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ANIMAL WELFARE ACT 2002

ANIMAL WELFARE (COMMERCIAL POULTRY) REGULATIONS 2008

Animal Welfare Act 2002

Animal Welfare (Commercial Poultry) Regulations 2008

Made by the Governor in Executive Council.

Part 1 — Preliminary

1. Citation

These regulations are the *Animal Welfare (Commercial Poultry) Regulations 2008*.

2. Commencement

These regulations come into operation as follows:

- (a) regulations 1 and 2 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — on 1 July 2008.

3. Terms used in these regulations

In these regulations —

“**chicken**” means a member of the species *Gallus gallus domesticus*;

“**commercial egg production**” means a business that involves the keeping of 50 or more chickens for the purpose of

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producing eggs for sale, whether or not those chickens are all kept at the same place;

“cup drinker” means a cup that —

- (a) is attached to a water line; and
- (b) has a lever or other device in it operable by a chicken; and
- (c) is filled with water if pressure is applied to the lever or device by the chicken;

“drinker” means a cup drinker or a nipple drinker;

“floor area” has the meaning given in regulation 10;

“laying hen” means a female chicken that has attained 20 weeks of age;

“laying shed” means a building or structure in which one or more laying hens are caged for the purpose of commercial egg production;

“nipple drinker” means a nipple that is attached to a water line;

“person responsible”, for a laying shed, means a person who is either or both of the following —

- (a) the owner or lessee of the cages in the laying shed;
- (b) the person having the day-to-day management and control of the laying shed.

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Cages in laying sheds **Part 2**
Cage design and construction **Division 1**
r. 4

Part 2 — Cages in laying sheds**Division 1 — Cage design and construction****Subdivision 1 — Offences****4. Non-compliant cages in laying sheds**

- (1) In this regulation —
“**non-compliant cage**” means a cage that does not meet each of the requirements set out in Subdivision 2.
- (2) A person responsible for a laying shed is guilty of an offence if the shed contains one or more non-compliant cages in which there is at least one laying hen.
- (3) A person guilty of an offence under subregulation (2) is liable to a fine of —
 - (a) not more than \$10 000 as a general penalty; and
 - (b) in addition, not more than \$100 for each cage that is a non-compliant cage in the laying shed, and that contains one or more laying hens,but the fine cannot exceed \$20 000.

Subdivision 2 — Requirements for cage design and construction**5. Water and food troughs**

- (1) Each laying hen in a cage must have reasonable access to —
 - (a) a water trough the length of which allows a space of 10 cm or more for each hen in the cage; or
 - (b) 2 or more drinkers.
- (2) Each laying hen in a cage must have reasonable access to a food trough the length of which allows a space of 10 cm or more for each hen in the cage.

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6. Floor support

The floor of a cage must provide support for each forward pointing toe of each laying hen in the cage.

7. Cage height

The height of a cage must be —

- (a) more than the maximum height of the laying hens, standing normally, in the cage; and
- (b) 40 cm or more for 65% or more of the floor area of the cage.

8. Cage doors

- (1) The height of the door of a cage must be not less than 19 cm.
- (2) The width of the door of a cage must be not less than —
 - (a) the width of the cage (excluding the width of structural supports for the door); or
 - (b) if the width of the cage is more than 50 cm — 50 cm.

9. Cages arranged in tiers

If 2 or more cages are arranged in vertical tiers, the cages must be arranged so that each laying hen —

- (a) is visible for the purpose of inspection; and
- (b) is able to be removed easily from the cage; and
- (c) is protected from excreta from hens in cages on higher tiers.

Division 2 — Stocking densities**10. Meaning of “floor area”**

For the purposes of these regulations, the floor area of a cage is the area of the lower horizontal plane measured between the vertical sections of the back and front walls and the vertical

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sections of the side walls of the cage including the area under each of the following —

- (a) an egg baffle;
- (b) a nipple drinker;
- (c) a water trough,

but not including any other area of the cage that is less than 35 cm in height.

11. Offence: minimum floor area for cages in laying sheds

- (1) A person responsible for a laying shed is guilty of an offence if the shed contains one or more cages —
 - (a) in which there is at least one laying hen; and
 - (b) the floor area of which is less than the minimum floor area for the cage as specified in regulation 12(1).
- (2) A person guilty of an offence under subregulation (1) is liable to a fine of —
 - (a) not more than \$10 000 as a general penalty; and
 - (b) in addition, not more than \$100 for each cage that is a cage of the kind referred to in subregulation (1) in the laying shed,

but the fine cannot exceed \$20 000.

12. Minimum floor area requirements

- (1) For the purposes of regulation 11(1)(b), the minimum floor area for a cage in a laying shed is as follows —
 - (a) if only one laying hen is in the cage — 1 000 cm²;
 - (b) if only 2 laying hens are in the cage — 1 350 cm²;
 - (c) if 3 or more laying hens are in the cage —
 - (i) for a pre-2001 cage — an area calculated by allowing 450 cm² for each hen; or

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- (ii) for any other cage — an area calculated by allowing 550 cm² for each hen.
- (2) For the purposes of subregulation (1)(c)(i), a cage in a laying shed is a pre-2001 cage if —
 - (a) the cage meets each of the requirements set out in Division 1 Subdivision 2; and
 - (b) the cage was installed in the laying shed before 1 January 2001; and
 - (c) the period of time since the date of the first installation of the cage is not more than 20 years (whether the first installation of the cage was in the laying shed or was in another laying shed).

By Command of the Governor,

M. C. WAUCHOPE, Clerk of the Executive Council.