Ministry for Primary Industries
Manatū Ahu Matua

Regulatory Impact Statement: Regulations to improve the welfare of pigs

Decision sought	*Analysis produced for the purpose of informing Cabinet Policy approval for regulations regarding use of farrowing crates, use of mating stalls, spacing requirements for grower and weaner pigs, and provision of manipulable and deformable materials for farrowing sows.*
Agency responsible	*Ministry for Primary Industries*
Proposing Ministers	*Hon Andrew Hoggard, Associate Minister for Agriculture*
Date finalised	*16 July 2025*

Summary: Problem definition and options

The Animal Welfare Act 1999 (the Act) sets out the minimum obligations of owners and those responsible for the care of animals. Among other obligations, it is an obligation to ensure that animals be provided with opportunities to express normal patterns of behaviour (section 4(c)).

After 18 December 2025, there will be legal uncertainty for pig farmers as to how they can ensure they are meeting this minimum obligation under the Act. This is because they will be left unregulated in their use of farrowing crate and mating stall systems, as key regulations in the Animal Welfare (Care and Procedures) Regulations 2018 will be automatically revoked, due to sunsetting provisions they contain. The current regulations were introduced as a temporary fix with a five-year phase-out period, following a relevant High Court ruling in 2020. Their temporary nature, ongoing policy work by the National Animal Welfare Advisory Committee (NAWAC) and the Ministry for Primary Industries (MPI) and growing international scrutiny on pig welfare highlight the need for a new, compliant framework.

This raises four issues that are addressed in this Regulatory Impact Statement (RIS):

- *Issue 1: Farrowing crates* – After December 2025, there will be no maximum legally stipulated timeframe that sows can be kept in a farrow crate pre- and post-farrowing.
- *Issue 2: Mating stalls* – After December 2025, there will be no maximum legally stipulated timeframe that sows can be kept in mating stalls.
- *Issue 3: Space allowances for grower and weaner pigs* – The formula set in regulation for determining spacing requirements must reflect evolving animal welfare science and industry practices, to ensure sufficient space for grower and weaner pigs, thereby ensuring regulations do not fall below minimum obligations in the Act.
- *Issue 4: Manipulable material* – After December 2025, there will be no requirement for any sows in farrowing systems to be provided with manipulable material until farrowing.

What is the policy objective?

The policy objective is to support a legally compliant and welfare-focused transition for New Zealand pig farmers following the expiry of regulations 26 and 27 of the Animal Welfare (Care and Procedures) Regulations 2018 on 18 December 2025. For each of four issues that arise, New Zealand needs to transition to a regulatory framework that optimises sow welfare, piglet survival, and industry viability. Regulatory certainty must be provided as soon as possible.

What policy options have been considered, including any alternatives to regulation?

The following table summarises the options considered in this analysis.

	Status quo	Option 1	Option 2
Farrowing crates	Up to five days pre- and four weeks post-farrowing until 18 December 2025; then no stipulated constraint	Allow free farrowing only, with a 6.5m² spacing requirement from December 2030	Allow temporary crating only, for up to seven days from December 2030
Mating stalls	Up to seven days per reproductive cycle until 18 December 2025; then no stipulated constraint	Up to three hours at a time, no limit on number of times used, from December 2030	
Space for grower pigs	No change to Regulation 25, stipulating a k-value of 0.03	Increase the minimum space per grower pig by setting a k-value of 0.04 from December 2035	Increase the minimum space per grower pig by setting a k-value of 0.034 from December 2035
Manipulable material	Continue to require provision of manipulable material only for piggeries built after 2010	Require manipulable and deformable materials for all sows from December 2030	

For each issue, where there are multiple options, the NAWAC proposal is assessed as the first option against the status quo and alternative proposal is assessed as a second option, to meet concerns indicated by stakeholders and economic analysis, that the NAWAC proposals are likely to impose large economic and practicality costs on pig farmers. Non-regulatory options were not considered, as 2020 Cabinet decision confirmed regulations as the preferred approach for enforceability.

What consultation has been undertaken?

Extensive consultation has been undertaken since 2022. This includes:

- engagement with New Zealand Pork (NZ Pork), pig farmers, veterinarians, and animal welfare advocates in the development of a recommended Code and associated regulations;
- a joint public consultation by MPI and NAWAC from 29 April to 8 July 2022, including public meetings with pig farmers and animal advocacy groups; consideration of over 4,400 submissions received through the public consultation process;
- targeted stakeholder meetings to refine proposals in December 2022 and January 2023; and further targeted consultation with NZ Pork which MPI undertook after NAWAC submitted its recommended code of welfare to the Minister in February 2024.

Is the preferred option in the Cabinet paper the same as preferred option in the RIS?

The preferred options are the same, but different transition timeframes are adopted in the Cabinet paper and the RIS. The Minister seeks a longer transition (aligning all changes to December 2035) to allow industry greater time to invest in the new requirements.

Summary: Minister's preferred option in the Cabinet paper

The Minister's preferred approach and package of options is as follows:

1. **Farrowing crates:** Temporary crating for up to seven days – three days pre- and four days post-farrowing (Option 2). *Transition period up to December 2035.*
2. **Mating stalls:** Limit use to three hours at a time (Option 1). *Transition period up to December 2035.*
3. **Spacing requirements:** Increase the minimum space per grower pig by setting a k-value of 0.034 (Option 2). *Transition period up to December 2035.*
4. **Manipulable material:** Require manipulable and deformable materials for all sows (Option 1). *Transition period up to December 2035.*

Costs

Monetised Costs

The preferred options carry moderated but still significant costs for indoor pig farms. For a typical 350-sow farm, estimated capital costs for reducing farrowing crate use are $507,000, with added annual costs of $34,000 and a three percent revenue drop. Space increases for grower pigs may cost $171,000. These are per-farm estimates based on a standard model.

Non-monetised costs

The proposed changes will lead to non-monetised costs such as increased labour, energy use, and operational demands—particularly for smaller farms. With 60% of pork imported, local producers may not recover costs through higher prices, but the changes reflect a clear move toward more ethical and sustainable farming.

Benefits (Core information)

The preferred options deliver significant non-monetised benefits. While these pressures are real, they support meaningful improvements in sow welfare including enhanced public trust, and reputational gains for New Zealand's pork industry. They promote fairness by applying consistent standards across all facilities and simplify enforcement through clearer rules.

While direct economic benefits may be limited, the regulations support New Zealand's image as a responsible food producer and respond to growing public expectations for high animal welfare standards—especially compared to imported pork from countries with lower requirements.

Some of the preferred options also make compliance and enforcement easier by increasing uniformity of regulatory expectations.

Balance of benefits and costs (Core information)

The RIS supports the Minister's preferred option for updating pig welfare standards, noting that while direct financial benefits are modest, the reforms deliver significant qualitative gains — including improved animal welfare, public trust, and fairer, more enforceable regulations. Over time, as farmers adjust and efficiencies improve, the benefit-cost ratio is expected to rise, though uncertainty remains due to the difficulty of quantifying intangible welfare benefits and indirect costs.

Implementation

The preferred options would be implemented by amending the Animal Welfare (Care and Procedures) Regulations 2018. The relevant code of welfare for pigs will also be updated accordingly by the Associate Minister of Agriculture (Animal Welfare).

MPI's recommendation is that these would be taken through the House under urgency. This is to ensure we meet the deadline for when decisions will be revoked. This will also provide a greater level of regulatory certainty for farmers.

