

## 1975 No. 1024

## ANIMALS

## DISEASES OF ANIMALS

**The Transit of Animals (Road and Rail) Order 1975**

Made - - - 19th June 1975

Coming into Operation as provided for in Article 1

The Minister of Agriculture, Fisheries and Food and the Secretary of State, acting jointly, in exercise of the powers conferred by sections 1(1) and (2)(a), (d) and (h), 20(ii), (v), (viii), (ix), (x) and (xi), 22(3), 77(3) and 85(1) of the Diseases of Animals Act 1950(a), and now vested in them(b), and of all their other enabling powers, hereby order as follows:—

*Citation, extent and commencement*

1.—(1) This order, which may be cited as the Transit of Animals (Road and Rail) Order 1975, shall apply throughout Great Britain, and shall, except for Article 3 hereof and Schedule 1 hereto, come into operation on 1st August 1975.

(2) Article 3 of and Schedule 1 to this order shall come into operation with respect to a vehicle or receptacle—

- (a) which has not been used for the carriage of animals on or before the date specified in paragraph (1) above, on 1st August 1976; and
- (b) which has been used for the carriage of animals on or before the date so specified, on 1st August 1980.

*Interpretation*

2.—(1) In this order, unless the context otherwise requires—

“accessory” means any detachable partition or barrier, loading board, rope, net or other apparatus or thing, used in connection with the carriage of animals in a vehicle or receptacle;

“the Act” means the Diseases of Animals Act 1950, as amended or extended by any subsequent enactment;

“animals” means cattle, sheep, swine, goats and horses;

“approved disinfectant” means a disinfectant approved for the time being by the Minister under the provisions of Part IV of the Diseases of Animals (Approved Disinfectants) Order 1972(c), as amended(d);

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(a) 1950 c. 36.

(b) By the Transfer of Functions (Animal Health) Order 1955 (S.I. 1955/958; (1955 I, p. 1184)).

(c) S.I. 1972/1413 (1972 III, p. 4281).

(d) S.I. 1974/799, 1975/95 (1974 II, p. 3059; 1975 I, p. 280).

- “calves” means cattle under the age of 6 months;
- “cattle” means bulls, cows, steers, heifers and calves;
- “diseased” means affected with disease, and “suspected” means suspected of being so affected;
- “horse” includes pony, ass, mule and hinny;
- “inspector” means a person appointed to be an inspector for the purposes of the Act by the Minister of Agriculture, Fisheries and Food or by a local authority, and when used in relation to a person so appointed by the said Minister, includes a veterinary inspector;
- “journey” means the complete journey by road or rail undertaken by an animal in Great Britain, or, where part of a journey is undertaken outside Great Britain, so much of that journey as is undertaken in Great Britain, whether the animal is carried in one or in more than one vehicle or receptacle in the course of that journey, and includes any period during which a vehicle or receptacle which contains the animal is not in motion, and any period during which the animal is unloaded from a vehicle or receptacle for the purpose of resting, feeding or watering, transfer to another vehicle or receptacle, or for any other purpose;
- “litter” means a suitable substance commonly used for the bedding of animals;
- “market” includes a market place, fairground, highway, sale-yard or other premises or place in or upon which markets, fairs or sales of animals are held, together with any lair adjoining or used in connection with a market;
- “the Minister” means, in relation to the application of this order to England and Wales, the Minister of Agriculture, Fisheries and Food, and, in its corresponding application to Scotland, the Secretary of State;
- “pen”, when used in connection with a vehicle or receptacle, means any division or sub-division of that part of the vehicle or receptacle which is used for the carriage of animals;
- “ramp” includes a falling loading door;
- “receptacle” means a crate, box or other rigid container used for the carriage of animals which is not self-propelled, and which does not form part of a vehicle;
- “unfit” includes infirm, diseased, ill, injured and fatigued;
- “vehicle” means—
- (a) in relation to the carriage of animals by road, any vehicle (including a trailer of any description and the detachable body of a vehicle) constructed or adapted for use on a road, whether drawn or propelled by animal or mechanical power; and
  - (b) in relation to the carriage of animals by rail, rolling stock of any description;
- “veterinary inspector” means a veterinary inspector appointed by the Minister of Agriculture, Fisheries and Food.

(2) Other expressions used in this order have, so far as the context admits, the same meanings as in the Act.

(3) The Interpretation Act 1889(a) applies to the interpretation of this order as it applies to the interpretation of an Act of Parliament, and as if this order and the orders hereby revoked were Acts of Parliament.

