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STATUTORY INSTRUMENTS

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**2003 No. 1328**

**ANIMALS, ENGLAND**  
**PREVENTION OF CRUELTY**

**The Protection of Animals (Anaesthetics)  
(Amendment) (No. 2) (England) Order 2003**

<i>Made</i>	- - - -	<i>15th May 2003</i>
<i>Laid before Parliament</i>		<i>19th May 2003</i>
<i>Coming into force</i>	- -	<i>9th June 2003</i>

The Secretary of State, in exercise of the powers conferred on her by section 1 of the Protection of Animals (Anaesthetics) Act 1954<sup>(1)</sup> and now vested in her and after consultation (in accordance with that section) with the Royal College of Veterinary Surgeons and with such persons appearing to her to represent agricultural interests as appeared appropriate, makes the following order:

**Title and commencement**

1. This Order may be cited as the Protection of Animals (Anaesthetics) (Amendment) (No. 2) (England) Order 2003 and shall come into force on 9th June 2003.

**Amendment of the Protection of Animals (Anaesthetics) Act 1954**

2. In paragraph 6 of Schedule 1 to the Protection of Animals (Anaesthetics) Act 1954 (castration an excepted operation if performed within a certain period), in the table, for the entry beginning “pig” there shall be substituted “pig, in Wales, 4 weeks; and in England, 8 days”.

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(1) 1954 c. 46. Functions of the Minister of Agriculture, Fisheries and Food, the Secretary of State for Scotland and the Secretary of State for Wales, insofar as they were exercisable in relation to England, were transferred to the Minister of Agriculture, Fisheries and Food by the Transfer of Functions (Agriculture and Food) Order 1999 (S.I. 1999/3141) and were then further transferred to the Secretary of State by the Ministry of Agriculture, Fisheries and Food (Dissolution) Order 2002 (S.I. 2002/794).

15th May 2003

*Elliot Morley*  
Parliamentary Under Secretary of State  
Department for Environment, Food and Rural  
Affairs

## **EXPLANATORY NOTE**

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

This Order amends the Protection of Animals (Anaesthetics) Act 1954 insofar as it applies to England only, by specifying that a pig may only be castrated without anaesthetic before it has reached the age of 8 days. This amendment is required in order to implement Commission Directive [2001/93/EC](#) (OJ L 316 1.12.2001 p.36). It replaces the Protection of Animals (Anaesthetics) (Amendment) Order 2003 which was defective and which was revoked by the Protection of Animals (Anaesthetics) (Amendment) Order 2002 (S.I.[2002/3215](#)). Conditions that apply to the keeping of pigs are contained in the Welfare of Farmed Animals (England) Regulations 2000 as amended.