MPI will enforce the regulations and support farmers with education and guidance.

The proposed new regulations cover farrowing crates, mating stalls, space requirements for weaner and grower pigs, and manipulable materials. The Minister is proposing a unified implementation date of 19 December 2035 for all changes. This reflects what the Minister considers to be acceptable amount of time over which the investments can reasonably be made, and the efficiency benefit to farmers, of a harmonised date. A single 2035 deadline is considered by the Minister to reduce complexity and gives farmers more time to plan and invest. While aligning all changes to 2035 provides industry certainty and time to prepare, it delays meaningful welfare gains, particularly where capital expenditure is not as significant an impost, such as with the provision of manipulable materials.

The new regulations would require that the current minimum standards continue to be complied with in the interim.

Risks include farmer readiness and capacity to afford required capital expenditure and impacts upon operating revenue as well as compliance challenges. The pig sector faces high input costs, market volatility, and import competition. Additional regulatory costs risk undermining viability, potentially leading to farm exits, offshoring or reduced domestic supply, and/or greater reliance on imports.

Mitigations include appropriate transitional periods for farmers to adapt their farms and practices to the new requirements, educational outreach, and enforcement following the VADE model (Voluntary, Assisted, Directed, or Enforced).

Delays in welfare improvements could harm New Zealand's export reputation, while overly strict standards beyond trading partners may increase costs without commercial benefits.

Limitations and Constraints on Analysis

- **Previous Cabinet decisions:** In December 2020, Cabinet decided to extend existing regulations and for them to be revoked in 2025 (CAB-20-MIN-0527 refers). The intent of Cabinet at the time was for regulations to be developed that were consistent with purposes of the Act and for farmers to adapt to new requirements. Given Cabinet determined to pursue regulations, this analysis did not explore non-regulatory approaches (such as voluntary codes, incentives, education, or industry-led initiatives) —narrowing the scope of options considered.
- **Legal ambiguity and evolving scientific knowledge:** Terms like "unreasonable pain" are undefined, making it uncertain what constitutes an appropriate legal threshold in any given situation. Interpretation of terms like "normal behaviours" remain contestable, resulting in a risk of judicial review and possible findings that regulatory standards fall short. For this reason, this analysis often uses language such as "likely" to meet obligations rather than adopting a more definitive stance.
- **Minimum standards:** The Act mandates only the minimum necessary welfare; anything beyond is best practice.

- **Inability to trade-off animal welfare against other considerations:** The Act permits consideration of economics and practicality but is geared to prevent minimum animal welfare obligations from being traded off against economic considerations long-term.

I have read the Regulatory Impact Statement, and I am satisfied that, given the available evidence, it represents a reasonable view of the likely costs, benefits and impact of the preferred option.

Responsible Manager(s) (completed by relevant manager)	
Gavin Romayne Manager Animal Welfare Policy Ministry for Primary Industries Signature: 	
Quality Assurance (completed by QA panel)	
Reviewing Agency:	Ministry for Primary Industries
Panel Assessment & Comment:	The Ministry for Primary Industries Quality Assurance Panel reviewed the Regulatory Impact Statement (RIS) "Regulations to improve the welfare of pigs" prepared by the Ministry for Primary Industries on 16 July 2025. The assessors consider that the information and analysis summarised in the RIS meets the Quality Assurance criteria. The assessors consider that the information and analysis summarised in the RIS meets the Quality Assurance criteria.

Contents

Section 1: Diagnosing the policy problem

Glossary of key terms used in this RIS

Farrowing and farrowing crates	*Farrowing* is the term for a sow (female pig) giving birth to a litter of piglets and feeding piglets until the point of weaning. *Farrowing crates* are used in indoor pig farming systems to protect piglets from accidental crushing by the sow. A farrowing crate is a metal enclosure used to confine the sow, preventing her from turning around or moving forwards or backwards. The sow is only able to stand up or lie down. The current regulation for farrowing crates allows sows to be held in farrowing crates for five days prior to farrowing, and up to four weeks after farrowing.
Manipulable and deformable materials	*Manipulable material* refers to materials for environmental enrichment, promoting natural behaviours and well-being. *Deformable material* is a manipulable material, the shape of which can be changed. Manipulable and deformable materials can include organic materials (such as straw, hay, wood, sawdust or peat), or objects such as ropes, or hessian sacks. Chains and blocks of wood are also sometimes provided, and while they would be classified as manipulable, they are not deemed deformable.
Mating stalls and free access stalls	Mating stalls are used in indoor pig farming systems to house sows during mating or artificial insemination. These stalls are smaller than farrowing crates and do not allow the sow to turn or move sideways. Unlike farrowing crates, mating stalls are not designed for lying down or for accommodating piglets, as they are used only for adult sows during a short period. Their primary purpose is to prevent aggression and injury by keeping sows separated while they are on heat, a time when aggression between sows can increase. A *free access stall* is an individual enclosure that allows a sow to separate herself from other pigs in a larger loafing area. The stall can be closed off to facilitate insemination.
National Animal Welfare Advisory Committee / NAWAC	The National Animal Welfare Advisory Committee, or NAWAC in short, is a statutory committee established by section 56 of the Animal Welfare Act 1999. It exists to enable independent advice to the responsible Minister on animal welfare matters.
Weaner and grower pigs	A *weaner* pig is a piglet that has been removed from its sow and is fed solid food. This stage lasts from weaning to around 10 weeks in age. A weaner pig becomes a *grower* pig at this point. After weaning, weaner and then grower pigs are kept in groups as they grow to maturity. In pig farming systems (other than free range), these groups are kept together in enclosures.

Context and status quo

1 Animals play an important role in New Zealanders' lives. They provide both companionship and income. They are also used for food and fibre, education, and research. Animals work alongside us, entertain us, and are managed as pests. These relationships and uses are generally accepted, as long as they are humane.

2 Ideas of humane treatment evolve over time, and our standards of welfare need to keep pace with changes in scientific knowledge and good practice, and available technology, while also taking into account practicality and economic impact where necessary, as well as societal views about what humane treatment of animals means.

3 The welfare of farmed pigs is one such matter and is the subject of this analysis.

4 This section describes:

A. The broad context of the animal welfare regulatory system in New Zealand

B. The specific context of pig farming in New Zealand

C. The regulatory context of pig farming (including the 2020 High Court judgment)

D. The international context for farrowing crates

A. The animal welfare regulatory system in New Zealand

5 New Zealanders have high expectations that animals under human care are well looked after. Animal welfare policy and law in New Zealand is designed to address animal welfare risks, maintain New Zealand's reputation for integrity, promote improved animal welfare outcomes and support society's expectations for the welfare and humane treatment of animals. The way people care for and manage farm animals contributes to New Zealand's reputation as a responsible agricultural producer

6 In New Zealand, owners and/or people in charge of animals must comply with:

- the Animal Welfare Act 1999 (the Act);
- regulations issued under the Act; and
- minimum standards for animal care and management in codes of welfare.

7 MPI leads the management of animal welfare policy and practice in New Zealand. MPI works within the legislative framework created by the Act. New Zealand's animal welfare laws go further than just preventing cruelty—they place a duty of care on people in charge of animals to meet their animals' needs.

8 Alongside MPI's role, New Zealand's animal welfare regulatory system is greatly strengthened by the provision of independent advice on animal welfare matters, to the minister responsible for animal welfare. The National Animal Welfare Advisory Committee (NAWAC) is established for this purpose by section 56 of the Act. NAWAC provides independent advice on codes of welfare to the responsible minister, along with recommendations on matters NAWAC believes should be dealt with by regulations under the Act. While the Minister is empowered by the Act to issue a code of welfare, decisions on regulations require Cabinet approval.