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(a) 1889 c. 63.

*Construction and maintenance of vehicles and receptacles used for the carriage of animals*

3. Subject to the provisions of this order, no person shall use a vehicle or receptacle for the carriage of an animal by road or rail, or cause or permit a vehicle or receptacle to be so used, other than—

- (a) a vehicle constructed and maintained in accordance with the provisions of Part I or, as the case may be, Part II of Schedule 1 to this order; or
- (b) a receptacle constructed and maintained in accordance with the provisions of Part III of that Schedule.

*Protection of animals during loading and unloading*

4.—(1) No person shall load an animal into or unload an animal out of a vehicle or receptacle, or cause or permit an animal to be so loaded or unloaded, otherwise than in accordance with the following provisions of this Article.

(2) The loading or unloading shall be effected in such a way as will ensure that the animal is not caused injury or unnecessary suffering by reason of—

- (a) the excessive use of any instrument or thing used for driving the animal; or
- (b) coming into contact with any part of the vehicle or receptacle, or with any fitting thereof or accessory carried therein, or with any other obstruction.

(3) Subject to paragraph (5) below, no animal shall be loaded into or unloaded out of a vehicle or receptacle otherwise than by means of—

- (a) a ramp which is carried on the vehicle, or on the vehicle on which the receptacle is to be or has been transported, and which is constructed and maintained in accordance with the provisions of paragraph 5 of Part I or, as the case may be, paragraph 16 of Part II of Schedule 1 to this order;
- (b) a ramp which is not carried on the said vehicle, but which is of suitable height and design for the purpose;
- (c) a loading bank which is of suitable height for the purpose;
- (d) suitable mechanical lifting gear, whether or not forming part of a vehicle; or
- (e) manual lifting or carrying.

(4) When a vehicle is carrying an animal which has been loaded into it by a method specified in any of sub-paragraphs (b) to (d) of paragraph (3) above, or is transporting a receptacle containing an animal which has been loaded therein by any such method, that vehicle shall at all times carry a ramp which can be used for unloading the animal in case of emergency, and which is of suitable height and design for the purpose.

(5) Paragraph (3) above shall not apply to the loading of an animal into or the unloading of an animal out of a vehicle or receptacle the floor of which is (at the time of loading or unloading) not more than 31 cm above ground level.

(6) Subject to paragraph (7) below, where an animal is loaded into or unloaded out of a vehicle or receptacle by means of a ramp, the ramp shall be—

- (a) provided on each side with protection which extends to a height of not less than 1.3 m above the ramp, and which is—
  - (i) of sufficient strength and length to prevent any animal using the ramp from falling, and
  - (ii) so fitted in position as to ensure that any gap between the lower end of the side protection and the surface of the ramp will not result in damage or injury to the limbs of any such animal; and
- (b) so secured in position as to ensure that any gap which exists between the side protection and the vehicle or receptacle will not result in injury or unnecessary suffering to any animal using the ramp.

(7) Sub-paragraph (6)(a) above shall not apply to the loading of a horse into or the unloading of a horse out of a vehicle by means of a ramp if—

- (a) the vehicle has been specifically constructed for the carriage of horses; and
- (b) loading and unloading is only effected by leading each horse into and out of the vehicle.

*Movement of animals within a vehicle or receptacle*

5.—(1) No person shall move an animal from one floor of a vehicle or receptacle to another, or cause or permit an animal to be so moved, otherwise than by means of—

- (a) a ramp constructed and maintained in accordance with the provisions of paragraph 6 of Part I of Schedule 1 to this order;
- (b) suitable mechanical lifting gear, whether or not forming part of the vehicle; or
- (c) manual lifting or carrying.

(2) The surface of every passageway within a vehicle or receptacle which is used in connection with the loading of animals into, the unloading of animals out of or the movement of animals within that vehicle or receptacle shall be so constructed or treated, and shall be so maintained, as to prevent, so far as is practicable, any animal using the passageway from slipping.

*Protection of animals during carriage*

6.—(1) No person shall carry an animal in a vehicle or receptacle, or cause or permit an animal to be so carried, otherwise than in accordance with the following provisions of this Article.

(2) Subject to paragraph (3) below, an animal shall only be carried in a vehicle or receptacle in such a way as will ensure that it is not caused injury or unnecessary suffering by reason of—

- (a) its being exposed to the weather;
- (b) an inadequate supply of fresh air being available for the animal during its confinement in the vehicle or receptacle;
- (c) inadequate provision being made to prevent the animal from falling out of or escaping from the vehicle or receptacle; or
- (d) any other cause.

