
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Mutilations (Permitted Procedures) (Wales) Regulations 2007 ([S.I. 2007/1029 \(W. 96\)](#)) (“the 2007 Regulations”) by inserting new permitted procedures and the requirements that apply to them. The new permitted procedures are wing tagging, web tagging, neck tagging and web notching of farmed ducks and, in the case of sheep and goats, embryo collection or transfer by a surgical method, laparoscopic insemination, and ovum transplantation (including collection) by a surgical method. The Regulations amend regulation 3 and substitute a new regulation 5 in respect of who may perform the permitted procedures. The Regulations also amend regulation 4 in order to correct a minor drafting error.

In respect of tail docking and castration of pigs, these Regulations together with the 2007 Regulations implement paragraph 8 of Chapter I of the Annex to Council Directive [91/630/EEC](#) laying down minimum standards for the protection of pigs (OJ No L 340, 11.12.1991, p.33), as amended by Council Directive [2001/88/EC](#) (OJ No L316, 1.12.2001, p.1, Commission Directive [2001/93/EC](#) (OJ No L316, 1.12.2001, p.36) and Council Regulation ([EC](#)) No. [806/2003](#) (OJ No. L 122, 16.5.2003, p.1). In respect of laying hens, these Regulations together with the 2007 Regulations implement paragraph 8 of the Annex to Council Directive [1999/74/EC](#) laying down minimum standards for the protection of laying hens (OJ No L 203, 3.8.1999, p.53), as amended by Council Regulation ([EC](#)) No [806/2003](#) (OJ No L122, 16.5.2003, p.1).

The 2007 Regulations specify the procedures to which the offences in section 5(1) and (2) of the Animal Welfare Act [2006 \(c. 45\)](#) do not apply. Those provisions of the Act make it an offence to carry out, or to cause to be carried out, a prohibited procedure on a protected animal, or, in specified circumstances, to permit such a procedure to be carried out on an animal. A prohibited procedure is one that involves the interference with the sensitive tissues or bone structure of the animal, otherwise than for the purpose of its medical treatment (see section 5(3) of the Act).

A Regulatory Impact Assessment has been prepared. Copies can be obtained from the Office of the Chief Veterinary Officer, Welsh Assembly Government, Crown Building, Cathays Park, Cardiff CF10 3NQ.