This S.S.I. has been made to correct defects in S.S.I. 2012/321 and is being issued free of charge to all known recipients of that instrument.

SCOTTISH STATUTORY INSTRUMENTS

2012 No. 355

ANIMALS

PREVENTION OF CRUELTY

The Welfare of Animals at the Time of Killing (Scotland) Amendment Regulations 2012

Made - - - -	*19th December 2012*
Laid before the Scottish Parliament	*21st December 2012*
Coming into force - -	*1st January 2013*

The Scottish Ministers make the following Regulations in exercise of the powers conferred by section 2(2) of the European Communities Act 1972(**a**) and all other powers enabling them to do so.

Citation and commencement

1. These Regulations may be cited as the Welfare of Animals at the Time of Killing (Scotland) Amendment Regulations 2012 and come into force on 1st January 2013.

Amendment to the Welfare of Animals at the Time of Killing (Scotland) Regulations 2012

2.—(1) The Welfare of Animals at the Time of Killing (Scotland) Regulations 2012(**b**) are amended as follows.

(2) In regulation 30 (modification of the 1995 Regulations), after sub-paragraph (2)(b) insert—

"(ba) revoke regulation 7 (codes of practice);".

(3) In Schedule 1 (additional requirements for slaughterhouses and the killing of poultry, rabbits or hares for direct supply)—

(a) in paragraph 9—

(i) in the cross-heading, for "stunning" substitute "killing";

(ii) in sub-paragraph (1), for "stun" substitute "kill";

(iii) in sub-paragraph (1)(a), for "stunner" substitute "chamber";

(**a**) 1972 c.68. Section 2(2) was amended by the Scotland Act 1998 (c.46) ("the 1998 Act"), Schedule 8, paragraph 15(3) (which was amended by section 27(4) of the Legislative and Regulatory Reform Act 2006 (c.51) ("the 2006 Act")). Section 2(2) was also amended by section 27(1)(a) of the 2006 Act and by the European Union (Amendment) Act 2008 (c.7), Schedule, Part 1. The functions conferred upon the Minister of the Crown under section 2(2), insofar as within devolved competence, were transferred to the Scottish Ministers by virtue of section 53 of the 1998 Act.

(**b**) S.S.I. 2012/321.

(iv) in sub-paragraph (1)(b), for "stunner" substitute "chamber";

(v) in sub-paragraph (1)(c), for "stunner" in both places where it appears, substitute "chamber";

(vi) in sub-paragraph (1)(d), for "stunner" substitute "chamber"; and

(vii) in sub-paragraph (2), for "stunning" substitute "killing";

(b) in paragraph 10—

(i) for "stunning" substitute "killing"; and

(ii) for "stunner" in both places where it appears, substitute "chamber"; and

(c) in paragraph 11—

(i) in the cross-heading, for "stunning" substitute "killing";

(ii) in sub-paragraph (1), for "stun" substitute "kill";

(iii) in sub-paragraph (1)(a), for "stunner" in both places where it appears, substitute "chamber";

(iv) in sub-paragraph (1)(b), for "stunner" substitute "chamber";

(v) in sub-paragraph (1)(d), for "stunned" substitute "killed"; and

(vi) for sub-paragraphs (2) and (3), substitute—

"(2) The business operator of a slaughterhouse and any person engaged in the killing of poultry by exposure to gas must ensure that no bird is allowed—

(a) to enter the chamber if the displayed concentration of oxygen is above 2% by volume or the displayed concentration of carbon dioxide is above 30% by volume; and

(b) to pass through, or allowed to remain in, the chamber at any time when the visible and audible warning signals have been activated or when there is any defect in the operation of the chamber.".

(4) In the table in Part 1 of Schedule 5 (repeals), in the fifth entry, in column 3, for "2" substitute "3".

PAUL WHEELHOUSE
Authorised to sign by the Scottish Ministers

St Andrew's House,
Edinburgh
19th December 2012

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations correct errors in the Welfare of Animals at the Time of Killing (Scotland) Regulations 2012 ("the Regulations").

Regulation 2(2) amends regulation 30 of the Regulations to make provision for the revocation of regulation 7 of the Welfare of Animals (Slaughter or Killing) Regulations 1995.

Regulation 2(3) makes amendments to paragraphs 9, 10 and 11 of Schedule 1 to the Regulations to replace references to stunning with references to killing and other minor amendments consequential upon those changes.

Regulation 2(4) corrects an error in a cross-reference in the table in Part 1 of Schedule 5 in order to repeal paragraph 3 of Schedule 9 to the Deregulation and Contracting Out Act 1994.

A business and regulatory impact assessment has not been produced for this instrument as no impact on the private, voluntary or public sectors is foreseen.

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