(3) Where sheep are carried in a vehicle which contains more than two floors on which animals can be accommodated, or in a vehicle which has been adapted so as to contain more than two such floors, nothing in paragraph (2) above shall render it unlawful for the sheep on the top floor of the vehicle to be carried without a protective covering, so long as the sheep are not, by reason of the absence of such a covering, caused injury or unnecessary suffering.

(4) Where, in accordance with paragraph 2(2) of Schedule 2 to this order, two or more horses are carried loose in an undivided vehicle, receptacle or pen, the hind feet of each horse shall be unshod.

(5) Where the floor of a vehicle or receptacle which is used for the carriage of animals is not of an anti-slip design, it shall be strewn with a sufficient quantity of sand or other suitable substance to provide any animal being carried therein with a proper foothold.

(6) When a partition is used in a vehicle or receptacle to separate animals being carried therein, it shall be of a height (when fitted in position) of not less than—

- (a) 1.27 m in the case of cattle (other than calves) and horses;
- (b) 76 cm in any other case.

(7) No animal shall be carried in a vehicle or receptacle unless it is accompanied by an attendant, who shall be responsible for the general care of the animal, and for ensuring that it is fed and watered in accordance with the provisions of this order; and for the purposes of this paragraph, the driver of the vehicle (in the case of carriage by road) and the guard of the train (in the case of carriage by rail) may act as such attendant.

(8) Every vehicle and receptacle used for the carriage of animals shall be provided with a means of artificial lighting (whether fixed or portable) which is capable of adequately illuminating the interior of the vehicle or receptacle for the purpose of facilitating the proper care of any animal being carried therein.

(9) The floor of every vehicle or receptacle being used for the carriage of calves or pigs shall be covered with an adequate quantity of litter which has not previously come into contact with any other animal; but notwithstanding the foregoing provisions of this paragraph, where a vehicle or receptacle is used for the carriage of calves or pigs between the same two points (other than between two markets) on two or more consecutive occasions in the course of a single day, the same litter may be used on each such occasion.

(10) Where the accommodation available for the carriage of animals in a vehicle or receptacle comprises two or more floors, or has been adapted so as to comprise two or more floors, there shall be—

- (a) sufficient distance between each floor and the roof thereof to enable each animal being carried to stand in its natural position;
- (b) sufficient space above each animal to allow for the proper circulation of air; and
- (c) satisfactory access to each such floor.

(11) Where a vehicle or receptacle is used for the carriage of horses, there shall be a minimum distance of 1.98 m between the floor of the vehicle or receptacle and the roof thereof:

Provided that the minimum distance referred to in the foregoing provisions of this paragraph shall only apply in so far as it permits every horse being carried in a vehicle or receptacle to stand in its natural position.

*Overcrowding*

7. It shall be the duty of the carrier or other person in charge of animals being carried by road or rail to ensure that no vehicle or receptacle, or pen contained therein, is overcrowded so as to cause injury or unnecessary suffering to any animal being carried.

*Requirements with regard to the accommodation of animals during carriage*

8.—(1) No person shall carry an animal by road or rail, or cause or permit an animal to be so carried, otherwise than in accordance with the following provisions of this Article.

(2) Where the space available for the carriage of animals in a road vehicle, or in a receptacle which is being transported on a road vehicle, exceeds—

- (a) 3·1 m in length when the animals being carried therein consist of sheep, swine or goats, or
- (b) 3·7 m in length when the animals being carried therein consist of horses,

a partition or partitions shall be fitted so as to form a pen or pens not exceeding 3·1 m or, as the case may be, 3·7 m in length.

(3) Where the space available for the carriage of animals in a road vehicle, or in a receptacle which is being transported on a road vehicle, exceeds 3·7 m in length, and the animals being carried therein consist of cattle (other than calves), a partition or partitions shall be fitted so as to form a pen or pens of such length as will ensure that the cattle being carried therein are not caused injury or unnecessary suffering by reason of their being thrown about by the motion of the vehicle.

(4) Where calves are being carried in a vehicle or receptacle, and the space available for the carriage of animals therein exceeds 2·5 m in length, a partition or partitions shall be fitted so as to form a pen or pens not exceeding 2·5 m in length.

