
STATUTORY INSTRUMENTS

1990 No. 2628

The Welfare of Animals at Markets Order 1990

Penning and caging of animals

10.—(1) It shall be the duty of a market operator to ensure that no animal is kept in a pen, cage or hutch which is unsuitable for the size and species of that animal.

(2) Without prejudice to the generality of paragraph (1) above it shall be the duty of a market operator to ensure that—

- (a) any pen in which any calves or pigs are kept is of sufficient size to enable all the calves or pigs kept in it to lie down at the same time;
- (b) any cage or hutch in which any poultry or rabbits are kept—
 - (i) is of such a design as to enable the poultry to stand in their natural position, or, as the case may be, to enable all the rabbits kept in them to sit upright on all four feet without their ears touching the top of the cage or hutch, and
 - (ii) has a door which is of sufficient size to enable the poultry or rabbits (as the case may be) to be placed in, and removed from, the cage or hutch without being caused any injury or unnecessary suffering.

(3) Without prejudice to the generality of paragraph (1) above, it shall be the duty of a market operator to ensure that, within the market—

- (a) when animals are penned—
 - (i) those of one species are kept in separate pens from animals of another species; and
 - (ii) they are distributed within the pens, having regard to differences in age and size, so as to avoid unnecessary suffering to them;
- (b) any fractious animal is kept in a separate pen, cage or hutch from other animals;
- (c) animals are not kept in pens, cages or hutches which are overcrowded;
- (d) adequate provision is made to prevent animals—
 - (i) escaping from the market, and
 - (ii) coming into contact with any aggressive or fractious animals in the market;
- (e) a bull is not kept in the same undivided pen in the market as any other animal except that—
 - (i) bulls which are halter broken may be kept together in the same undivided pen if they are all secured by the head or neck, and
 - (ii) bulls which have been reared together may be kept together in the same undivided pen (without being secured by the head or neck);
- (f) a boar over the age of 6 months is not kept in the same undivided pen as any other animal; and
- (g) animals with young at foot are not kept in the same undivided pen as any other animals, except where they originate from the same group of animals and are of a mutually acceptable disposition.

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

(4) For the purposes of paragraph (3) above, a “fractious animal” is an animal which is likely to cause injury to other animals.