

# GUERNSEY STATUTORY INSTRUMENT

ENTITLED

## **The Animal Welfare (Requirements for Slaughter, Killing, Euthanasia Etc.) Order, 2014 \***

*[CONSOLIDATED TEXT]*

### **NOTE**

*This consolidated version of the enactment incorporates all amendments listed in the footnote below. It has been prepared for the Guernsey Law website and is believed to be accurate and up to date, but it is not authoritative and has no legal effect. No warranty is given that the text is free of errors and omissions, and no liability is accepted for any loss arising from its use. The authoritative text of the enactment and of the amending instruments may be obtained from Her Majesty's Greffier, Royal Court House, Guernsey, GY1 2PB.*

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\* G.S.I. No. 31 of 2014; as amended by the Animal Welfare (Amendment) Order, 2017 (G.S.I. No. 23 of 2017); the Animal Welfare (Amendment) (No. 2) Order, 2017 (G.S.I. No. 94 of 2017). See also the Firearms (Guernsey) (Amendment) Law, 2016 (No. IV of 2016).

# GUERNSEY STATUTORY INSTRUMENT

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## **The Animal Welfare (Requirements for Slaughter, Killing, Euthanasia Etc.) Order, 2014**

### ARRANGEMENT OF ARTICLES

1. Slaughter or killing of animals prescribed as food for mankind, as an animal product or as a game animal.
2. Euthanasia of an animal in specified circumstances.
3. Taking, capture, control or killing of a dangerous animal.
4. Interpretation.
5. Citation and commencement.

#### SCHEDULE 1

##### PART I

Requirements applying to animals prescribed as food for mankind or an animal product.

##### PART II

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#### SCHEDULE 2

Requirements applying in relation to euthanasia of an animal.

#### SCHEDULE 3

Taking, capture, control or killing etc. of dangerous animals etc.

Explanatory Note.

*(Made on 17th June, 2014.)*

## **The Animal Welfare (Requirements for Slaughter, Killing, Euthanasia Etc.) Order, 2014**

**THE COMMERCE AND EMPLOYMENT DEPARTMENT**, in exercise of the powers conferred on it by sections 10(2) and (3) and 79 of the Animal Welfare (Guernsey) Ordinance, 2012<sup>a</sup> and all other powers enabling it in that behalf, hereby makes the following Order: –

### **Slaughter or killing of animals prescribed as food for mankind, as an animal product or as a game animal.**

1. (1) Schedule 1, Part I sets out the requirements applying to the slaughter or killing of specified animals prescribed as food for mankind or as an animal product under regulation 1(1) of the Animal Welfare (Slaughter, Killing, Euthanasia Etc.) (Prescribed Animals) Regulations, 2014 ("**the Regulations**").

(2) For the avoidance of doubt, the requirements in article 2 apply where an animal is slaughtered or killed in the circumstances set out in that article and not the requirements in this article.

(3) Schedule 1, Part II sets out the requirements applying to the hunting, capture or killing of specified animals prescribed as game animals under regulation 1(2) of the Regulations.

### **Euthanasia of an animal in specified circumstances.**

2. (1) Schedule 2 sets out the requirements applying to the euthanasia of –

- (a) an animal owing to illness, injury, infirmity or age, and

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<sup>a</sup> Ordinance No. III of 2012.

- (b) an animal, prescribed under regulation 1(3) of the Regulations, which is a new born animal surplus to requirements or at the end of its economic life.

**Taking, capture, control or killing of a dangerous animal.**

3. Schedule 3 sets out the requirements applying to the taking from the wild, capture, control or killing of a dangerous animal.

**Interpretation.**

4. (1) In this Order, unless the context requires otherwise –

**"air weapon"** means an air rifle or an air pistol capable of discharging a missile so that the missile has, on being discharged from the muzzle of the weapon, kinetic energy which is no more than –

- (a) in the case of an air pistol, 6 foot pounds, or
- (b) in the case of an air rifle, 12 foot pounds,

**"cage-trap"** means a cage, trap or box designed or adapted to capture an animal alive without causing it physical harm,

**"dangerous animal"** means an animal which is dangerous, of a dangerous species, aggressive or representing a significant risk to any person, any other animal or to property,

**"exsanguination"** means a process that causes blood loss to a degree sufficient to cause death,

**"firearm"** has the meaning in section 58 of the Firearms (Guernsey) Law, 1998<sup>b</sup> except that it does not include a slaughtering instrument,

**"the Ordinance"** means the Animal Welfare (Guernsey) Ordinance,

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<sup>b</sup> Ordres en Conseil Vol. XXXVIII, p. 324 as amended by Ordres en Conseil Vol. XL, p. 24 and Recueil d'Ordonnances Tome XXIX, p. 406.