(5) Where the number of animals carried in a vehicle, receptacle or pen is less than the maximum number of animals which, regard being had to their size, could be accommodated in that vehicle, receptacle or pen without overcrowding, a partition shall be so placed therein as to ensure that the animals are not thrown about during carriage by the motion of the vehicle, but not so as to cause overcrowding.

(6) Where horses are loaded in a vehicle in such a way as will ensure that—

- (a) each horse will stand facing the front or the rear of the vehicle during carriage, each horse shall be tied where necessary, and each group of horses shall be separated from every other group by means of an adequate partition placed across the vehicle; or
- (b) each horse will stand across the vehicle during carriage, each horse shall be tied where necessary, and adequately supported against the motion of the vehicle.

(7) Where a receptacle is being used for the carriage of animals, it shall not be placed on top of another receptacle when being transported on a vehicle, and every such receptacle shall—

- (a) be secured when being so transported so as to—
  - (i) prevent its displacement by the motion of the vehicle, or by the action of the weather,
  - (ii) provide adequate ventilation for the animals being carried therein, and
  - (iii) provide unimpeded access to such animals; and
- (b) have securely attached thereto—
  - (i) a label or other form of notice indicating that the receptacle contains live animals, and stating the species of those animals, and
  - (ii) a sign indicating the upright position of the receptacle.

*Separation of animals during carriage*

9. Subject to the provisions of paragraphs (5) and (6) of Article 8 of the Movement and Sale of Pigs Order 1975<sup>(a)</sup> (which regulates the categories of pigs which can be carried together in a road vehicle), the provisions of Schedule 2 to this order shall apply in relation to the categories of animals which may or may not be carried together in an undivided vehicle, receptacle or pen, and no person shall carry animals in a vehicle or receptacle, or cause or permit animals to be so carried, otherwise than in accordance with the provisions of that Schedule.

*Feeding and watering of animals during carriage*

10.—(1) Subject to paragraph (2) below, the carrier or other person in charge of an animal being carried by road or rail shall ensure that it is offered adequate and suitable food and wholesome water at intervals not exceeding 12 hours during the journey.

(2) Notwithstanding the provisions of paragraph (1) above, when a journey is completed within a period of 15 hours from the time when the animal was last fed, or from the time when the journey commenced (whichever is the later), it shall be sufficient if the animal is fed immediately on its arrival at the end of the journey; and where this paragraph applies, it shall be the duty of the person taking delivery of the animal at the end of the journey to ensure that it is immediately offered adequate and suitable food.

(3) For the purposes of this Article, a journey shall be deemed to have commenced when the animal or, where two or more animals are being carried together, the first of those animals came into the possession of the carrier by whom it was carried for the first part of the journey, and the journey shall be deemed to have ended when the animal or, as the case may be, the last animal has been unloaded from the vehicle or receptacle at its final destination; and for the purposes of this paragraph, “final destination” means, in relation to an animal—

- (a) which is being carried to a market, the market; and
- (b) which is intended to be exported from Great Britain—

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<sup>(a)</sup> S.I. 1975/203 (1975 I, p. 491).

- (i) where the animal is required by law to undergo a period of rest before such exportation, the premises at which it is to undergo that period of rest, and
- (ii) in any other case, the vessel or aircraft by means of which it is to be exported from Great Britain.

(4) The British Railways Board and every railway company shall ensure that at every railway station at which animals are loaded, unloaded or detained during transit, there are sufficient quantities of suitable food and an adequate supply of water available for consumption by such animals.

(5) Where a calf is being carried by road or rail (other than a calf which is accompanied by a cow which is suckling it), it shall be unlawful to feed to it any milk, other than milk which has been reconstituted from dried milk; and for the purposes of this paragraph, "dried milk" means milk, partly skimmed-milk or skimmed-milk, which has been concentrated to the form of powder or solid by the removal of water.

*Unfit animals and animals likely to give birth during carriage*

11.—(1) Subject to Article 12 below, no animal which is unfit shall be permitted by its owner or his agent, or by the consignor, carrier or other person in charge of the animal, to be carried or, where a journey has commenced, to be further carried by road or rail if, by reason of its unfitness, the animal is likely to be subjected to unnecessary suffering.

(2) Where the owner of an animal or his agent, or the consignor, carrier or other person in charge thereof, has reason to believe that the animal is likely to give birth in the course of a proposed journey, he shall not permit the animal to undertake that journey, except with the written authority of a veterinary inspector, and in accordance with the terms and conditions (if any) subject to which the authority is given.

