
STATUTORY INSTRUMENTS

2000 No. 1870

The Welfare of Farmed Animals (England) Regulations 2000

Title, commencement and extent

1. These Regulations, which shall extend to England only, may be cited as the Welfare of Farmed Animals (England) Regulations 2000 and shall come into force on 14th August 2000.

Interpretation and application

2.—(1) In these Regulations—

“animal” means any animal (including fish, reptiles or amphibians) bred or kept for the production of food, wool, skin or fur or for other farming purposes;

“authorised person” means any person authorised by the Minister under section 6 of the Agriculture (Miscellaneous Provisions) Act 1968;

“battery cage” means an enclosed space intended for laying hens in a battery system;

“battery system” means an arrangement of cages in rows or tiers or rows and tiers;

“calf” means a bovine animal up to six months old;

“keeper” means any person responsible for or in charge of animals whether on a permanent or temporary basis;

“laying hen” means an adult hen of the species *Gallus gallus* which is kept for egg production;

“pig” means an animal of the porcine species of any age, kept for breeding or fattening;

“statutory welfare code” means a code for the time being issued under section 3 of the Agriculture (Miscellaneous Provisions) Act 1968; and

“zootechnical treatment” has the meaning given by Article 1(2)(c) of Directive [96/22/EEC](#)^{MI} concerning the prohibition on the use in stockfarming of certain substances having a hormonal or thyrostatic action and of beta-agonists.

(2) These Regulations shall apply to animals except—

(a) animals living in the wild;

(b) animals whilst at, and animals solely intended for use in, competitions, shows, cultural or sporting events or activities;

(c) experimental or laboratory animals; or

(d) any invertebrate animals.

(3) Part 1 of Schedule 6 shall have effect for the purpose of the interpretation of Schedule 6.

(4) In these Regulations—

(a) any reference to a numbered regulation is a reference to the regulation so numbered in these Regulations;

(b) any reference to a numbered Schedule is a reference to the Schedule to these Regulations so numbered in these Regulations;

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- (c) any reference in a regulation or a Schedule to a numbered paragraph is a reference to the paragraph so numbered in the regulation or Schedule in which the reference occurs; and
- (d) any reference to an instrument of the European Community is to that instrument as amended at the time these Regulations are made.

Marginal Citations

M1 OJ No. L125, 23.5.96, p. 3.

Duties on owners and keepers of animals

3.—(1) Owners and keepers of animals shall take all reasonable steps—

- (a) to ensure the welfare of the animals under their care; and
- (b) to ensure that the animals are not caused any unnecessary pain, suffering or injury.

(2) Owners and keepers of animals (other than fish, reptiles and amphibians) shall take all reasonable steps to ensure that the conditions under which the animals are bred or kept comply with the requirements set out in Schedule 1.

(3) In deciding whether the conditions under which animals are being bred or kept comply with the requirements set out in Schedule 1, the owner and keeper of the animals shall have regard to their species, and to their degree of development, adaptation and domestication, and to their physiological and ethological needs in accordance with established experience and scientific knowledge.

Additional duties on owners and keepers of laying hens kept in battery cages

4. Owners and keepers of laying hens kept in battery cages 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 2.

Additional duties on owners and keepers of poultry (other than laying hens kept in battery cages)

5. Owners and keepers of poultry (other than laying hens kept in battery cages) 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.

Additional duties on owners and keepers of calves confined for rearing and fattening

6. Owners and keepers of calves confined for rearing and fattening shall ensure that, in addition to the requirements set out in Schedule 1, the conditions under which the animals are kept comply with the requirements set out in Schedule 4.

Additional duties on owners and keepers of cattle

7. Owners and keepers of cattle shall ensure that, in addition to the requirements set out in Schedule 1, the conditions under which the animals are kept comply with the requirements set out in Schedule 5.

Additional duties on owners and keepers of pigs

8. Owners and keepers of pigs shall ensure that, in addition to the requirements set out in Schedule 1, the conditions under which the animals are kept comply with—

- (a) the requirements set out in Part II of Schedule 6; and
- (b) the requirements set out in Parts III, IV, V or VI of Schedule 6 (as the case may be) applicable to the particular category of pig being kept.

Additional duties on owners and keepers of rabbits

9. Owners and keepers of rabbits shall ensure that, in addition to the requirements set out in Schedule 1, the conditions under which the animals are kept comply with the requirements set out in Schedule 7.

Statutory welfare codes

10.—(1) Any person who employs or engages a person to attend to animals shall ensure that the person attending to the animals—

- (a) is acquainted with the provisions of all relevant statutory welfare codes relating to the animals being attended to;
- (b) has access to a copy of those codes while he is attending to the animals; and
- (c) has received instruction and guidance on those codes.

(2) Any person who keeps animals, or who causes or knowingly permits animals to be kept, shall not attend to them unless he has access to all relevant statutory welfare codes relating to the animals while he is attending to them, and is acquainted with the provisions of those codes.