The Animal Welfare Act 1999 (The Act)

9 The Act recognises that animals are sentient and sets a broad framework for protecting their welfare. Of key relevance to these regulations are the obligations of owners and of persons in charge of animals set out in sections 10 and 11 of the Act.

10 Section 11 of the Act states that animal owners must ensure that their animals receive treatment to alleviate any unreasonable or unnecessary distress. Section 10 states

that animal owners must ensure that the physical, health and behavioural needs of their animals are met, which in turn are set out in section 4 as being:

- proper and sufficient food, water and adequate shelter;
- opportunity to display normal patterns of behaviour;
- physical handling in a manner which minimises the likelihood of unreasonable or unnecessary pain or distress; and
- protection from, and rapid diagnosis of, any significant injury or disease.

Codes of welfare

11 The Act provides for the creation of codes of welfare for different types of animals and situations. Codes of welfare set out minimum standards of care and conduct and include recommended best practice which set out standards over and above the minimum required to meet the obligations in the Act. The codes are flexible enough to be improved as good practice, scientific knowledge and technical advances allow.

12 If a person is charged with an offence under the Act, codes of welfare can be used to:

- support prosecution, by providing evidence of failure to meet the minimum standards in a relevant code of welfare; or
- support defence, by providing evidence of equalling or exceeding the minimum standards in a relevant code of welfare.

The Animal Welfare (Care and Procedures) Regulations 2018 (the Regulations)

13 The Act provides for offences and penalties for serious animal abuse or neglect. Regulations fill the gap between the Act and codes of welfare as they are directly enforceable, unlike codes of welfare, and they have appropriate penalties for low to medium level offending.

B. The context of pig farming in New Zealand[1]

14 New Zealand's pork industry is made up of around 70-80 commercial farms producing about 600,000 pigs annually. Around 55 percent of these pigs are produced in indoor facilities. We estimate there are around 44 commercial indoor piggeries.

15 The industry has declined from around 600 farms in 2001, with pig farm employment dropping from over 600 in 2007 to about 340 in 2024. About 32 percent of pigs are produced in the North Island and 68 percent in the South Island. Despite this decline in recent decades, the pork industry maintains its place as an integral part of New Zealand's primary sector. However, animal welfare practices, particularly the use of farrowing crates and mating stalls, have come under legal and public scrutiny both in New Zealand and overseas.

16 New Zealanders consume 20kg of pork per capita per year on average, including processed meats such as bacon and salami. Domestic production meets around 40 percent of demand. Imported pork (mainly from the European Union, North America, and Australia) processed domestically supplements the domestic supply.

C. The regulatory context of pig farming (including the 2020 High Court judgment)

17 A code of welfare for pigs (the Pigs' Code) has been in place in New Zealand since 2018. Further, the framework for appropriate use of farrowing crates and mating stalls (among other matters) is provided in Regulations 26 and 27 of the Regulations.

[1] All monetary values are in New Zealand dollars and figures are drawn from NZ Pork's 2024 Annual report and Statistics New Zealand's Business Demography Survey.

18 In November 2020, the High Court of New Zealand found that the process to issue the Pigs' Code in 2018 and regulations relating to farrowing crates and mating stalls was incorrect, in that NAWAC and MPI did not adequately consider whether the continued use of these was consistent with section 73(1) of the Act, which governs how minimum standards must be set in Codes of Welfare. The High Court held that Regulations 26 and 27 and the associated minimum standards in the Pigs' Code allowed practices that fall short of the sections 10 and 11 obligations in the Act to continue indefinitely; this in turn circumvented Parliament's intention (as expressed through 2015 amendments to the Act). Those provisions were thereby found to be invalid.

19 On 14 December 2020, Cabinet agreed to new regulations that allowed the continued use of current farrowing crate and mating stall systems for five years, inserting a revocation date of 18 December 2025. Cabinet's intent at that time was that new regulations which complied with the Act would come into effect by 18 December 2025. This transition period was designed to give the sector time to shift towards compliant systems and allow NAWAC time to review of the Pigs' Code and regulations.

20 In 2021, NAWAC began a review of the Pigs' Code. A NAWAC subcommittee was formed to review the animal welfare performance of available farrowing and mating systems to identify systems that align with the requirements of the Act.

21 The subcommittee held a series of farm visits and meetings with experts. NAWAC also formed a working group to review the remainder of the Pigs' Code, so that a comprehensive package of amendments could be developed for public consultation. The working group involved industry representatives, pig veterinarians, and NAWAC and MPI representatives.

22 The Code Evaluation report describes NAWAC's evaluation of the Pigs' Code, in order to identify changes required to ensure that the minimum standards will protect the welfare of pigs in accordance with the purposes of the Act beyond December 2025.

23 In addition, NAWAC analysed alternative farrowing and mating systems using the Five Domains Model as an analytical tool. The Five Domains Model goes above physical health and also considers the experiences of animals (affective state). It is designed to facilitate the assessment and grading of animal welfare impacts in a systematic, structured, comprehensive, and coherent manner.[2]

24 In April 2022, NAWAC consulted on the following proposals aimed to align pig welfare standards with the Act and address the 2020 High Court ruling:

- limiting use of farrowing crates to 72 hours post-farrowing, or banning their use;
- requiring a minimum farrowing pen size of 6.5m^2 per sow;
- mandatory provision of nesting material before farrowing;
- a maximum limit on the use of mating stalls for artificial insemination to three hours at a time for a maximum of three times per oestrus cycle;
- a new regulation setting the minimum weaning age for piglets at 28 days; and
- increasing the k-value used to determine spacing requirements for grower pigs from 0.03 to either 0.047 or 0.072 (an increase of 56 percent or 140 percent).

25 In all these recommendations, NAWAC aimed to provide these pigs greater opportunity to display normal patterns of behaviour, as per section 4(c) of the Act. This

[2] The Five Domains analysis document released as part of the public consultation process can be found at https://www.mpi.govt.nz/dmsdocument/50929/direct.

was based on the understanding that good animal welfare goes beyond freedom from suffering and includes promoting positive experiences.

26 Animal advocacy groups supported stronger restrictions, citing welfare science and legal compliance, while the pork industry expressed concern about the economic viability of indoor farming under the proposed changes. This divergence underscores the challenge of balancing animal welfare objectives with sector sustainability.

27 NAWAC formulated its recommendations for farrowing crates and mating stalls by considering relevant science, good practice and available technology, as required by section 73(2) of the Act. Section 73(3) of the Act states that when reviewing codes, NAWAC may take into account practicality and economic impact, if relevant. NAWAC did not change its recommendations in the light of likely economic or practical effects. Instead, NAWAC noted that such considerations were more appropriately weighed by decision-makers when deciding whether and how to implement the recommendations.

28 Economic analysis has shown that NAWAC's proposals would likely require an average 350 sow indoor pig farm to make capital investments totalling $1.577 million. These changes would take approximately 10 years and 10 months for pig farmers to repay and result in an estimated fall in farm value of 49 per cent over 20 years[3].

D. The international context for farrowing crates

29 Welfare standards for pig production around the world differ in their focus and presentation. The main differences in current animal welfare requirements between New Zealand and the main countries we import pork from are New Zealand's ban on gestation stalls[4] and our requirement for pain relief at castration.

