
DRAFT SCOTTISH STATUTORY INSTRUMENTS

2009 No.

**The Prohibited Procedures on Protected Animals
(Exemptions) (Scotland) Amendment Regulations 2009**

Amendment of the Prohibited Procedures on Protected Animals (Exemptions) (Scotland) Regulations 2007

2.—(1) The Prohibited Procedures on Protected Animals (Exemptions) (Scotland) Regulations 2007(1) are amended as follows.

(2) In regulation 2 (interpretation) insert in the appropriate place—

““de-snooding” means the removal of the part of the male turkey’s wattle arising from the forehead and lying over the upper beak;”;

““non-farmed animal” means any animal not kept for the production of food, wool or skin or for use in the farming of land;”;

““the 2000 Regulations” means the Welfare of Farmed Animals (Scotland) Regulations 2000(2);”.

(3) For the table in Schedule 1 (bovine animals), substitute—

“Procedure	Purpose	Condition
Freeze branding	Identification	
Tattooing	Identification	
Ear tagging	Identification	
Micro chipping	Identification	
Vasectomy	Controlling reproduction or general animal management	
Castration	Controlling reproduction or general animal management	
Implantation of a subcutaneous contraceptive	Controlling reproduction or general animal management	May only be performed— (a) on non-farmed bovine animals; and (b) as part of a conservation programme.
Embryo and ovum transfer	Controlling reproduction or general animal management	
Nose ringing	Handler safety or herd welfare	
Dehorning	Handler safety or herd welfare	

(1) S.S.I. 2007/256.

(2) S.S.I. 2000/442; amended by S.S.I. 2002/334, 2003/488 and 2007/256.

Draft Legislation: This is a draft item of legislation and has not yet been made as a Scottish Statutory Instrument. This draft has been replaced by a new draft, *The Prohibited Procedures on Protected Animals (Exemptions) (Scotland) Regulations 2010* ISBN 978-0-11-101021-1

“Procedure	Purpose	Condition
Disbudding	Handler safety or herd welfare	
Supernumerary teat removal	Animal health”.	

(4) For the table in Schedule 2 (pigs), substitute–

“Procedure	Purpose	Condition
Tattooing	Identification	
Ear tagging	Identification	
Ear notching	Identification	
Micro chipping	Identification	
Vasectomy	Controlling reproduction or general animal management	
Implantation of a subcutaneous contraceptive	Controlling reproduction or general animal management	May only be performed– (a) on non-farmed pigs; and (b) as part of a conservation programme.
Castration	Controlling reproduction or general animal management	May only be performed by means which do not involve the tearing of tissues. If castration is carried out after the seventh day of life it shall only be performed under anaesthetic and additional prolonged analgesia. Where the person performing the procedure is not a veterinary surgeon that person must be trained in accordance with the 2000 Regulations.
Embryo and ovum transfer	Controlling reproduction or general animal management	

“Procedure	Purpose	Condition
Tusk trimming	Handler safety or herd welfare	Where the person performing the procedure is not a veterinary surgeon that person must be trained in accordance with the 2000 Regulations.
Docking	Handler safety or herd welfare	<p>May only be performed where–</p> <ul style="list-style-type: none">(a) the pig is a farmed pig kept on agricultural land;(b) other measures to improve environmental conditions or management systems have been taken in order to prevent tail biting but there is still evidence of injury to the tails of other pigs; and(c) the procedure is performed by the quick and complete severance of the part of the tail to be removed. <p>If docking is carried out after the seventh day of life it shall only be performed under anaesthetic and additional prolonged analgesia.</p> <p>Where the person performing the procedure is not a veterinary surgeon that person must be trained in accordance with the 2000 Regulations.</p>

