
EXPLANATORY NOTE

(This note is not part of the Regulations)

It is an offence under section 5(1) and section 5(2) of the Welfare of Animals Act (Northern Ireland) 2011 (“the Act”) to do the following to animals protected by that Act:

- (a) carry out a prohibited procedure;
- (b) cause the carrying out of a prohibited procedure; or
- (c) in specified circumstances, permit another person to carry out a prohibited procedure.

A prohibited procedure is one which involves interference with the sensitive tissues (for example skin) or bone structure of the animal, other than a procedure carried out by a veterinary surgeon, for the diagnosis of disease, for the purpose of its medical treatment or is specified in regulations made by the Department (section 5(4) and section 5(5) of the Act).

These Regulations specify the procedures to which the offences in section 5 of the Act do not apply. Depending upon the animals to which they are to be applied, such procedures may include those for the purposes of:

- (a) identification (such as ear tagging);
- (b) the control of reproduction (such as castration); and
- (c) other purposes (such as tail docking).

For certain of these procedures, and again depending upon the animals in respect of which they are permitted, Schedules 1 to 11 apply conditions to the carrying out of the procedure (such as specifying a required age for the animal, or requiring the administration of an anaesthetic).

In respect of certain procedures permitted to be applied to pigs, these Regulations implement paragraph 8 of Chapter I of Annex I to Council Directive [2008/120/EC](#) laying down minimum standards for the protection of pigs (O.J. No. L 47, 18.2.2009, p.5).

In respect of the beak trimming of laying hens, these Regulations implement paragraph 8 of the Annex to Council Directive [1999/74/EC](#) laying down minimum standards for the protection of laying hens (O.J. No. L 203, 3.8.1999, p.53), as amended by Council Regulation [\(EC\) No. 806/2003](#) (O.J. No. L 122, 16.5.2003, p.1).