30 As for many of the countries New Zealand often compares itself to, banning or limiting the use of farrowing crates has become a focus for those interested in animal welfare. Table One presents a comparison of current farrowing crate standards in New Zealand, key importing countries, and some Scandinavian countries.

Table One: Current farrowing crate standards in New Zealand and comparative countries

	Current farrowing crate requirements
Australia, Canada, USA and UK	Equal to current New Zealand requirements
European Union	Equal to current New Zealand requirements, with a European Union Commission commitment to ban their use in the future
Germany	Equal to current New Zealand requirements, moving to banning the use of farrowing crates in 2035
Denmark	10 percent of all sows to be free of farrowing crates, remainder equal to current New Zealand requirements
Sweden, Norway and Switzerland	Prohibited, with exceptions

[3] Calculated from estimated farm cashflows for a 350-sow indoor pig farm, discounted to a present value using a real rate of 6 per cent over a 20-year analysis period. Fall in value is against a status quo where no changes are required.

[4] A gestation stall is a small enclosure in which a sow is kept for the duration of its pregnancy. The sow can move forwards or backwards but cannot turn around.

31 In most European countries, Australia, the United States and Canada, the use of farrowing crates is allowed for four weeks or longer after farrowing. This is currently what is allowed under the current regulatory environment in New Zealand.

32 Farrowing crates are prohibited in Sweden, Norway and Switzerland. There are some exceptions, however, to allow confinement of sows in certain situations to protect piglet welfare. For example:

- in Sweden, regulations allow the sow to have restricted movement if they display aggressive or abnormal behaviour that could risk injuring piglets, but only during the piglets' first few days of life;
- in Norway, very restless sows may be confined for a maximum of seven days after farrowing; and
- in Switzerland, the sow may be confined only in exceptional cases (e.g., leg weakness or if the sow injures her piglets) while giving birth.

33 Germany is in the process of transitioning to pig welfare requirements that restrict the use of mating stalls and farrowing crates. These changes will go beyond New Zealand's current pig welfare requirements, and those of the EU.

34 In 2020, Germany passed a bill to limit the use of conventional crate systems, allowing for a 15-year transition period. From 2035, crates will only be allowed for a maximum of five days around farrowing and limited to crates with a certain minimum size, with more spacious farrowing pens to be used outside that period (but protective devices must be provided to prevent piglets from being crushed). Use of mating stalls will be limited, as proposed by Germany's animal welfare advisory committee.

35 In Austria, from 2033, sows may only be crated during the first four days after birth (known as the critical phase).

36 In 2024, Denmark announced that all newly built farrowing systems must be designed for loose housing.

37 In 2021, the United Kingdom, the Department for Environment, Food and Rural Affairs released its "Action Plan for Animal Welfare" which noted that it is introducing further reforms on areas such as the use of farrowing crates. The existing rules allow the sow to be confined from one week before the expected farrowing date until the piglets are weaned; normally 24 to 28 days after they are born.

38 In August 2022, the European Food Safety Authority (EFSA) published its scientific opinion on pig welfare, based on literature review and scientific opinion. In this opinion, EFSA made the following recommendations:

Farrowing crates:	No use of farrowing crates. Farrowing pens, with a minimum of 6.6m^2 for the sow, were recommended
Spacing for grower pigs:	Increase from current EU minimum of 0.028 k-value
Weaning age:	28 days
Mating stalls:	Limited use
Manipulable material:	Provision of manipulable materials pre- and post- farrowing

39 EFSA's recommendations are going through a process that will include consideration of economics and practicality before final legislative recommendations are made.

Summary of status quo

40 While there is no prohibition on the use of farrowing crates and mating stalls in pig farming in New Zealand, their use is constrained by the requirements of Regulations 26 and 27. If there is no government intervention, the constraints in those regulations will be automatically revoked on 18 December 2025, and beyond this date there will be no operative provisions constraining the use of farrowing crates and mating stalls (although the obligations in sections 10 and 11 of the Act will continue to apply).

Policy problem

41 After 18 December 2025, the status quo will leave pig farmers unregulated in their use of farrowing crate and mating stall systems. This poses risks to sow welfare and legal compliance. Specifically, it raises four policy issues that are addressed in this RIS:

- *Issue 1: Farrowing crates* – After December 2025, there will be no maximum legally stipulated timeframe that sows can be kept in a farrow crate pre- and post-farrowing.
- *Issue 2: Mating stalls* – After December 2025, there will be no maximum legally stipulated timeframe that sows can be kept in mating stalls.
- *Issue 3: Space allowances for grower and weaner pigs* – The k-value and spacing formula in Regulation 25 must reflect evolving animal welfare science and industry practices, to ensure sufficient space for grower and weaner pigs, thereby ensuring regulations do not fall below minimum obligations in the Act.
- *Issue 4: Manipulable material* – After December 2025, there will be no requirement for sows in farrowing systems to be provided manipulable material until farrowing.

42 For each of these issues, New Zealand needs to transition to a regulatory framework that balances sow welfare, piglet survival, and industry viability.

Overarching objectives

43 The main policy objective is to balance high animal welfare standards with productivity of New Zealand's pork sector. Subsidiary objectives to achieve this include:

a) **Respond to legal and ethical Imperatives:** Following the 2020 High Court ruling that invalidated the use of farrowing crates and mating stalls under the existing Pigs' Code, the government is obliged to revise the regulatory framework to ensure it does not fail to meet the minimum obligations of the Act (sections 10 and 11).

b) **Have in place a robust and scientifically informed code with industry buy in:** Codes are designed to support industry and therefore must be able to support it.

c) **Manage transition and minimise impacts on sector resilience:** A transition from current to higher obligations will give producers time to adapt. The delay in finalising the code has created uncertainty for pork producers, particularly regarding the cost and operational implications of the proposed changes. Any new regulations should have adequate support and consideration for the sector's economic resilience.

What consultation has been undertaken?

44 In reviewing the Pigs' Code, NAWAC was supported by a working group comprised of NZ Pork representatives, farmers nominated by NZ Pork, pig veterinarians, and MPI.[5]

45 A range of subsequent consultation also occurred. Stakeholders consulted include:

- industry (pig farmers, NZ Pork, pork manufacturers, SunPork Group Australia, Federated Farmers, and companies which use pork ingredients)
- animal advocacy organisations (including Save Animals From Exploitation (SAFE), Royal New Zealand Society for the Prevention of Cruelty to Animals (SPCA) and the New Zealand Animal Law Association)
- government agencies (including the Department of Corrections which operates an outdoor pig farm).
- scientific and veterinary bodies (New Zealand Veterinarians Association, Veterinarians for Animal Welfare Aotearoa), and
- the public.

46 In 2022, MPI and NAWAC undertook broad public consultation on a range of proposals for change.[6] Over 4,400 submissions were received. Follow-up consultations to refine proposals were held with specific stakeholders such as NZ Pork, veterinary organisations, research institutions, and government departments. In May 2022, targeted meetings were held with pig farmers in Palmerston North and Ashburton and with animal advocates in Wellington.

47 In February 2024, NAWAC presented its recommended code and associated regulatory proposals to the Minister. The Minister then directed MPI to undertake a further review of the science, economics, and practicalities of NAWAC's proposals. This included targeted consultation with NZ Pork between February 2024 and March 2025, to better understand its concerns and perspectives.

48 The Minister also held a number of meetings with NAWAC's Chair, NZ Pork, and MPI to seek feedback and review as the options were refined.

