



STATUTORY INSTRUMENTS.

S.I. No. 127 of 2014



ANIMAL HEALTH AND WELFARE (OPERATIONS AND
PROCEDURES) (NO. 2) REGULATIONS 2014

ANIMAL HEALTH AND WELFARE (OPERATIONS AND PROCEDURES) (NO. 2) REGULATIONS 2014

The Minister for Agriculture, Food and the Marine, in exercise of the powers conferred on him by section 36 of the Animal Health and Welfare Act 2013 (No.15 of 2013) and, in relation to Regulation 4 of these Regulations, section 54A (inserted by section 2 of the Veterinary Practice (Amendment) Act 2012 (No. 25 of 2012)) of the Veterinary Practice Act 2005 (No. 22 of 2005) as adapted by the Agriculture, Fisheries and Food (Alteration of Name of Department and Title of Minister) Order 2011 (S.I. No. 455 of 2011)), hereby makes the following regulations:

1. These Regulations may be cited as the Animal Health and Welfare (Operations and Procedures) (No. 2) Regulations 2014 and come into operation on 6 March 2014.

2. In these Regulations—

“Act” means Animal Health and Welfare Act 2013; “competent” in relation to an operation or procedure means—

- (a) being familiar with,
- (b) having the necessary training and experience to successfully carry out,
- (c) having the technical skill to successfully carry out, and
- (d) having the requisite equipment to successfully carry out, the operation or procedure.

3. An operation or procedure mentioned in the Schedule may be carried out in accordance with these Regulations for the purposes of section 16 of the Animal Health and Welfare Act 2013.

4. An operation or procedure mentioned in the Schedule, to the extent that the procedure may be carried out in accordance with that Schedule by a person other than a veterinary practitioner, is prescribed as a procedure that may, for the purposes of section 54A (inserted by section 2 of the Veterinary Practice (Amendment) Act 2012 (No. 25 of 2012)) of the Veterinary Practice Act 2005 (No. 22 of 2005), be carried out by a non-registered person.

5. A person shall not carry out an operation or procedure to which Regulation 3 refers, except under hygienic conditions and unless he or she is—

- (a) a registered veterinary practitioner acting as such,

Notice of the making of this Statutory Instrument was published in “Iris Oifigiúil” of 11th March, 2014.

- (b) a veterinary nurse, or
- (c) another person who is competent to carry out the procedure and—
 - (i) is the owner or person in actual possession of the animal or his or her employee acting under the direction of the owner or person in actual possession of the animal, and
 - (ii) the procedure is part of, or incidental to, the normal husbandry and management of the animal.

6. Regulations 3 and 5 are penal provisions to which section 36 (4) (b) of the Act applies.

7. These regulations are in addition to and not in substitution for the Animal Health and Welfare (Section 17) Regulations 2013.

SCHEDULE

Regulations 3 and 4

Part 1

Cattle

Identification procedures

- 1.1 Ear Tagging.
- 1.2 Freeze Branding.
- 1.3 Insertion of a microchip.
- 1.4 Tattooing.
- 1.5 Any other method of identification permitted by law.

Procedures for the control of reproduction

1.6 Non-surgical castration of a bull (using a burdizzo) before the bull attains the age of 6 months, or, where a rubber ring to constrict the flow of blood to the scrotum is used, non-surgical castration of a bull before the bull attains the age of 8 days.

1.7 Castration of a bull by a veterinary practitioner acting as such.

1.8 The performance of a vasectomy or an epididymectomy on a bull by a veterinary practitioner acting as such.

1.9 Ovum transplantation, including embryo collection, by a surgical method, by a veterinary practitioner, acting as such.

Other management procedures

- 1.10 De-horning of a bovine by a veterinary practitioner acting as such.
- 1.11 Disbudding of a bovine that has not attained the age of 28 days by thermal cauterisation.
- 1.12 Nose-ringing.
- 1.13 Removal of supernumerary teats of a bovine by a veterinary practitioner acting as such.

Part 2

Pigs

Identification Procedures

- 2.1 Ear Tagging.
- 2.2 Insertion of a microchip.
- 2.3 Tattooing.
- 2.4 Any other method of identification permitted by law.

Procedures for control of reproduction

- 2.5 Castration of a boar that has not attained the age of 8 days by a method not involving the tearing of tissue.
- 2.6 Castration of a boar by a veterinary practitioner acting as such.
- 2.7 The performance of a vasectomy or an epididymectomy on a boar by a veterinary practitioner acting as such.
- 2.8 Ovum transplantation, including embryo collection, by a surgical method, by a veterinary practitioner, acting as such.