2012,

**"private land"** means any land to which the public are not entitled or permitted to have access (whether on payment or otherwise),

**"public land"** means any land in the open air to which the public are entitled or permitted to have access (whether on payment or otherwise) but excluding any vehicular or pedestrian road, street, lane or clos, track or path, however named, used by the public,

**"the Regulations"** means the Animal Welfare (Slaughter, Killing and Euthanasia Etc.) (Prescribed Animals) Regulations, 2014,

**"slaughtering instrument"** means a firearm, an electrical device or a concussive device which is specially designed or adapted for the instantaneous slaughter of animals or for the instantaneous stunning of animals with a view to slaughtering them,

**"shot gun certificate"** has the meaning in section 58 of the Firearms (Guernsey) Law, 1998,

and other expressions, unless the context requires otherwise, have the same meanings as in Ordinance.

(2) The Interpretation (Guernsey) Law, 1948<sup>c</sup> applies to the interpretation of this Order.

(3) Any reference in this Order to an enactment is a reference thereto as from time to time amended, re-enacted (with or without modification), extended or applied.

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**NOTE**

*In accordance with the provisions of the Firearms (Guernsey) (Amendment)*

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<sup>c</sup> Ordres en Conseil Vol. XIII, p. 355.

*Law, 2016, section 31(1), with effect from 1st November, 2017, the references in this Order to the Firearms (Guernsey) Law, 1998 are to construed as referring, or including a reference, to the Firearms and Weapons (Guernsey) Law, 1998, so far as may be necessary for preserving the effect of the Order.*

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**Citation and commencement.**

**5.** This Order may be cited as the Animal Welfare (Requirements for Slaughter, Killing, Euthanasia Etc.) Order, 2014 and shall come into force on the 1<sup>st</sup> day of July, 2014.

SCHEDULE 1

Article 1

PART I

REQUIREMENTS APPLYING TO ANIMALS PRESCRIBED AS FOOD FOR  
MANKIND OR AN ANIMAL PRODUCT

**Requirements in relation to the slaughter or killing of a cow, sheep, pig or goat.**

1. (1) The following requirements apply in relation to the slaughter or killing of a cow, sheep, pig or goat prescribed by the Regulations as food for mankind or an animal product.

(2) The requirements referred to in subparagraph (1) are that –

(a) the slaughter or killing must be carried out by –

(i) a licensed slaughterman, or

(ii) a recognised veterinary surgeon, and

(b) the animal must be slaughtered or killed by one of the following methods –

(i) by means of a slaughtering instrument, or

(ii) by means of exsanguination whilst the animal is stunned such stunning having been done by using a slaughtering instrument, and

(c) for the avoidance of doubt, the slaughter or killing must be carried out in accordance with any relevant requirements under the Firearms (Guernsey) Law, 1998 or any other relevant enactment.

**Requirements applying to the slaughter or killing of a rabbit or a specified bird.**

2. (1) The following requirements apply in relation to the slaughter or killing of a rabbit, domestic fowl, duck, goose, turkey, pheasant, partridge, quail or pigeon prescribed by the Regulations as food for mankind or an animal product.

(2) The requirements referred to in subparagraph (1) are that –

(a) the slaughter or killing must be carried out by the owner or keeper of the animal or a person employed or appointed by the owner or keeper in relation to that animal, and

(b) the animal must be slaughtered or killed by one of the following methods –

(i) by means of a slaughtering instrument,

(ii) by a gas or gas mixture specifically formulated to kill such an animal, or

(iii) by means of exsanguination or dislocation of the neck whilst the animal is stunned, such stunning having been done by using a slaughtering instrument, and

(c) for the avoidance of doubt, the slaughter or killing must be carried out in accordance with any relevant requirements under the Firearms (Guernsey) Law, 1998 or any other relevant enactment.

