulations 2020**

*Made* - - - - 2020  
*Coming into force* - - 28th November 2020

The Scottish Ministers make the following Regulations in exercise of the powers conferred by sections 26 and 51(2) of the Animal Health and Welfare (Scotland) Act 2006<sup>(1)</sup> and all other powers enabling them to do so.

In accordance with section 26(5) of that Act, the Scottish Ministers have consulted such persons appearing to them to represent relevant interests, and such other persons, as they consider appropriate.

In accordance with section 51(3) of that Act<sup>(2)</sup>, a draft of this instrument has been laid before and approved by resolution of the Scottish Parliament.

**Citation and commencement**

1. These Regulations may be cited as the Welfare of Farmed Animals (Scotland) Amendment Regulations 2020 and come into force on 28 November 2020.

**Amendment of the Welfare of Farmed Animals (Scotland) Regulations 2010**

2. In regulation 7A (animal welfare guidance) of the Welfare of Farmed Animals (Scotland) Regulations 2010<sup>(3)</sup> for paragraph (2) substitute—

“(2) In paragraph (1), “animal welfare guidance” means—

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(1) 2006 asp 11.  
(2) Section 51(3) has been modified by paragraph 5 of schedule 3 of the Interpretation and Legislative Reform (Scotland) Act 2010 (asp 10).  
(3) S.S.I. 2010/388. Section 7A was inserted by S.S.I. 2019/211.

- (a) the guidance contained in the document titled “Guidance for the Welfare of Meat Chickens and Meat Breeding Chickens” and dated April 2019, which was first published by the Scottish Government on its website on 1 April 2019<sup>(4)</sup>,
- (b) the guidance contained in the document titled “Guidance for the Welfare of Laying Hens and Pullets” and dated August 2020, which was first published by the Scottish Government on its website on 21 August 2020<sup>(5)</sup>.”

St Andrew’s House,  
Edinburgh  
Date

*Name*  
Authorised to sign by the Scottish Ministers

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(4) ISBN 978-1-78781-646-6 (web only - <https://www.gov.scot/publications/guidance-welfare-meat-chickens-meat-breeding-chickens/>).

(5) ISBN 978-1-83960-932-9 (web only - <https://www.gov.scot/publications/guidance-welfare-laying-hens-pullets/>).

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## EXPLANATORY NOTE

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

These Regulations amend the Welfare of Farmed Animals (Scotland) Regulations 2010 (“the 2010 Regulations”). Regulation 2 of these regulations substitutes a new regulation 7A(2) (animal welfare guidance) into the 2010 Regulations.

Regulation 7A (animal welfare guidance) of the 2010 Regulations provides that a person responsible for a farmed animal must not attend to that animal, unless that person is acquainted with any relevant animal welfare guidance and has access to it while attending to that animal. The person responsible must also take all reasonable steps to ensure that any other person employed or engaged by the person responsible does not attend to any such animal, unless that other person is acquainted with any relevant animal welfare guidance, has access to a copy of it while attending to the animal, and has received instruction on how to comply with the guidance.

By virtue of regulation 11 (offences) of the 2010 Regulations, it is an offence for a person responsible for a farmed animal to contravene or fail to comply with regulation 7A without lawful authority or reasonable excuse (or to cause or permit any such contravention or failure).

Regulation 7A(2) of the 2010 Regulations defines “animal welfare guidance”. These regulations substitute regulation 7A(2) (animal welfare guidance) to add reference to a document titled “Guidance for the Welfare of Laying Hens and Pullets”, a copy of which can be viewed on, or downloaded from, the Scottish Government’s website. Copies can also be obtained from, or inspected at, the offices of the Scottish Government’s Agriculture and Rural Economy Directorate, Animal Health and Welfare Division, Saughton House, Broomhouse Drive, Edinburgh EH11 3XD.

The reference to a document titled “Guidance for the Welfare of Meat Chickens and Meat Breeding Chickens” in regulation 7A(2) is retained. A copy of this document can be viewed on, or downloaded from, the Scottish Government’s website. Copies can also be obtained from, or inspected at, the offices of the Scottish Government’s Agriculture and Rural Economy Directorate, Animal Health and Welfare Division, Saughton House, Broomhouse Drive, Edinburgh EH11 3XD.

No business and regulatory impact assessment has been prepared for these Regulations as no impact upon business, charities or voluntary bodies is foreseen.