Other Management Procedures

- 2.9 Nose ringing of a pig kept in an outdoor system.
- 2.10 Non-routine removal of part of the tail of a pig that has not attained the age of 8 days where there is evidence that injuries have occurred to the tails or ears of other pigs. A person shall only carry out this procedure if, in the opinion of a registered veterinary practitioner who is familiar with the premises, and has been consulted in a professional capacity regarding the necessity of carrying out the procedure, the environment, stocking density or the management system in which a pig is reared would not facilitate injury to the pig.

2.11 Non-routine uniform reduction of corner teeth of a pig that has not attained the age of 8 days by grinding or clipping leaving an intact smooth surface where there is evidence that injuries have occurred to sow's teats or to the tails or ears of other pigs. A person shall only carry out this procedure if, in the opinion of a registered veterinary practitioner who is familiar with the premises, and has been consulted in a professional capacity regarding the necessity of carrying out the procedure, the environment, stocking density or the management system in which a pig is reared would not facilitate injury to the pig.

Part 3

Sheep

Identification Procedures:

- 3.1 Ear tagging.
- 3.2 Insertion of a microchip.
- 3.3 Tattooing.
- 3.4 Any other method of identification permitted by law.

Procedures for the Control of Reproduction

3.5 Artificial insemination by a surgical method carried out by a veterinary practitioner acting as such.

3.6 Non- surgical castration of a ram (using a burdizzo) before it attains the age of 3 months or, where a rubber ring to constrict the flow of blood to the scrotum is used, non-surgical castration of a ram before the ram attains the age of 8 days.

3.7 Castration of a ram by a veterinary practitioner acting as such.

3.8 The performance of a vasectomy or an epididymectomy on a ram, by a veterinary practitioner acting as such.

3.9 Ovum transplantation, including ovum collection, by a surgical method, by a veterinary practitioner, acting as such.

Other Management Procedures

3.10 Removal of the horn bud (disbudding) of a lamb that has not attained the age of 8 days.

3.11 Removal of the horn of a sheep by a veterinary practitioner acting as such.

3.12 Removing part of the tail of a sheep—

- (a) that has not attained the age of 8 days, using a rubber ring to constrict the flow of blood to the tail, or
- (b) otherwise, by a veterinary practitioner acting as such,

retaining enough of the tail to cover the vulva of a female and the anus of a male.

Part 4

Goats

Identification procedures

- 4.1 Ear Tagging.
- 4.2 Subcutaneous insertion of a Microchip.
- 4.3 Tattooing.
- 4.4 Any other method of identification permitted by law.

Procedures for the control of reproduction

4.5 Artificial insemination by a surgical method carried out by a veterinary practitioner acting as such.

4.6 Non-surgical castration of a goat (using a burdizzo) before it attains the age of 2 months or, where a rubber ring to constrict the flow of blood to the scrotum is used, non-surgical castration of a goat before the goat attains the age of 8 days.

4.7 Castration of a goat by a veterinary practitioner acting as such.

4.8 Removing part of the tail of goat that has not attained the age of 8 days, using a rubber ring to constrict the flow of blood to the tail.

4.9 Ovum transplantation, including embryo collection, by a surgical method, by a veterinary practitioner, acting as such.

Other management procedures:

4.9 Removal of the horn buds (disbudding) of goats aged not more than 8 days.

4.10 Removal of the horn of goats aged more than 8 days by a veterinary practitioner acting as such.

Part 5

Equidae

Identification procedures

- 5.1 Freeze branding.
- 5.2 Insertion of a microchip by a veterinary practitioner acting as such.
- 5.3 Tattooing.
- 5.4 Any other method of identification permitted by law.

Procedures for the control of reproduction

- 5.7 Castration of an equine by a veterinary practitioner acting as such.
- 5.8 The performance of a vasectomy or an epididymectomy on an equine by a veterinary practitioner acting as such.
- 5.9 Ovum transplantation, including embryo collection, by a surgical method, by a veterinary practitioner, acting as such.

Part 6

Deer

Identification Procedures:

- 6.1 Ear Tagging.
- 6.2 Insertion of a microchip
- 6.3 Tattooing.
- 6.4 Any other method of identification permitted by law.