## PART II

### REQUIREMENTS APPLYING TO GAME ANIMALS

#### **Requirements applying in relation to the hunting, capture or killing of a wild rabbit.**

3. (1) The following requirements apply in relation to the hunting, capture or killing of a wild rabbit prescribed by the Regulations as a game animal.

- (2) The requirements referred to in subparagraph (1) are that –
- (a) the rabbit must be killed by one of the following methods –
    - (i) by shooting with an air weapon or a shot gun,
    - (ii) by means of a slaughtering instrument, where the animal has first been trapped using a net or cage-trap, or
    - (iii) by means of exsanguination or dislocation of the neck, whilst the animal is stunned, such stunning having been done by using a slaughtering instrument, and the animal has first been trapped using a net or cage-trap,
  - (b) the killing, where carried out by shooting with an air weapon or a shot gun, may only be carried out by –
    - (i) the owner or occupier of the land on which the rabbit is found who, where a shot gun is used, is the holder of a shot gun certificate in respect of that gun, or
    - (ii) any other person on private land who –
      - (A) has the written permission of the owner or occupier of the land to hunt on the land on which the rabbit is found, and
      - (B) where a shot gun is used, is the holder of a shot gun certificate, a person using the shot gun in accordance with section 14(3) of the Firearms (Guernsey) Law,

*Consolidated text*

1998 or the holder of a visitor's temporary permit, in respect of that gun, issued under section 16 of that Law, or

(iii) any other person who is the holder of a licence issued under section 20A of the Firearms (Guernsey) Law, 1998, at any location specified in that licence who –

(A) is the holder of a shot gun certificate, and

(B) does not kill the rabbit between 1<sup>st</sup> February and 30<sup>th</sup> September inclusive in any year,

and any shot gun certificate, visitor's temporary permit, licence or other authority to use a shot gun must be held in respect of the shot gun in question,

(c) the killing, where carried out by means of a slaughtering instrument, dislocation of the neck or exsanguination, may be carried out by –

(i) the owner or occupier of the land on which the rabbit is found on that land,

(ii) any other person on private land who has the written permission of the owner or occupier to hunt on the land on which the rabbit is found, or

(iii) any other person on any public land provided that –

- (A) for the avoidance of doubt, the killing on such land is in accordance with any relevant requirements under the Firearms (Guernsey) Law, 1998 or any other relevant enactment, and
- (B) such person does not kill the rabbit between 1<sup>st</sup> February and 30<sup>th</sup> September inclusive in any year, and
- (d) for the avoidance of doubt, the killing must be carried out in accordance with any other relevant requirements under the Firearms (Guernsey) Law, 1998 or any other relevant enactment.

**Requirements in relation to the hunting, capture and killing of a wild common woodpigeon.**

4. (1) The following requirements apply in relation to the hunting, capture or killing of a wild common woodpigeon prescribed by the Regulations as a game animal.

- (2) The requirements referred to in subparagraph (1) are that –
  - (a) the common woodpigeon must be killed by shooting with an air weapon or a shot gun, and
  - (b) the killing must be carried out by a person falling within, and meeting the requirements set out in, paragraph 3(2)(b) which shall apply as if any reference to a rabbit is a reference to a common woodpigeon.

**Requirements in relation to the hunting, capture and killing of a specified wild game bird.**

5. (1) The following requirements apply in relation to the hunting, capture and killing of the following wild birds prescribed by the Regulations as game animals: a common pheasant, grey or English partridge, red-legged or French

partridge[, Eurasian woodcock] [...] or common snipe.

- (2) The requirements referred to in subparagraph (1) are that –
  - (a) the wild bird must be killed by shooting with an air weapon or a shot gun,
  - (b) the killing must be carried out by a person falling within, and meeting the requirements set out in, paragraph 3(2)(b) which shall apply as if any reference to a rabbit is a reference to a bird to which this paragraph applies, [...]
  - (c) the person must not kill a bird between the 1<sup>st</sup> February and 30<sup>th</sup> September inclusive in any year[, and]
  - [(d) the maximum number of Eurasian woodcock that may be killed by any person in any period between 1<sup>st</sup> October and 31<sup>st</sup> January inclusive in any year is 35.]