Section 2: Assessing options

Criteria

49 The options in this RIS are assessed against four key criteria:

- **Effectiveness –** How well the proposal improves animal welfare outcomes by reducing the duration of confinement and supporting natural behaviours. *Improvement in effectiveness is a minimum requirement of any option.*
- **Efficiency –** Whether the option is practical to implement on-farm, enforceable under current compliance systems, and economically viable for producers.
- **Equity –** How fairly the impacts are distributed across different types and scales of pig farming operations, particularly in terms of labour and infrastructure demands.

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[5] See NAWAC's evaluation of the Pigs' Code for further detail on pre-consultation stakeholder engagement, available at https://www.mpi.govt.nz/dmsdocument/50926/direct

[6] Consultation document available at https://www.mpi.govt.nz/consultations/changes-to-the-code-of-welfare-for-pigs-and-associated-regulations/

- **Clarity –** Whether the proposed rules are specific, measurable, and easy for farmers, inspectors, and other stakeholders to understand and apply consistently.

Scope

50 This RIS focuses on four aspects of pig farming: The use of farrowing crates, the use of mating stalls, spacing for grower and weaner pigs, and the provision of manipulable and deformable materials for sows. The analysis presented occurs in the context of a strive for higher animal welfare requirements, to ensure regulatory settings meet the minimum obligations under the Act. In this case, specifically that animals be provided with opportunities to express normal patterns of behaviour (section 4(c)).

51 In shifting to higher animal welfare requirements, a balanced approach is needed to ensure continued industry viability. This analysis therefore assumes a period of transition, rather than that new obligations would commence on 19 December 2025, which is not feasible.

52 For changes to farrowing crate and mating stall practices, a transition period of five years is adopted as the basis of analysis. This is in line with the previous policy of a five-year transition timeframe (i.e. from 2020 to 2025), which balanced the need to be responsive to the High Court's findings from 2020, with allowing a reasonable time for investment in upgrades. If farmers are provided investment certainty by government decisions in 2025, then new obligations could kick in December 2030. This means that for the period from 2025 to 2030, current standards that are set to expire would be reinstated, maintaining oversight and continuity in the interim.

53 For increased space requirements for grower and weaner pigs, a transition timeframe of ten years is adopted. This is in line with the ten-year transition period that will have been provided for farrowing crates and mating stalls overall.

54 For the requirement to provide manipulable and deformable materials, a transition timeframe of five years is adopted, as this does not have the same capital investment implications for farmers as addressing the other issues will have.

55 Table Two summarises the transition timeframes underpinning each of the topics discussed in this RIS.

Table Two: Transition timeframes for each topic discussed in this RIS

Issue	Transition timeframe
Farrowing crates	Until 19 December 2030 to adapt to new farrowing crate practices.
Mating stalls	Until 19 December 2030 to adapt to new mating stall practices.
Spacing requirements for grower and weaner pigs	Until 19 December 2035 to adapt to new spacing requirements.
Provision of manipulable materials	Until 19 December 2030 to adapt to new requirement to provide "manipulable and deformable materials".

Issue 1: Farrowing crates

What options are being considered?

Status quo

56 Up until 18 December 2025, farrowing crates are permitted for use five days before and four weeks after farrowing (Regulation 26 of the Regulations). After this date, there will be no legal framework in place for their appropriate use. Even though other options are assessed against this option in this RIS, the lack of legal framework guiding the appropriate use of farrowing crates beyond December 2025 means the status quo is not a feasible long-term option.

Option 1 – Allow free-farrowing only, with a 6.5m² spacing requirement

57 Under Option 1, a regulation would be created placing a ban on farrowing crates and require at least 6.5 square metres of space in free-farrowing pens. This option has been recommended by NAWAC, based on scientific evidence, available technologies, and best farming practices. A five-year transition period would help farmers to adapt their systems and practices.

Option 2 – Allow temporary crating for up to seven days

58 Under Option 2, a regulation would be created permitting temporary use of farrowing crates for a total of seven days: a maximum of three days pre-farrowing and four days post-farrowing. Under this option, there would be no changes to requirements for crate size and no minimum pen size after those seven days. Again, a five-year transition period would help farmers to adapt their systems and practices.

Which option is likely to best address the problem, meet the policy objectives, and deliver the highest net benefits?

59 The key concern underlying this issue is the restriction farrowing crates place on sows' ability to perform natural behaviours, particularly nest-building, which typically occurs in the final 24 hours before farrowing, peaking between twelve and six hours prior. NAWAC explored the possibility of allowing temporary crating after nest-building is complete but found no reliable evidence to determine when nest-building ends. Farmers also reported difficulties in identifying this point. NAWAC therefore concluded it could not be confident that nest-building would be completed before confinement and therefore recommended a full prohibition on farrowing crates (i.e. option 1).

60 During public consultation, animal welfare advocates generally supported ending the use of farrowing crates. In contrast, most pig farmers and industry representatives advocated for the continued temporary use of crates to reduce piglet crushing.

61 Economic modelling suggests a piglet mortality rate of 12 percent under current crate use, 15 percent with temporary crating, and 19 percent in free-farrowing systems. NAWAC acknowledges that transitioning away from crates may lead to higher piglet losses initially but believes these risks can be mitigated through improved pen design, husbandry, and management practices. Although specific figures were not provided to support this, NAWAC maintains that the potential for increased piglet mortality alone does not justify continued use of farrowing crates.

62 Submissions from NZ Pork and pig farmers indicated that many producers may exit the industry if free-farrowing requirements are enforced, citing limited access to financing and affordability concerns. This could have broader economic effects, impacting rural businesses that supply pig farms and communities that rely on whole pigs for cultural practices, such as Māori, Pasifika, and Filipino communities.

Effectiveness

63 Both options 1 and 2 are considered to align with section 4(c) of the Act by enabling greater opportunity to express normal behaviours relative to the status quo. Under option 2 temporary crating enables sows to engage in some nest-building prior to farrowing. Sows are generally sedentary in the first few days after farrowing, with lying down being their dominant behaviour. As lactation progresses, they become more active. Allowing temporary crating for up to seven days, including a few days before and after farrowing, aligns with this natural behavioural pattern. It gives sows the opportunity to express some nest-building behaviour while also protecting piglets during their most vulnerable period immediately after birth.

64 Importantly, section 4 of the Act also requires that the physical and health needs of piglets to be met. Temporary crating during the first few days post-farrowing would help reduce the risk of piglet crushing, a significant concern in fully free-farrowing systems. Consequently, this option is viewed as better balancing the welfare needs of both sows and piglets.

65 There is a question, therefore, as to whether option 1 or 2 would deliver the greater benefit over and above status quo. If greater weight is placed on sow welfare and/or if NAWAC's assessment (that there would likely be reduced risk of piglet crushing over time), then option 1 would be considered more effective. If piglet welfare is provided greater or equal weighting, then option 2 would be considered more effective. On balance, officials consider options 1 and 2 to present a comparable level of improvement over the status quo in delivering welfare outcomes.

Efficiency and equity

66 Options 1 and 2 would both result in a need for increased investment by farmers. However, the level of investment associated with option 1 is greater than option 2. The need to develop large free-farrowing pens under option 1 will require retrofitting or rebuilding sheds and potentially acquiring/utilising more land to expand shed footprint (or reducing stock numbers).

