

1990 No. 1445

ANIMALS

PREVENTION OF CRUELTY

The Welfare of Livestock Regulations 1990

Approved by both Houses of Parliament

Made - - - - *16th July 1990*

Coming into force -
regulations 3(c) and 4 *1st January 1992*
remainder *1st January 1991*

The Minister of Agriculture, Fisheries and Food, the Secretary of State for Scotland and the Secretary of State for Wales, acting jointly in exercise of powers conferred by section 2 of the Agriculture (Miscellaneous Provisions) Act 1968(a) and now vested in them(b), and of all other powers enabling them in that behalf, and after consultation 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:

Title and commencement

1.—(1) These Regulations may be cited as the Welfare of Livestock Regulations 1990 and, except for regulations 3(c) and 4, shall come into force on 1st January 1991.

(2) Regulations 3(c) and 4 shall come into force on 1st January 1992.

Interpretation

2. In these Regulations—

- “the Act” means the Agriculture (Miscellaneous Provisions) Act 1968;
- “electro-immobilisation”, in relation to any livestock, means the passing of an electric current through the body of an animal for the purpose of immobilising it;
- “housed”, in relation to any livestock, means kept in a building;
- “veterinary surgeon” means a person registered in the register of veterinary surgeons or in the supplementary veterinary register;
- “welfare code” means a code containing recommendations with respect to the welfare of livestock for the time being situated on agricultural land prepared and issued by the Ministers under section 3 of the Act, and references in these Regulations to a welfare code are references to that code as it has effect for the time being.

(a) 1968 c.34; section 50(1) contains a definition of “the Ministers”, relevant to the exercise of the statutory powers under which these Regulations are made.
(b) In the case of the Secretary of State for Wales, by virtue of S.I. 1978/272.

Requirements for the welfare of livestock

3. It shall be the duty of any person who keeps any livestock on agricultural land, or who knowingly causes or permits any livestock to be so kept, to ensure that—

- (a) any person attending, or for the time being in charge of, the livestock (whether or not that person is the keeper) has access to a copy of any welfare code relating to the livestock;
- (b) any person attending, or for the time being in charge of, the livestock (whether or not that person is the keeper) is, or is made, aware of the provisions of any welfare code relating to the livestock;
- (c) any person who attends, or is for the time being in charge of, the livestock on behalf of the keeper has received instruction and guidance with regard to any welfare code relating to the livestock;
- (d) where the livestock are housed adequate lighting (whether fixed or portable) is available to enable them to be thoroughly inspected at any time;
- (e) the interior of any building (including the floor) to which the livestock have access is constructed and maintained so that there are no sharp edges or protrusions likely to cause injury or distress to the livestock;
- (f) no inadequately constructed or insecure fittings are used for restraining the livestock;
- (g) the livestock are 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;
- (h) the livestock are provided with an adequate supply of fresh drinking water each day and have access to food each day, except where a veterinary surgeon acting in the exercise of his profession otherwise directs;
- (i) where any of the livestock, other than poultry, are housed—
 - (i) they are kept on, or have access at all times to, a lying area which is well-drained or well maintained with dry bedding, and
 - (ii) suitable accommodation is 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 has a suitably bedded floor;
- (j) where any poultry (except laying hens kept in battery cages to which the Welfare of Battery Hens Regulations 1987(a) apply) are housed, they are kept on, or have access at all times to, well maintained litter or to a well-drained area for resting;
- (k) where any lactating dairy cows or any cows which are calving are kept in any roofed accommodation they have access at all times to a well-drained and bedded lying area;
- (l)
 - (i) where any cows which are calving are housed, they are kept separate from any other livestock in a pen or a yard which is of such a size as to permit a person to attend the cows;
 - (ii) notwithstanding the provisions of sub-paragraph (l)(i) above cows which are calving may be housed with other cows which are calving;
- (m) any calf which is more than 14 days old has access each day to dry food containing sufficient digestible fibre so as not to impair the development of its rumen, except that this requirement shall not apply in the case of a single calf kept in a pen or a stall to which the Welfare of Calves Regulations 1987(b) apply;
- (n) any hutches or cages in which any rabbits are kept are—
 - (i) 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
 - (ii) 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;

(a) S.I. 1987/2020.

(b) S.I. 1987/2021.

- (o) where any rabbits are kept in any accommodation which is exposed to the weather, suitable steps are taken so as to ensure that the rabbits have access to shelter from the action of the weather (including direct sunlight);
- (p) no procedure involving electro-immobilisation is carried out on any livestock unless that procedure is duly authorised under the Animals (Scientific Procedures) Act 1986(a).

Amendment of intensive units regulations

4. In the Welfare of Livestock (Intensive Units) Regulations 1978(b), after paragraph (5) of regulation 2 there shall be inserted the following paragraph—

“(6) (a) Where the automatic equipment of an intensive unit includes a ventilation system, that system shall contain—

- (i) 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
- (ii) additional equipment (whether automatic or not) which, in the event of such a failure of the ventilation system, will provide adequate ventilation so as to protect the livestock in the unit from suffering unnecessary pain or unnecessary distress as a result of the failure.

(b) The alarm mentioned in sub-paragraph (a)(i) above shall be tested and the additional equipment mentioned in sub-paragraph (a)(ii) above 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.”.

Offences

5. A person who contravenes or fails to comply with any provision of these Regulations shall be guilty of an offence under section 2 of the Act.

In witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 16th July 1990.



John Selwyn Gummer
Minister of Agriculture, Fisheries and Food

16th July 1990

Sanderson of Bowden
Minister of State, Scottish Office

16th July 1990

David Hunt
Secretary of State for Wales

(a) 1986 c.14.
(b) S.I. 1978/1800.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations make provision for the welfare of livestock on agricultural land by imposing a duty on any person who keeps the livestock to ensure that—

- (a) anyone attending or in charge of the livestock (including himself) has access to any welfare code relating to that livestock and that such persons are aware of the provisions of any such code and, in the case of persons attending or in charge of livestock on his behalf, that they have received instruction and guidance on its provisions (regulation 3(a), (b) and (c));
- (b) where any livestock are kept in buildings, there is adequate lighting to enable them to be thoroughly inspected (regulation 3(d));
- (c) the interior of any building to which livestock have access is so constructed and maintained that it cannot cause them injury or distress (regulation 3(e)) and that the fittings used to restrain livestock are adequate (regulation 3(f)); and
- (d) the livestock are properly fed and watered (regulation 3(g) and (h)).

The Regulations also contain welfare provisions concerning bedding, separation of livestock, sick or injured animals, cows which are lactating or calving, feeding of calves, accommodation of rabbits and procedures involving electro-immobilisation of livestock (regulation 3(i) to (p)).

In addition, the Regulations amend the Welfare of Livestock (Intensive Units) Regulations 1978 by inserting welfare provisions concerning automatic ventilation systems in intensive units (regulation 4).

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