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“Procedure	Purpose	Condition
Uniform reduction of the corner teeth	Herd welfare	<p>May only be performed where–</p> <ul style="list-style-type: none"> (a) the pig is a farmed pig kept on agricultural land; (b) the pig is less than 8 days old; (c) other measures to improve environmental conditions or management systems have been taken in order to prevent tail biting but there is still evidence of injury to sows' teats or to the ears or tails of other pigs; and (d) the reduction is performed by grinding or clipping leaving an intact smooth surface. <p>Where the person performing the procedure is not a veterinary surgeon that person must be trained in accordance with the 2000 Regulations.</p>
Nose ringing	General animal management	<p>May only be performed on a pig which is not intended to be kept continuously in an indoor husbandry system.</p> <p>Where the person performing the procedure is not a veterinary surgeon that person must be trained</p>

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“Procedure	Purpose	Condition
		in accordance with the 2000 Regulations.”.

(5) For the table in Schedule 3 (birds), substitute–

“Procedure	Purpose	Condition
Micro chipping	Identification	
Beak trimming	Flock welfare	<p>May only be performed on poultry.</p> <p>May only be performed–</p> <p>(a) if carried out as a single procedure, provided no more than a one third part of both the upper and lower beaks, measured from the tip towards the entrance to the nostrils, is removed; or</p> <p>(b) provided no more than a one third part of the upper beak only, measured as above, is removed.</p> <p>In either case any subsequent haemorrhage from the beak must be arrested by cauterization.</p> <p>Beak trimming may only be performed where a veterinary surgeon considers the beak trimming to be necessary to prevent feather pecking or cannibalism and measures to improve the environmental conditions have been taken.</p> <p>Beak trimming of laying hens may only be performed on birds aged 10 days or less kept in flocks of 350 or more birds.</p> <p>Beak trimming of laying hens may only be performed until 31st December 2010.</p>

De-snooding

General animal management

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“Procedure	Purpose	Condition
Cutting of the toes	General animal management	May only be performed on poultry other than laying hens.
Dubbing	General animal management	May only be performed on domestic fowl other than laying hens.
Pinioning	General animal management	May be performed on any bird other than poultry.
Laparoscopy	General animal management	
Castration, ovidectomy and vasectomy	Controlling reproduction or general animal management	May only be performed— (a) on non-farmed birds; and (b) as part of a conservation programme.
Implantation of a subcutaneous contraceptive	Controlling reproduction or general animal management	May only be performed— (a) on non-farmed birds; and (b) as part of a conservation programme.
Wing tagging	Identification	May only be performed on— (a) farmed birds for breeding or testing for the presence of disease; (b) non farmed birds for conservation or research.
Web tagging	Identification	May only be performed on— (a) farmed birds for breeding or testing for the presence of disease; (b) non farmed birds for conservation or research.”.

(6) For the table in Schedule 4 (sheep), substitute—

“Procedure	Purpose	Condition
Tattooing	Identification	
Ear tagging	Identification	
Ear notching	Identification	
Micro chipping	Identification	
Vasectomy	Controlling reproduction or general animal management	
Castration	Controlling reproduction or general animal management	
Laparoscopic insemination	Controlling reproduction or general animal management	

“Procedure	Purpose	Condition
Embryo and ovum transfer	Controlling reproduction or general animal management	May only be performed— (a) on non-farmed sheep; and (b) as part of a conservation programme.
Implantation of a subcutaneous contraceptive	Controlling reproduction or general animal management	
Dehorning	Handler safety or flock welfare	
Disbudding	Handler safety or flock welfare	
Docking	Animal health	May only be performed where— (a) the sheep is a farmed sheep kept on agricultural land; and (b) sufficient tail is retained to cover the vulva in the case of female sheep and the anus in the case of male sheep.”.