67 Option 2 is also likely to be associated with potentially significant costs for many farmers. This is because conventional farrowing crate systems provide housing for piglets until approximately 28 days of age, at which point they move to group housing (as weaners). Temporary crating results in the need for pen-based farrowing systems, where sow and piglets are housed together for the interim, prior to shifting to group housing. Farmers with conventional crating systems will need to invest in new systems such as a pen with a removable crate, or a two-stage pen which is designed to have a gate that swings across to temporarily form a farrowing crate.

68 Given option 2 has less impact on the overall land required and a likely higher piglet survival rate, the economic impacts associated with this option are expected to be more manageable. A 350-sow farm is estimated to face a capital cost of approximately $507,000 with a projected income reduction of three percent, primarily due to an assumed increase in piglet mortality (i.e. 15 percent, baseline of 12 percent under current requirements). These costs reflect modifications rather than full-scale reconstruction and assume a pen size of 5.6 square metres.

69 In contrast, option 1 imposes significantly higher financial burdens. It requires larger pen sizes and a complete shift to free-farrowing systems, which increases space and land demands. A 350-sow farm would need an estimated $595,000 in capital investment, not including additional land costs. Revenue is projected to fall by eight percent, largely due to an assumed increase in piglet mortality (i.e. 19 percent). While option 1 delivers stronger sow welfare outcomes, it poses considerable economic challenges for indoor pig producers.

70 A sufficient transition period under either option is expected to reduce immediate hardship, support industry adaptation, and improve equity—particularly for smaller producers—while maintaining rural sector resilience.

71 While individual farmers will make the investment decision most appropriate for their context, and some may determine free-farrowing to be the more viable investment long term, option 2 offers a more balanced and economically viable path forward for those that cannot make the necessary investment associated with option 1. Proceeding with option 2 would likely result in fewer farmers exiting the industry and mitigate broader economic and cultural impacts associated with stricter proposals. More whole pigs would also remain available for communities that rely on them for cultural practices, such as iwi and hapū (for hāngi), as well as Pasifika and Filipino communities.

72 There is greater administrative efficiency associated with option 1. This is because it will be easier for enforcement officers to confirm the lack of crating systems, than confirm adherence to timing requirements associated with use of crating systems.

Clarity

73 Level of clarity for both options is considered the same as for status quo.

Summary

74 Option 1 and 2 are both considered more effective than the status quo. Option 2 is more efficient, representing the minimum necessary to meet the Act's requirements while being easier to enforce through regulation.

Issue 2: Mating stalls

What options are being considered?

Status quo

75 Up until 18 December 2025, mating stalls are permitted for use for up to one week per reproductive cycle, to enable artificial insemination or natural mating (Regulation 27 of the Regulations). After this date, there will be no legal framework in place for their appropriate use. Even though other options are assessed against this option in this RIS, the lack of legal framework guiding the appropriate use of mating stalls beyond December 2025 means the status quo is not a feasible option long-term.

Option 1 - Limiting the use of mating stalls to three hours at a time

76 Under option 1, a regulation is being proposed that limits the use of mating stalls to a maximum of three hours at a time, with no specific restriction in regulations on frequency of use; effective from 19 December 2030. A five-year transition period would help farmers to adapt their systems and practices.

Which option is likely to best address the problem, meet the policy objectives, and deliver the highest net benefits?

77 The key concern regarding mating stalls is that housing a sow in a mating stall for a week does not allow the sow adequate opportunities to display normal behaviours.

78 During public consultation, not many submissions from animal welfare advocates referred to mating stalls. However, those submissions that did refer to mating stalls supported a restriction or end to their use. Most pig farmer submitters supported the NZ Pork proposal for mating stalls, which was also to restrict their use.

Effectiveness

79 Option 1 has been recommended by NAWAC and responds to the 2020 High Court ruling. The practical effect of option 1 would be less time for sows spent in mating stalls. Under current regulations a sow would spend just over two weeks per year in a mating stall.[7] Advice from technical specialists is that most sows are successfully mated within three attempts. Based on a sow coming into heat twice a year, we can expect a sow would spend approximately 18 hours per year in a mating stall. Option 1 is therefore more effective than the status quo.

Efficiency

80 Under option 1, farmers that currently have conventional mating stalls are likely to use them as they are or convert them to free access stalls. If they keep them as they are, it will likely result in additional labour costs to ensure sows are in stalls for a maximum of 3 hours at a time. There are also practical concerns about feasibility, especially in managing sow behaviour during oestrus and ensuring staff availability for repeated handling. For those that choose to upgrade their stalls, there will be some capital expenditure but potentially savings on labour costs. Monetised cost estimates for option 1 are not provided here, as they are highly dependent on the specific circumstances of each farm. However, they are considered by stakeholders to be manageable and outweighed by long-term welfare and compliance benefits.

81 Investment in free access stalls over time will support administrative efficiency, as it will simplify compliance verification for time spent in mating stalls, relative to a manual, labour-dependent process of moving sows.

Equity and Clarity

82 There is some potential for inequitable impact on smaller operations, which may be more reliant on basic methods like conventional mating stalls to manage breeding. A reasonable transition period will assist in mitigating this impact.

83 The lack of restriction on the number of times a sow may be put in a mating stall may result in some lack of clarity and certainty about overall time spent in mating stalls.

Summary

84 Compared to the status quo, option 1 is more effective in addressing the issue of excessive sow confinement. It provides a legally enforceable limit, supports better welfare outcomes, and delivers practical benefits through a structured transition. The proposal aligns with societal expectations and delivers net benefits across animal welfare, operational feasibility, and policy clarity.

Issue 3: Space allowances for weaner and grower pigs

What options are being considered?

Status quo

85 Space allowances are crucial for pigs to express natural behaviours like lying comfortably, moving freely, and separating dunging and resting areas.

86 Regulation 25 of the Regulations provides a formula for determining minimum area requirements for each pig, based on the liveweight of the pig and a coefficient known

[7] Assuming the sow is mated twice a year.

as the k-value. The minimum k-value is currently set at 0.03. This minimum usually applies only in the final growth stage. Weaner and grower pigs are typically housed together. Space decreases as pigs grow to market weight, which may restrict movement and natural behaviours unless additional space is provided.

Option 1 - Increase the minimum space per grower pig by setting a k-value of 0.040

87 Option 1 is to set the k-value at 0.040. This would increase the minimum floor space by 33 percent.

Option 2 - Increase the minimum space per grower pig by setting a k-value of 0.034

88 Option 2 is to set the k-value at 0.034. This would increase the minimum floor space by 13 percent.

Which option is likely to best address the problem, meet the policy objectives, and deliver the highest net benefits?

89 As part of consultation, many submitters supported increasing spacing requirements from the status quo. While animal welfare advocates supported NAWAC's proposal (option 1), pig farmers raised concerns about the practicality and economic impacts of that proposal. A k-value of 0.034 was put forward and is supported by the industry.

Effectiveness

90 The current standard (k=0.03) restricts pigs' movement and natural behaviours, particularly in later growth stages. Option 1 delivers the highest welfare benefit, enabling pigs to express a broader range of natural behaviours and reducing welfare risks such as tail-biting. Option 2 also provides enough room for pigs to lie comfortably and socially. However, they may not necessarily be able to lie fully apart in hot conditions potentially impacting pigs' ability to manage thermal stress as well as under option 1. Both options represent an improvement on the status quo and meet key welfare outcomes such as reduced tail-biting and basic comfort.

