



## **Animal Welfare (Care and Procedures) Amendment Regulations (No 2) 2020**

Patsy Reddy, Governor-General

### **Order in Council**

At Wellington this 14th day of December 2020

Present:

The Right Hon Jacinda Ardern presiding in Council

These regulations are made under sections 183(1)(g) and (i) and 183A(2) of the Animal Welfare Act 1999—

- (a) on the advice and with the consent of the Executive Council; and
- (b) on the recommendation of the Minister of Agriculture made after complying with sections 183A(3) to (5) and (10) and 184 of that Act.

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## Regulations

### 1 Title

These regulations are the Animal Welfare (Care and Procedures) Amendment Regulations (No 2) 2020.

### 2 Commencement

These regulations come into force on 18 December 2020.

### 3 Principal regulations

These regulations amend the Animal Welfare (Care and Procedures) Regulations 2018 (the **principal regulations**).

### 4 Regulations 26 and 27 replaced

Replace regulations 26 and 27 with:

#### 26 Farrowing requirements

- (1) The owner of, and every person in charge of, a pig must ensure that—
  - (a) sows, in any farrowing system constructed after 3 December 2010, are provided with material that can be manipulated until farrowing;
  - (b) a sow in a farrowing crate is able to avoid all of the following:
    - (i) touching both sides of the crate simultaneously;
    - (ii) touching the front and the back of the crate simultaneously;
    - (iii) touching the top of the crate when standing;
  - (c) a sow is not confined in a farrowing crate for more than 5 days before farrowing;
  - (d) if a sow is confined in a farrowing crate for lactation, it is not confined for more than 4 weeks after farrowing unless—
    - (i) it is a nurse sow confined in the farrowing crate for fostering purposes, in which case it may be confined for a further week; and
    - (ii) no more than 5% of sows in any herd at any one time are being retained as nurse sows.
- (2) A person who fails to comply with subclause (1)(b) commits an offence and is liable on conviction,—
  - (a) in the case of an individual, to a fine not exceeding \$3,000; or
  - (b) in the case of a body corporate, to a fine not exceeding \$15,000.
- (3) This regulation is revoked on 18 December 2025.

#### 27 Other requirements relating to management of pigs

- (1) The owner of, and every person in charge of, a pig must ensure that—

- (a) pigs are not restrained by tethering;
- (b) pigs are not confined in stalls unless—
  - (i) the confinement is for the purpose of mating; and
  - (ii) the confinement is for no more than 7 days per reproductive cycle; and
  - (iii) the pigs are released from the stalls as soon as practicable after mating;
- (c) sows and gilts confined in stalls for the purpose of mating—
  - (i) are able to stand without contact with any side of the stall; and
  - (ii) are able to lie on their sides without disturbing neighbouring sows or gilts; and
  - (iii) have a dry, smooth, non-slip sleeping area.
- (2) The owner of, and every person in charge of, a pig confined in a stall must keep records that document compliance with subclause (1)(b).
- (3) A person who fails to comply with subclause (1)(b) commits an offence and is liable on conviction,—
  - (a) in the case of an individual, to a fine not exceeding \$5,000; or
  - (b) in the case of a body corporate, to a fine not exceeding \$25,000.
- (4) This regulation is revoked on 18 December 2025.

Michael Webster,  
Clerk of the Executive Council.

### Explanatory note

*This note is not part of the regulations, but is intended to indicate their general effect.*

These regulations, which come into force on 18 December 2020, amend the Animal Welfare (Care and Procedures) Regulations 2018 (the **principal regulations**). These regulations are made under sections 183(1)(g) and (i) and 183A(2) of the Animal Welfare Act 1999.

These regulations replace regulations 26 and 27 of the principal regulations, which relate to the confinement of pigs in farrowing crates and stalls. *New regulations 26 and 27—*

- carry over the provisions in regulations 26 and 27 of the principal regulations; and
- incorporate some elements of Minimum Standards 10 and 11 of the Code of Welfare (Pigs) (2018) (those standards relate to the management of pigs, particularly in relation to farrowing systems and use of stalls); and