(7) For the table in Schedule 5 (goats), substitute—

“Procedure	Purpose	Condition
Tattooing	Identification	
Ear tagging	Identification	
Ear notching	Identification	
Micro chipping	Identification	
Vasectomy	Controlling reproduction or general animal management	
Castration	Controlling reproduction or general animal management	
Laparoscopic insemination	Controlling reproduction or general animal management	
Implantation of a subcutaneous contraceptive	Controlling reproduction or general animal management	May only be performed— (a) on non-farmed goats; and (b) as part of a conservation programme.
Embryo and ovum transfer	Controlling reproduction or general animal management	
Dehorning	Handler safety or herd welfare	
Disbudding	Handler safety or herd welfare”.	

(8) For the table in Schedule 6 (equine animals), substitute—

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“Procedure	Purpose	Condition
Freeze branding	Identification	
Hot branding	Identification	May only be performed subject to, and in accordance with, any authorisation granted or review determined by the Scottish Ministers under regulations 4 and 5 respectively.
Tattooing	Identification	
Micro chipping	Identification	
Vasectomy	Controlling reproduction or general animal management	
Castration	Controlling reproduction or general animal management	
Implantation of a subcutaneous contraceptive	Controlling reproduction or general animal management	
Embryo and ovum transfer	Controlling reproduction or general animal management”.	

(9) For the table in Schedule 7 (deer), substitute—

“Procedure	Purpose	Condition
Tattooing	Identification	
Ear tagging	Identification	
Ear notching	Identification	
Micro chipping	Identification	
Vasectomy	Controlling reproduction or general animal management	
Castration	Controlling reproduction or general animal management	
Implantation of a subcutaneous contraceptive	Controlling reproduction or general animal management	May only be performed— (a) on non-farmed deer; and (b) as part of a conservation programme.
Embryo and ovum transfer	Controlling reproduction or general animal management	
Antler removal	Handler safety or herd welfare	May only be performed where— (a) the deer is a farmed deer; and (b) the velvet is frayed and the greater part of it shed.”.

(10) For the table in Schedule 8 (cats), substitute–

“Procedure	Purpose	Condition
Ear tipping	Identification	May only be performed on feral cats.
Micro chipping	Identification	
Tattooing	Identification	
Vasectomy	Controlling reproduction or general animal management	
Castration	Controlling reproduction or general animal management	
Spaying	Controlling reproduction or general animal management	
Implantation of a subcutaneous contraceptive	Controlling reproduction or general animal management”.	

(11) For the table in Schedule 9 (dogs), substitute–

“Procedure	Purpose	Condition
Micro chipping	Identification	
Tattooing	Identification	
Vasectomy	Controlling reproduction or general animal management	
Castration	Controlling reproduction or general animal management	
Spaying	Controlling reproduction or general animal management	
Embryo and ovum transfer	Controlling reproduction or general animal management	
Implantation of a subcutaneous contraceptive	Controlling reproduction or general animal management	
Amputation of dew claws	General animal management”.	

(12) For the table in Schedule 10 (fish), substitute–

“Procedure	Purpose	Condition
Chemical branding	Identification	
Freeze branding	Identification	
Pit tagging	Identification	
Micro chipping	Identification	

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“Procedure	Purpose	Condition
Removal or perforation of parts of the fins, adipose fins or fin rays	Identification	
Removal of fish scales	Age determination or stock management	
Implantation of a subcutaneous contraceptive	Controlling reproduction or general animal management”.	

(13) For the table in Schedule 11 (reptiles), substitute–

“Procedure	Purpose	Condition
Micro chipping	Identification	
Laparoscopy	General animal management	
Implantation of a subcutaneous contraceptive	Controlling reproduction or general animal management”.	

(14) For the table in Schedule 12 (any other kind of animal), substitute–

“Procedure	Purpose	Condition
Micro chipping	Identification	
Tattooing	Identification	
Vasectomy	Controlling reproduction	
Castration	Controlling reproduction	
Spaying	Controlling reproduction	
Embryo and ovum transfer	Controlling reproduction	
Implantation of a subcutaneous contraceptive	Controlling reproduction or general animal management”.	