Efficiency

91 There is uncertainty about the k-value that best reflects the minimum necessary to meet the obligations of the Act. Industry considers a k-value of 0.040 to be above the minimum necessary. On the other hand, while 0.034 is supported by some research, NAWAC considers that this lower value does not allow for separate dunging and lying areas, which are important for supporting pigs' natural behaviours. NAWAC has stated that a k-value of 0.036 is the minimum necessary to maintain this.

92 A k-value of 0.040 (option 1) is likely to mean pig farmers will need to invest in building new, larger grower pens, increasing space by 33 per cent. This would result in an estimated capital expenditure of $410,000 for an average 350-sow farm, and increased operating costs of $5,000 annually, due to increased heating requirements.

93 A k-value of 0.034 is (option 2) also likely to mean many pig farmers will need to invest in building new, larger grower pens, increasing space requirements by 13 per cent. This would result in an estimated capital expenditure cost of $171,000 for an average 350-sow farm and increased operating costs of $2,000 annually, due to increased heating requirements

94 Option 1 comes with a more significant capital and operating costs and practical challenges, requiring major facility upgrades that could disrupt production and place financial strain on farmers. Option 2 strikes a better balance, offering welfare improvements that are economically and operationally feasible, with more moderate costs and manageable infrastructure changes for most farms then option 1.

Equity and Clarity

95 Option 1's higher costs and infrastructure demands may disproportionately impact smaller farms. In comparison, Option 2 provides a more equitable approach by delivering meaningful welfare gains while reducing financial and operational burdens, ensuring fairer treatment across a range of farming operations.

96 Both options 1 and 2 would ensure a clear, measurable, and enforceable regulatory bar. This would aid compliance by farmers and enforcement by regulators, noting there is already familiarity with the formula under the status quo.

Summary

97 Option 2 is preferred as it delivers significant welfare improvements while remaining economically viable and practical for the industry. It meets the needs of pigs and farmers, providing clear, enforceable standards without imposing undue hardship.

Issue 4: Manipulable material

What options are being considered?

Status quo

98 NAWAC identified the need to provide sows with manipulable material, to enable them to engage in nesting behaviours. Research has shown sows carrying out abnormal redirected nest-building behaviours (such as bar biting and pawing at floors) in the absence of manipulable materials.

99 Currently, only piggeries built after 3 December 2010 must provide manipulable materials that support natural behaviours.

Option 1: Require manipulable and deformable materials for all sows

100 Option 1 would require all piggeries to provide sows with manipulable and deformable materials, regardless of when they were built.

Which option is likely to best address the problem, meet the policy objectives, and deliver the highest net benefits?

101 The 2020 High Court ruling found the status quo to be failing to meet welfare requirements, leading to proposals to extend requirements to all sows.

102 Few submissions addressed manipulable materials in the draft Pigs' Code. Among those that did, animal welfare advocates supported requiring them for all pigs to support natural behaviours like nest-building. Most pig farmers backed NZ Pork's proposal to provide such materials to all sows, especially before farrowing, as a practical welfare measure. NZ Pork emphasised that standards should be outcomes-based, allowing flexibility for farm-specific solutions rather than prescribing specific materials or quantities.

Effectiveness

103 The status quo unfairly limits protections and risks public trust. Inconsistent standards fall short of societal expectations for humane treatment of all pigs.

104 Option 1 is more effective than the status quo because it guarantees that all sows, regardless of facility age, can engage in natural behaviours essential for their physical and psychological wellbeing.

Efficiency

105 Costs associated with option 1 are estimated to be modest: around $1,600 annually for a 350-sow farm using low-cost materials, and no significant indirect economic impacts are expected. This option represents an efficient way to support welfare needs of pigs.

106 Option 1 is also more efficient to implement and enforce due to its clear, measurable requirements.

Equity and Clarity

107 Option 1 would improve equity in pig farming, by applying the same standards to all producers. This creates a fair and transparent system that provides clear expectations for farmers and regulators and simplifies compliance monitoring.

Summary

108 Based on the analysis, option 1 is the preferred option. It directly addresses the welfare gap created by the current regulation, which only applies to facilities built after 3 December 2010.

Summary of options and their analysis

109 Table Three provides a summary of the assessment of each of the options discussed above.

Table Three: Summary of analysis of options

Key for qualitative judgements	++ much better than doing nothing / the status quo	+ better than doing nothing / the status quo	**0** about the same as doing nothing / the status quo	– worse than doing nothing / the status quo	– – much worse than doing nothing / the status quo

			Assessment against criteria (relative to status quo)				
Context	**Policy issues**	**Options**	**Effectiveness**[8]	**Efficiency**	**Equity**	**Clarity**	**Overall**
The current regulations that govern farrowing crates (Reg 26) and mating stalls (Reg 27 within the Animal Welfare (Care and Procedures) Regulations 2018 were intended to be temporary and contain a sunset clause. The regulations will be revoked on 18 December 2025. There will be no compliant framework for the use of these, and this will lead to potential for animal welfare risk, legal risk and uncertainty for the industry. The High Court in 2020 raised four policy issues that need remedying.	**Issue 1: Farrowing crates** At present, Regulation 26 requires that: • farrowing crates are only used for a maximum of five days before and four weeks after farrowing, and • Minimum size requirements. After 18 December 2025, there will be no framework in place of the appropriate use of farrowing crates.	**Status quo:** No ban on use of farrowing crates, and no legal framework for their appropriate use (not a feasible option).					
		Option 1: Allow free farrowing only, with a 6.5m² spacing requirement (NAWAC proposal).	+ Better allows normal behaviour, strong improvement in sow welfare. Piglet mortality risk may rise but can be mitigated with good design. Aligns with legal and scientific standards.	– – Est. $595k plus land costs in capex. May not be viable for most indoor producers. High upfront costs for farmers, possible short-term productivity losses. Potential to improve over time with good system design. Efficient regulation as a ban allows easier enforcement.	– – Potential disadvantage to smaller farmers due to high costs/scale effects.	**0** Level of clarity same as with status quo.	+
		Option 2 (preferred): Allow temporary crating only, for up to seven days.	+ Better allows normal behaviour, strong improvement in sow welfare. Crating still limits natural behaviour, and piglet crushing could still occur. However, the shorter duration reduces some impacts.	– Est. $507k in capex. Economic impact associated with piglet mortality likely to be less than under option 1. Some costs, but more viable than status quo and not requiring costly transition of option 1.	– Potential disadvantage to smaller farmers due to high costs/scale effects. But enabling greater choice (than option 1) is equity-promoting as smaller farmers can opt to free-farrow for higher value product or utilise temporary crating, depending on their economic fundamentals.	**0** Level of clarity same as with status quo.	++
	Issue 2: Mating stalls At present, as set out in Regulation 27, mating stalls can be used for up to a week at a time, to enable artificial insemination or mating when the sow is in heat. After 18 December 2025, there will be no framework in place of the appropriate use of mating stalls.	**Status quo:** No ban on use of mating stalls, and no legal framework for their appropriate use, (not a feasible option).					
		Option 1 (preferred): Limit use of mating stalls to three hours at a time from 19 December 2030 (NAWAC proposal).	+ Improves animal welfare relative to status quo. Clear limits provide better behavioural outcomes for sows. NAWAC's intention and aligns with minimum welfare expectations.	+ Costs not estimated due to farm variation but potential for higher labour costs to ensure sows are in stalls for only 3 hours at a time, or capex if converting to free access stalls. Simplified compliance verification where a farm is moving to the latter.	– Smaller operations may be more reliant on basic methods like conventional mating stalls to manage breeding. Therefore, potential for disproportionate impact. Transition period will assist in mitigating this impact.	– Lack of restriction on frequency may result in some lack of clarity. Potential lack of certainty about overall time spent in stalls, given there is no frequency limit.	+

[8] Improvement in effectiveness over and above the status quo is a minimum requirement of any option.