Powers of an authorised person

11. Where an authorised person considers that animals are being kept in a way which is likely to cause unnecessary pain, suffering or injury, or in any other way in contravention of any provision of these Regulations, he may serve a notice on the person appearing to him to be in charge of the animals requiring that person, within the period stated in the notice, to take any action that the authorised person considers to be reasonably necessary to ensure compliance with these Regulations and the authorised person shall give his reasons for requiring that action to be taken.

Powers of entry

12. An authorised person exercising powers of entry under the Agriculture (Miscellaneous Provisions) Act 1968^{M2} for the purposes of these Regulations may take with him a representative of the European Commission acting for the purposes of—

- (a) Council Directive [88/166/EEC](#)^{M3} laying down minimum standards for the protection of laying hens kept in battery cages;
- (b) Council Directive [91/629/EEC](#)^{M4} laying down minimum standards for the protection of calves as amended by Council Directive [97/2/EC](#)^{M5} and Commission Decision [97/182/EC](#)^{M6};
- (c) Council Directive [91/630/EEC](#)^{M7} laying down minimum standards for the protection of pigs; or
- (d) Council Directive [98/58/EC](#)^{M8} concerning the protection of animals kept for farming purposes;

as well as any person he takes under powers provided under section 6(3) of that Act.

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Marginal Citations

- M2** [1968 c. 34](#).
M3 OJ No. L74, 19.3.88, p. 83.
M4 OJ No. L340, 11.12.91, p. 28.
M5 OJ No. L25, 28.1.97, p. 24.
M6 OJ No. L76, 24.2.97, p. 30.
M7 OJ No. L340, 11.12.91, p. 33.
M8 OJ No. L221, 8.8.98, p. 23.

Offences

13.—(1) A person who, without lawful authority or excuse—

- (a) contravenes or fails to comply with any provision of these Regulations;
- (b) fails to comply with a notice served under regulation 11 within the time specified in the notice;
- (c) makes any entry in a record, or gives any information for the purposes of these Regulations which he knows to be false in any material particular or, for those purposes, recklessly makes a statement or gives any information which is false in any material particular; or
- (d) causes or permits any of the above,

shall be guilty of an offence under section 2 of the Agriculture (Miscellaneous Provisions) Act 1968.

(2) In any proceedings against an owner or keeper of animals for a failure to comply with regulation 3(1) or 3(2) (as read with regulation 3(3)), the owner or keeper, as the case may be, may rely on his compliance with any relevant recommendation contained in a statutory welfare code as tending to establish his compliance with the relevant regulation.

Revocations

14. The Welfare of Livestock Regulations 1994 ^{M9} and the Welfare of Livestock (Amendment) Regulations 1998 ^{M10} are hereby revoked as regards England only.

Marginal Citations

- M9** [S.I. 1994/2126](#), amended by [S.I. 1998/1709](#).
M10 [S.I. 1998/1709](#).

18th July 2000

Elliot Morley
Parliamentary Secretary, Ministry of Agriculture,
Fisheries and Food

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Changes and effects yet to be applied to :

- Sch. 1 para. 2(3)(a) substituted by [S.I. 2002/1646 reg. 2\(6\)\(a\)](#)
- Sch. 1 para. 7(b)(i) substituted by [S.I. 2002/1646 reg. 2\(6\)\(b\)](#)
- Sch. 2 revoked by [S.I. 2002/1646 reg. 2\(3\)](#)
- Sch. 3 substituted by [S.I. 2002/1646 reg. 2\(7\)](#)
- sch 6 rev in pt by [S.I. 2007/1101 reg 2 schedule](#)
- Sch 6 subst (subject to transtl provn(s)) by [S.I. 2003/299 regs 23\(1\)\(4\)](#)
- reg 2 am by [S.I. 2003/299 reg 3\(1\)\(2\)](#)
- reg. 2(1) words inserted by [S.I. 2002/1646 reg. 2\(2\)\(b\)](#)
- reg. 2(1) words inserted by [S.I. 2002/1646 reg. 2\(2\)\(c\)](#)
- reg. 2(1) words substituted by [S.I. 2002/1646 reg. 2\(2\)\(a\)](#)
- reg. 4 revoked by [S.I. 2002/1646 reg. 2\(3\)](#)
- reg. 5 substituted by [S.I. 2002/1646 reg. 2\(4\)](#)
- reg. 12(a) substituted by [S.I. 2002/1646 reg. 2\(9\)](#)

Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:

Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- Sch. 3A inserted by [S.I. 2002/1646 reg. 2\(8\)Sch.](#)
- Sch. 3B inserted by [S.I. 2002/1646 reg. 2\(8\)Sch.](#)
- Sch. 3C inserted by [S.I. 2002/1646 reg. 2\(8\)Sch.](#)
- Sch. 3D inserted by [S.I. 2002/1646 reg. 2\(8\)Sch.](#)
- sch 3D rev in pt by [S.I. 2007/1101 reg 2 schedule](#)
- reg. 5A added by [S.I. 2002/1646 reg. 2\(5\)](#)
- reg 8A added by [S.I. 2003/299 reg 3\(1\)\(3\)](#)