Procedures for the Control of Reproduction

- 6.5 Non- surgical castration of a farmed stag using a rubber ring to constrict the flow of blood to the scrotum before the stag attains the age of 8 days.
- 6.6 Castration of a farmed deer by a veterinary practitioner acting as such.
- 6.7 The performance of a vasectomy or an epididymectomy on a farmed stag by a veterinary practitioner acting as such.

Other management procedures

- 6.8 Removal of the non-sensitive part of the antlers of farmed deer (unless the antlers are in live velvet) by a veterinary practitioner acting as such.

Part 7

Birds

Identification Procedures:

7.1 Insertion of a microchip.

7.2 Wing tagging of farmed birds (other than laying hens or chicken reared for meat production) as part of a breed improvement programme or testing for disease or of non-farmed birds for conservation purposes (including education and captive breeding) or for research.

7.3 Any other method of identification permitted by law.

Other management procedures

7.4 Beak trimming of poultry using a suitable instrument, for the purpose of preventing feather pecking or cannibalism and—

- (a) in relation to laying hens kept in flocks of 350 or more, where the birds have not attained the age of 10 days, by means of an automated procedure involving exposure of the tip of the beak to a focussed high intensity infra-red beam designed to cause limited damage and subsequent loss of the beak tip, or
- (b) in relation to poultry for meat production kept in flocks of 500 or more, where the birds have not attained the age of 10 days on the advice and under the direct supervision of a veterinary practitioner acting as such,

where all other methods to prevent feather pecking or cannibalism have failed.

7.5 Wing pinioning of birds (other than farmed birds) by a veterinary practitioner acting as such.

Part 8

Cats and dogs

Identification procedures

8.1 Ear notching of a feral cat by a veterinary practitioner acting as such as part of a trap, neuter and release (TNR) programme.

8.2 Insertion of a microchip.

8.3 Tattooing.

8.4 Any other method of identification permitted by law.

Procedures for the control of reproduction

8.5 Implantation of a subcutaneous contraceptive.

8.6 The performance of a hysterectomy on a dog or a cat, by a veterinary practitioner acting as such.

8.7 Surgical castration of a dog or cat by a veterinary practitioner acting as such.

8.8 The performance of a vasectomy or an epididymectomy on a dog or cat by a veterinary practitioner acting as such.

8.9 Removal of the ovaries of a dog or a cat, by a veterinary practitioner acting as such.

Part 9

Fish

Identification procedures

9.1 Insertion of a microchip.

9.2 Chemical branding.

9.3 Freeze branding.

9.4 Pit tagging.

9.5 Removal or perforation of parts of fishes' fins, adipose fins or fin rays.

9.6 Any other method of identification permitted by law.

Other management procedures

9.7 Removal of fish scales for the purpose of age determination.

Part 10

Reptiles

Identification procedures

10.1 Insertion of a microchip.

Procedures for the control of reproduction

10.2 Implantation of a subcutaneous contraceptive.

Part 11

Other animals

Identification procedures

- 11.1 Insertion of a microchip.
- 11.2 Tattooing.
- 11.3 Ovum transplantation, including embryo collection, by a veterinary practitioner acting as such.

Part 12

Miscellaneous operations and procedures

- 12.1 Taking a sample from an animal by a person authorised by law to do so.
- 12.2 Rendering emergency first aid to relieve pain or to treat an injury.
- 12.3 An operation or procedure authorised under the European Union (Protection of animals used for scientific purposes) Regulations 2012.
- 12.4 The making of injections or extractions by means of a hollow needle.
- 12.5 The implantation of a subcutaneous contraceptive in an animal that is not to be used for food production as part of a conservation breeding programme.
- 12.6 Castration of birds (other than farmed birds) that are not to be used for food production as part of a conservation breeding programme.



GIVEN under the Official Seal of the Minister for Agricultural, Food and the Marine,
5 March 2014.

TOM MORAN,
An Officer Authorised to Authenticate the Seal of the
Minister.

EXPLANATORY NOTE

(This note is not part of the Instrument and does not purport to be a legal interpretation)

These Regulations specify procedures that may be carried out on animals for reasons other than medical care, such as for animal husbandry, identification and breeding purposes. Certain procedures that may take place without anaesthetic are listed in the Animal Health and Welfare (Section 17) Regulations 2014. The requirements of these Regulations are, in respect of operations and procedures that may be regulated under section 55 of the Veterinary Practice Act 2005, additional to that section.

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