			Assessment against criteria (relative to status quo)				
Context	**Policy issues**	**Options**	**Effectiveness[8]**	**Efficiency**	**Equity**	**Clarity**	**Overall**
	Issue 3: Spacing requirements for grower and weaner pigs Regulation 25 sets out the minimum spacing requirements for grower pigs, specifying a formula that calculates the minimum area per pig using a defined k-value. While Regulation 25 is not subject to a sunset clause, there is a need to ensure the current k-value and spacing formulas adequately reflect evolving animal welfare science and industry practices, to ensure sufficient space is provided for the welfare and natural behaviours of grower and weaner pigs.	**Status quo:** No change to Regulation 25, stipulating a k-value of 0.03					
		Option 1: Increase the minimum space per grower pig by setting a k-value of 0.040	++ Improves compliance with section 4(c), supporting natural behaviours, as compared to status quo (an increase of 33 percent above the current level).	– Est. $410k in capex; $5k per year increase in heating costs. May exceed the Act minimum (and therefore increased risk of legal challenge); likely not economically viable for most farmers; efficient enforcement.	– Potential disadvantage to smaller farmers due to high costs/scale effects. Transition period will help mitigate this burden.	**0** No difference relative to status quo.	+
		Option 2 (preferred): Increase the minimum space per grower pig by setting a k-value of 0.034	+ Likely meets section 4(c) requirements (an increase in the minimum space requirement of 13 percent above the current level)	+ Est. $171k in capex; $2k per year increase in heating costs. Economically viable option. Relatively efficient way to support compliance with minimum obligations in the Act (but noting legal uncertainty about the minimum necessary).	– Potential disadvantage to smaller farmers due to high costs/scale effects. Transition period will help mitigate this burden.	**0** No difference relative to status quo.	++
	Issue 4: Provision of manipulable materials Current regulations only require manipulable materials for sows in piggeries built after 2010, leaving many pigs without access to materials that support natural behaviours. The 2020 High Court ruling found existing standards invalid for failing to meet welfare requirements.	**Status quo:** Continue to require provision of manipulable material only for piggeries built after 2010					
		Option 1 (preferred): Require manipulable and deformable materials for all sows.	+ Regulation will require manipulable and deformable materials in all facilities, including pre-2010—an improvement in effectiveness.	+ Est. cost of $1.6k per annum. Changes can be integrated into the existing systems (does not require major infrastructure upgrades); The minimum obligations of the Act can therefore be met efficiently. Administratively efficient—enforcement possible for all facilities.	+ Fairer than pre- and post-2010 requirement. Applies to all farmers—burden shared—an improvement.	+ Reduced ambiguity as to which piggeries the requirement applies to.	++

Marginal costs and benefits

110 Table Four uses the following assumed amounts (where these are not able to be estimated or confirmed):

- Low impact (at the national level): Up to $2 million
- Medium impact (at the national level): Between $2 million - $5 million
- High impact (at the national level): Over $5 million

111 The estimates reflect the costs of all preferred options for all pig producers collectively.

Table Four: Estimated costs and benefits for the favoured proposals

Affected groups *(identify)*	**Comment** *nature of cost or benefit (e.g. ongoing, one-off), evidence and assumption (e.g. compliance rates), risks.*	**Impact** *$m present value where appropriate, for monetised impacts; high, medium or low for non-monetised impacts.*	**Evidence Certainty** *High, medium, or low, and explain reasoning in comment column.*
Additional costs of the preferred option compared to taking no action			
Regulated groups – pig farmers	One-off cost of capital expenditure for an indoor 350-sow farm. Assuming 44 commercial indoor farms,[9] each having to spend $678,000. Additional ongoing operating expenditure costs not included.	High $29.8m	Medium – exact number of indoor commercial farmers not known, and costs would vary for each farm.
Regulators – MPI Compliance	Ongoing costs of compliance activity, unlikely to be large increase on current activities.	Low	Medium
Total monetised costs	$678,000 per farm	$29.8m	Medium
Additional benefits of the preferred option compared to taking no action			
Regulated groups	Enhanced public trust, and reputational gains for New Zealand as a responsible food producer. Consistent standards across all facilities.	Non-monetised	Low
Others (e.g. wider govt, consumers, etc.)	Increased public confidence that domestic pork products are	Non-monetised	Low

[9] There are estimated to be 70-80 commercial piggeries in New Zealand and 53 percent of sows in New Zealand are raised in indoor piggeries. Therefore, the assumption is that 44 commercial indoor piggeries will be impacted.

	produced in line with expectations of high animal welfare.		

Section 3: Delivering an option

Implementation

112 The proposed regulations need to be given effect through an amendment to the Act. The Minister intends to issue a new Pigs' Code to come into effect on 19th December 2025. Where the new regulations affect the existing contents of the Pigs' Code, the Pigs' Code will be amended to align with the new regulations and be re-issued.

113 To allow pig farmers time to become familiar with, and prepare for, the new requirements before they come into force, an extension to the current transition date for farrowing crates and mating stalls to 18 December 2030 is proposed by MPI. In addition, a delayed commencement date is proposed for the proposals on spacing requirements for grower and weaner pigs. The rationale for the transition timeframes adopted in this analysis is presented earlier, Table Two (on page 15).

114 To support implementation, MPI will work with stakeholders to make sure that educational and communications material is developed to help pig farmers understand the new requirements and are able to comply with them.

115 MPI will have responsibility for the enforcement of the regulations. MPI focuses on enforcement of regulations relating to production (farm) animal welfare issues. A range of enforcement options are available in the animal welfare regime. This includes, issuance of educational material as may be more appropriate for first offences, where there is a genuine lack of knowledge, and the offending was minor. Infringement fines can also be issued. Prosecutions can be taken, depending on the specific circumstances.

Monitoring, evaluation and review

116 MPI has databases to record breaches of regulations, and the outcomes of the investigation of those breaches. Analysis of the databases is undertaken to identify compliance trends. Those databases will be adapted to include the new regulations to assess compliance and enforcement issues. Noting that compliance activity is largely reactive to complaints received, MPI will also consider new ideas for monitoring compliance suggested by stakeholders.

117 MPI proposes to review the performance of the regulations once embedded, as part of its strategic reviews of the animal welfare system. These reviews look at whether the regulations are achieving their objectives, stakeholder awareness of their obligations, and whether there are any barriers to implementation.

118 In addition, if it becomes apparent at any time that these proposed regulations, or aspects of these regulations, were not working as intended, the proposed regulations may be reviewed for efficacy, and follow-up actions undertaken as appropriate and necessary to ensure the purposes of the Act are being met.

119 MPI regularly engages with stakeholders to assess issues relating to animal welfare, and the workability of the animal welfare framework in general, including codes of welfare and regulations. These forums provide an opportunity for stakeholders to raise concerns or issues about the proposed regulations outlined in this RIS.

120 As part of the review, MPI may also commission independent assessments or academic research on the welfare impacts of the changes, particularly regarding the transition to use of new farrowing crate practices and increased space allowances for

grower and weaner pigs. These reviews are expected to inform potential future updates to the Pigs' Code, ensuring ongoing alignment with scientific best practice, international standards, and sector capabilities.