

Subordinate Legislation with Clear Reports

06 January 2020

SL(5)479 – Code of Practice for the Welfare of Meat Chickens and Meat Breeding Chickens

Background and Purpose

This Code of Practice (“the Code”) is issued under section 14 of the Animal Welfare Act 2006 (“the Act”). It applies to all Meat Chickens and Meat Breeding Chickens for which a person is responsible.

The Code was originally considered by the Constitutional and Legislative Affairs Committee on 30 September 2019. Due to several errors, it was subsequently withdrawn on 2 October 2019 and re-laid on 5 December 2019.

The existing Code of Practice reflected the science and legislation in force at the time. A review was required to capture any changes in those areas and to ensure the standards being advised are still appropriate. It also replaces the interim guidance for keepers of conventionally reared meat chickens in relation to the Welfare of Farmed Animals (Wales) Regulations 2007 as amended by the Welfare of Farmed Animals (Wales) (Amendment) Regulations 2010, issued in 2011.

The purpose of the Code is to ensure that those who are responsible for an animal are aware they have a legal duty to take reasonable steps to ensure welfare needs are met. The Code of Practice explains what you need to do to meet the standard of care the law requires.

Breach of a provision of the Code is not an offence in itself but, if proceedings are brought against someone for a welfare offence under the Act, the Court may take into account the extent to which they have complied with the Code in deciding whether they have committed an offence or have met the required standard of care.

Procedure: Negative

The Code of Practice is issued under section 14 of the Act, which allows the National Assembly for Wales to publish practical guidance in respect of any provision under the Act. The power to publish guidance was transferred from the Assembly to Welsh Ministers by paragraph 30 of Schedule 11 of the Government of Wales Act 2006. Section 16 of the Act requires that a draft of the Code is published, consulted on, and any consultation responses are considered. These steps have been taken.



There is a transitional provision in paragraph 34 of Schedule 11 of the Government of Wales Act 2006 that states where there is a corresponding function exercisable by a Minister of the Crown, the relevant Parliamentary procedure applies to any function conferred on Welsh Ministers. The Minister of the Crown must use the negative procedure, set out by section 15 of the Act, and so the Code is being laid using the negative resolution procedure; the Assembly may resolve that the Code be annulled no later than 40 days after it is laid.

Parent Act: Animal Welfare Act 2006

Date Made:

Date Laid: 05 December 2019

Coming into force date: 01 March 2020

SL(5)480 – Code of Practice for the Welfare of Laying Hens and Pullets

Background and Purpose

This Code of Practice is issued under section 14 of the Animal Welfare Act 2006 (the “Act”). The Welsh Government undertook a review of the existing Code (which was issued in 2002) and consulted upon it between November 2017 and February 2018.

This Code of Practice applies in Wales only, is issued by the Welsh Ministers and comes into force on 1 March 2020. It covers all parts of the laying hen production sector, including pullets and breeding birds, and all types of husbandry systems. It covers single or multiple laying hens kept on a smallholding (hobby/backyard flock), as well as commercial laying hen producers.

The purpose of the Code is to ensure that those who are responsible for an animal are aware they have a legal duty to take reasonable steps to ensure its welfare needs are met, and explains what those persons must do in order to meet the standard of care that the law requires.

Procedure: Negative

The Code of Practice is issued under section 14 of the 2006 Act, which allows the National Assembly for Wales to publish practical guidance in respect of any provision under the Act. The power to publish guidance was transferred from the Assembly to Welsh Ministers by paragraph 30 of Schedule 11 of the 2006 Act. Section 16 requires



that a draft of the Code is published, consulted on, and any consultation responses are considered. These steps have been taken.

A draft of the code must be laid before the Assembly. If, within 40 days (excluding any time when the Assembly is dissolved or is in recess for more than 4 days) of the draft being laid, the Assembly resolves not to approve the draft code then the Welsh Ministers must not issue the code.

If no such resolution is made, the Welsh Ministers must issue the code (in the form of the draft) and the code comes into force in accordance with its provisions. The intended date in this case is 1 March 2020.

Parent Act: Animal Welfare Act 2006

Date Made:

Date Laid: 05 December 2019

Coming into force date: 01 March 2020