**Requirements in relation to the hunting, capture or killing of a cross-bred mallard duck or a greylag goose.**

6. (1) The following requirements apply in relation to the hunting, capture or killing of a wild cross-bred mallard duck or a greylag goose prescribed by the Regulations as a game animal.

- (2) The requirements referred to in subparagraph (1) are that –
  - (a) the wild bird must be killed by shooting with [...] a shot gun, and
  - (b) the killing must be carried out by a person falling within, and meeting the requirements [applying to killing by shooting with a shot gun] set out in, subparagraphs (2)(b)(i) and (ii) of paragraph 3 which

shall apply as if any reference to a rabbit is a reference to a cross-bred mallard duck or a greylag goose.

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**NOTES**

*In Schedule 1,*

*first, the words in the first pair of square brackets in paragraph 5(1) were inserted, second, the word omitted in square brackets at the end of sub-paragraph (b) was revoked, third, the punctuation and word at the end of sub-paragraph (c) was substituted and, fourth, sub-paragraph (d) was inserted by the Animal Welfare (Amendment) (No. 2) Order, 2017, article 1, respectively paragraph (a), paragraph (b)(i), paragraph (b)(ii) and paragraph (b)(iii), with effect from 30th October, 2017;*

*the words omitted in square brackets in, first, paragraph 5(1) and, second, paragraph 6(2)(a) were revoked and, third, the words in square brackets in paragraph 6(2)(b) were inserted by the Animal Welfare (Amendment) Order, 2017, article 1, respectively paragraph (a), paragraph (b)(i) and paragraph (b)(ii), with effect from 30th April, 2017.*

*In accordance with the provisions of the Firearms (Guernsey) (Amendment) Law, 2016, section 31(1), with effect from 1st November, 2017, the references in this Order to the Firearms (Guernsey) Law, 1998 are to construed as referring, or including a reference, to the Firearms and Weapons (Guernsey) Law, 1998, so far as may be necessary for preserving the effect of the Order.*

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REQUIREMENTS APPLYING IN RELATION TO EUTHANASIA OF AN  
ANIMAL

**Requirements applying in relation to the euthanasia of a cow, pig, sheep, goat, llama or horse.**

1. (1) The following requirements apply in relation to the euthanasia of a cow, pig, sheep, goat, llama or horse<sup>d</sup> in the circumstances set out in section 10(1)(c) or (d) of the Ordinance.

(2) The requirements referred to in subparagraph (1) are that –

(a) the animal must be euthanised by –

- (i) a licensed slaughterman at the premises on which the animal is kept using a slaughtering instrument,
- (ii) a recognised veterinary surgeon at the premises on which the animal is kept, or at a veterinary surgery, using a slaughtering instrument or by administration of a veterinary medicinal product formulated for the purpose of euthanising such an animal, or
- (iii) a police officer (acting in that officer's capacity as such) at the premises on which the animal is kept using a firearm and

(b) for the avoidance of doubt, the euthanasia must be carried out in accordance with any relevant

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<sup>d</sup> This is defined in the Ordinance as a domestic animal of the equine species so includes a donkey, ass, mule and zebra.

requirements under the Firearms (Guernsey) Law, 1998 or any other relevant enactment.

**Requirements applying in relation to the euthanasia of specified birds or a rabbit.**

2. (1) The following requirements apply in relation to the euthanasia of a domestic fowl, duck, goose, turkey, pheasant, partridge, quail, pigeon or rabbit, in the circumstances set out in section 10(1)(c) or (d) of the Ordinance.

(2) The requirements referred to in subparagraph (1) are that –

(a) the animal must be euthanised by –

(i) the owner or keeper of the animal or a person employed or appointed by the owner or keeper in relation to that animal using one of the following methods –

(A) by a slaughtering instrument, or

(B) by means of exsanguination or dislocation of the neck, whilst the animal is stunned, such stunning having been done by using a slaughtering instrument, or

(ii) a recognised veterinary surgeon at the premises on which the animal is kept, or at a veterinary surgery, by administration of a veterinary medicinal product formulated for the purpose of euthanising such an animal, and

(b) for the avoidance of doubt, the euthanasia must be carried out in accordance with any relevant requirements under the Firearms (Guernsey) Law, 1998 or any other relevant enactment.

