1991 No. 407

WELFARE OF ANIMALS

Welfare of Pigs Regulations (Northern Ireland) 1991

Made . . . . . *3rd September 1991*

Coming into operation . . . . . *1st October 1991*

The Department of Agriculture, in exercise of the powers conferred on it by section 2(1) of the Welfare of Animals Act (Northern Ireland) 1972 (**a**) and of every other power enabling it in that behalf and after consultation with such persons appearing to it to represent any interests concerned as it has considered appropriate, hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Welfare of Pigs Regulations (Northern Ireland) 1991 and shall come into operation on 1st October 1991.

Interpretation

2. In these Regulations—

"pen or stall" includes any form of accommodation in which a pig is kept;

"pig" means any livestock belonging to the porcine species; and

"tethered" in relation to a pig, means so secured or harnessed by any chain, rope, webbing or other material as to restrict its movement.

Requirements as to pens or stalls

3.—(1) Subject to regulation 6 and to paragraphs (2) and (3), a pig (whether or not on its own) shall not be kept in a pen or stall on agricultural land unless—

(*a*) it is free at all times to turn round without difficulty;

(*b*) the area of the pen or stall is not less than the square of the length of the pig; and

(*c*) every side of the pen or stall has a length which is not less than seventy-five per cent of the length of the pig.

(2) The provisions of paragraph (1) shall not apply in relation to any pig while—

(*a*) it is undergoing any examination, test, treatment or operation carried out for veterinary purposes;

(**a**) 1972 c.7 (N.I.)

(*b*) it is being serviced or artificially inseminated or is having its semen collected;

(*c*) it is being fed on any particular occasion;

(*d*) it is being marked, washed, weighed or measured;

(*e*) its usual accommodation is being cleaned; or

(*f*) it is awaiting loading for transportation,

provided that the pig is not kept in any pen or stall which does not comply with the requirements of paragraph (1) for longer than is necessary for such purpose.

(3) Nothing in paragraph (1) shall prohibit—

(*a*) a pig from being kept in any pen or stall which it is able to enter and leave at will, provided that such pen or stall is entered from another pen or stall which complies with the requirements of paragraph (1); or

(*b*) the keeping of a female pig in any pen or stall during the period commencing 7 days prior to the predicted day of her farrowing and ending on the day on which the weaning of her piglets (including any piglets fostered by her) is complete.

(4) For the purposes of paragraph (1)—

(*a*) references to the length of a pig are references to its length from the tip of its snout to the base of its tail while it is standing with its back straight; and

(*b*) references to any dimensions of a pen or stall are references to its internal dimensions.

Requirements as to tethering

4.—(1) Subject to regulation 6 and to paragraph (2) a pig shall not be tethered on agricultural land.

(2) The prohibition contained in paragraph (1) shall not apply in relation to any pig while it is undergoing any examination, test, treatment or operation carried out for veterinary purposes provided that it is not tethered for longer than is necessary for such a purpose.

Offences

5. Any person who—

(*a*) keeps or causes to be kept in a pen or stall in contravention of regulation 3 a pig which is under his control;

(*b*) permits any such pig to be so kept in circumstances in which he knows or may reasonably be expected to know that it is being so kept;

(*c*) tethers or causes to be tethered in contravention of regulation 4 a pig under his control; or

(*d*) permits any such pig to be so tethered in circumstances in which he knows or may reasonably be expected to know that it is being so tethered,

shall be guilty of an offence under section 2 of the Welfare of Animals Act (Northern Ireland) 1972.

Transitional provisions

6. Until 1st January 1999—

(*a*) nothing in regulation 3 shall prohibit a pen or stall from being used to keep any pig where it was in use for the purpose of keeping pigs before 1st October 1991; and

(*b*) nothing in regulation 4 shall prohibit any pig from being tethered by anything which was in use for the purpose of tethering pigs before 1st October 1991.

Sealed with the Official Seal of the Department of Agriculture for Northern Ireland on 3rd September 1991.

(L.S.)

P. T. Toal
Assistant Secretary

EXPLANATORY NOTE

(This note is not part of the Regulations.)

Regulation 3 specifies the minimum dimensions of any pen or stall used for keeping any pig on agricultural land. It also requires that the pig must be free to turn round without difficulty at all times. Exemptions from these requirements are permitted for certain activities such as feeding and during farrowing.

Regulation 4 prohibits the tethering of any pig on agricultural land except for veterinary purposes.

Regulation 5 creates offences under section 2 of the Welfare of Animals Act (Northern Ireland) 1972 for breaches of regulations 3 or 4. A person guilty of an offence under that section is liable on summary conviction to imprisonment for a term not exceeding 3 months or to a fine not exceeding level 4 on the standard scale (currently £1,000) or both.

Regulation 6 provides that until 1st January 1999 the requirements in regulations 3 and 4 will not apply to any pen, stall or tether which was in use before 1st October 1991.