



Jersey

ANIMAL WELFARE (CALVES) (JERSEY) ORDER 2020

Official Consolidated Version

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ANIMAL WELFARE (CALVES) (JERSEY) ORDER 2020

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ANIMAL WELFARE (CALVES) (JERSEY) ORDER 2020

THE MINISTER FOR THE ENVIRONMENT makes this Order under Article 39A of the [Animal Welfare \(Jersey\) Law 2004](#) –

Commencement [[see endnotes](#)]

1 Interpretation

In this Order –

“calf” means a bovine animal up to 6 months old;

“holding” means an establishment, construction or, in the case of an open-air farm, a place where calves are kept;

“keeper” means the person responsible for the calves, whether on a permanent or temporary basis, but does not include the operator of a slaughterhouse.

2 Application

This Order applies to calves confined for rearing and fattening.

3 Holdings

- (1) A calf must not be confined in an individual pen after the age of 8 weeks unless a veterinary surgeon certifies that its health or behaviour requires it to be isolated in order to receive treatment.
- (2) Any individual pen for a calf must be –
 - (a) in width, at least equal to the height of the calf at the withers, measured in a standing position; and
 - (b) in length, at least equal to the length of the calf, measured from the tip of the nose to the caudal edge of the *tuber ischii* (pin bone), multiplied by 1.1.
- (3) Except for pens for isolating sick calves, individual pens for calves must not have solid walls and must have walls which allow the calves to have direct visual and tactile contact.
- (4) Where calves are kept in groups, the unobstructed space allowance available to each calf must be at least equal to –
 - (a) 1.5 m² for each calf of a live weight of less than 150 kilograms;
 - (b) 1.7 m² for each calf of a live weight of 150 kilograms or more but less than 220 kilograms; and

- (c) 1.8 m² for each calf of a live weight of 220 kilograms or more.
- (5) This Article does not apply to –
 - (a) holdings with fewer than 6 calves; or
 - (b) calves kept with their mothers for suckling.

4 Standards for rearing

Keepers must comply with the conditions for rearing calves set out in Annex I to Council Directive 2008/119/EC of 18 December 2008 laying down minimum standards for the protection of calves (O.J. L 10, 15.1.2009, p. 7).

5 Inspections

- (1) Inspectors must carry out such checks as are necessary to ensure compliance with the requirements in Articles 3 and 4.
- (2) For the purpose of carrying out checks, an inspector may, on producing his or her authority if so required, enter premises where calves are confined for rearing and fattening and inspect the premises, the calves and any equipment.
- (3) The States Veterinary Officer must ensure that the inspections carried out in each year cover a statistically representative sample of the different farming systems used for the rearing and fattening of calves in Jersey.
- (4) The inspections may be carried out at the same time as checks made for other purposes.
- (5) An inspector may be accompanied by a veterinary expert from the European Commission who may carry out checks to ensure compliance with Articles 3 and 4 and any other person the inspector considers appropriate.

6 Enforcement

- (1) The Minister may serve a person with a notice (an “enforcement notice”) if the Minister considers that the person has not complied with, is not complying with, or is not likely to comply with a requirement of Articles 3 or 4.
- (2) An enforcement notice must state –
 - (a) the steps that the person must take;
 - (b) the date by which the steps must be taken;
 - (c) the reason for the service of the notice and for the requirements in it; and
 - (d) that there is a right to apply for reconsideration under paragraph (5).
- (3) If an inspector considers that a requirement of an enforcement notice has not been complied with, the inspector may –
 - (a) take such steps as the inspector considers necessary –
 - (i) to ensure compliance with the requirements of the notice, or
 - (ii) to remedy the consequences of the failure to take the steps required by the notice; and
 - (b) recover any expenses reasonably incurred in so doing from any person who has failed to comply with the notice.

- (4) A person who, without reasonable excuse, fails to comply with a requirement in an enforcement notice commits an offence, and is liable to imprisonment for a term of 12 months and to a fine of level 3 on the standard scale.
- (5) A person served with an enforcement notice may, within 21 days after that service, apply for reconsideration of the decision to serve the notice, by making written representations about that decision to a person appointed for the purpose by the Minister.
- (6) The Minister may make written submissions concerning the decision to the person appointed.
- (7) The person appointed must review the decision and report in writing to the Minister on the decision, the representations and any submissions.
- (8) The Minister must –
 - (a) reconsider the decision, having regard to the report;
 - (b) make a final determination; and
 - (c) serve written notice of the final determination, giving reasons, on the person who made the representations.
- (9) An application for reconsideration does not suspend the effect of the enforcement notice.

7 Citation and commencement

This Order may be cited as the Animal Welfare (Calves) (Jersey) Order 2020 and comes into force 7 days after the day it is made.

ENDNOTES

Table of Legislation History

| Legislation | Year and No | Commencement | Project No (where applicable) |
|--|---------------------------------|--------------|-------------------------------------|
| Animal Welfare (Calves) (Jersey) Order 2020 | R&O.69/2020 | 28 May 2020 | |

Projects available at statesassembly.gov.je

Table of Endnote References

There are currently no endnote references