**Requirements applying to the euthanasia of a pet animal.**

3. (1) The following requirements apply in relation to the euthanasia of a pet animal, other than one falling within paragraph 1(1) or 2(1) of this Schedule, in the circumstances set out in section 10(1)(c) of the Ordinance.

(2) The requirements referred to in subparagraph (1) are that the animal must be euthanised by a recognised veterinary surgeon at the premises on which the animal is kept, or at a veterinary surgery, by the administration of a veterinary medicinal product formulated for the purpose of euthanising such an animal.

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**NOTE**

*In accordance with the provisions of the Firearms (Guernsey) (Amendment) Law, 2016, section 31(1), with effect from 1st November, 2017, the references in this Order to the Firearms (Guernsey) Law, 1998 are to be construed as referring, or including a reference, to the Firearms and Weapons (Guernsey) Law, 1998, so far as may be necessary for preserving the effect of the Order.*

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TAKING, CAPTURE, CONTROL OR KILLING ETC. OF DANGEROUS ANIMALS ETC.

1. The following requirements apply in relation to the taking from the wild, capture, control or killing of a dangerous animal.

2. The dangerous animal must be taken from the wild, captured or controlled at the place at which it is found by an Authorised Person, a police officer or a recognised veterinary surgeon, using the most humane methods available in the circumstances and so as not to cause unnecessary suffering to the animal.

3. For the avoidance of doubt, a dangerous animal may be killed at the place at which it is found by a person listed in paragraph 4, without first being captured at that place, provided that the person is satisfied that the animal is too dangerous to capture.

4. Where a dangerous animal is killed, it must be killed by –

- (a) a licensed slaughterman at the place at which it is found using a slaughtering instrument,
- (b) a recognised veterinary surgeon at the place at which it is found, using a slaughtering instrument or by the administration of a veterinary medicinal product formulated for the purpose of euthanasing such an animal,
- (c) a police officer (acting in that officer's capacity as such) at the place at which it is found using a firearm, or
- (d) an Authorised Person or a police officer, at the place at which it is found, using the most humane methods

available in the circumstances and so as not to cause unnecessary suffering to the animal,

and for the avoidance of doubt, in accordance with any relevant requirements under the Firearms (Guernsey) Law, 1998 or any other relevant enactment.

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**NOTE**

*In accordance with the provisions of the Firearms (Guernsey) (Amendment) Law, 2016, section 31(1), with effect from 1st November, 2017, the references in this Order to the Firearms (Guernsey) Law, 1998 are to be construed as referring, or including a reference, to the Firearms and Weapons (Guernsey) Law, 1998, so far as may be necessary for preserving the effect of the Order.*

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## EXPLANATORY NOTE

*(This note is not part of the Order)* \*\*

This Order sets out the requirements which must be complied with when –

- slaughtering or killing an animal prescribed as food for mankind or an animal product by the Animal Welfare (Slaughter, Killing, Euthanasia Etc.) (Prescribed Animals) Regulations, 2014 ("**the Regulations**"); the requirements are set out in article 1(1) and Part I of Schedule 1 to this Order,
- hunting, capturing or killing an animal prescribed by the Regulations as a game animal; the requirements are set out in article 1(2) and Part II of Schedule 1 to this Order,
- the euthanising of –
  - o specified animals owing to illness, injury, infirmity or age, and
  - o specified livestock or other animals, prescribed by the Regulations, which are new born animals which are surplus to requirements or animals at the end of their economic lives,

The requirements are set out in article 2 and Schedule 2 to this Order, and

- taking from the wild, capturing, controlling or killing a dangerous animal.

The requirements are set out in article 3 and Schedule 3 to this Order.

It is an offence to contravene a requirement of this Order under section 10(4) of the Animal Welfare (Guernsey) Ordinance, 2012 and such a contravention may also result in an offence being committed under section 1 or 7 of the Ordinance.

This Order comes into force on the 1<sup>st</sup> day of July, 2014.

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\*\* The text of this Explanatory Note is as it was when the Statutory Instrument was first made – that is to say that the Explanatory Note has not been updated to take account of any changes made by subsequent amending Statutory Instruments with their own Explanatory Notes.