(3) The person in charge of an animal which becomes unfit in the course of a journey shall ensure that it is not carried for a period longer than is necessary to transport it to the nearest available place at which it can receive attention.

(4) Notwithstanding the foregoing provisions of this order, it shall not be unlawful in the case of an emergency for a road vehicle to be used as an ambulance, and for an unfit animal to be carried therein with all practicable speed direct to a place for veterinary treatment, or to the nearest available place at which it can be slaughtered.

*Powers of inspectors in relation to unfit animals and animals likely to give birth*

12.—(1) Where an inspector is of the opinion that an animal intended to be carried or being carried by road or rail—

- (a) cannot, by reason of unfitness, be so carried without unnecessary suffering, or
- (b) is likely to give birth in the course of the journey,

he may take such steps as appear to him to be necessary to mark the animal, and may require the owner or other person in charge thereof to detain it at a suitable place pending its examination by a veterinary inspector, and to unload it out of any vehicle or receptacle for the purpose.



(2) Where a veterinary inspector is satisfied that the condition of an animal is such as would bring it within paragraph (1) above, he may serve on the owner or other person in charge of the animal a notice in writing—

- (a) prohibiting absolutely or for such period as may be specified in the notice the carriage or, as the case may be, the further carriage of the animal; or
- (b) permitting the carriage or further carriage of the animal, subject to such conditions as may be specified in the notice.

(3) The person in charge of an animal intended to be carried or being carried by road or rail shall render such assistance as may be necessary to enable an inspector or veterinary inspector to examine the animal for the purposes of this Article, and shall comply with all reasonable requirements of an inspector or veterinary inspector in connection therewith, and with the provisions of a notice served under paragraph (2) above.

(4) The reasonable expenses arising from the exercise of the powers conferred on an inspector or veterinary inspector by the foregoing provisions of this Article shall be recoverable on demand as a civil debt by the Minister or, as the case may be, the local authority from the owner of the animal.

*Facilities to be provided in connection with animals carried by rail*

13. The British Railways Board and every railway company shall—

- (a) make proper and sufficient provision for the loading, unloading and detention of every animal which is about to be or which has been carried by rail; and
- (b) afford reasonable facilities to an inspector to enable him to examine any animal at the conclusion of that part of its journey which is undertaken by rail, whether before or after the animal has been unloaded from the vehicle in which it has been carried.

*Prohibition on carriage of carcases*

14.—(1) No person shall carry, or cause or permit to be carried, a carcase in a vehicle or receptacle in which a live animal is being carried, other than the carcase of an animal which dies in the course of the journey.

(2) Where an animal dies in the course of a journey while being carried in the same vehicle or receptacle as another animal, the person in charge of the dead animal shall ensure that its carcase does not remain in the vehicle or receptacle with the other animal for a period longer than is necessary to transport it to the nearest available place at which it can be disposed of.

*Cleansing and disinfection of vehicles, receptacles, etc.*

15.—(1) Where, by virtue of this Article or Article 16 below, any place, vehicle, receptacle, accessory, equipment or other thing used in connection with the loading, unloading or carriage of animals by road or rail is required to be cleansed and disinfected, such cleansing and disinfection shall be carried out in accordance with the provisions of Schedule 3 to this order.

(2) Subject to paragraphs (4) and (5) below, every vehicle and receptacle, together with its accessories and any other equipment or thing used in connection with the loading, unloading or carriage of an animal, shall, as soon as practicable after the unloading of the animal or (where two or more animals are carried together) after the unloading of the last animal so carried, be cleansed and disinfected, and such cleansing and disinfection shall in any case be carried out before any animal, carcase or thing intended to be used in connection with an animal is loaded into the vehicle or receptacle.

(3) Every vehicle or receptacle which has been used for the carriage of a carcase or animal manure shall, together with its accessories and any other equipment or thing used in connection with the loading, unloading or carriage of the carcase or manure, be cleansed and disinfected before any animal, or any thing intended to be used in connection with an animal, is loaded into the vehicle or receptacle.

(4) Paragraph (2) above shall not apply to a vehicle or receptacle which is used exclusively, in the course of a single day, for the carriage of animals between the same two points, other than between two markets:

Provided that a vehicle or receptacle to which this paragraph applies shall, together with its accessories and any other equipment or thing used in connection with the loading, unloading or carriage of animals, be cleansed and disinfected as soon as practicable after the last journey during which an animal is carried on that day, and in any case, before it is used again for the carriage of any animal; and for the purposes of this proviso, "last journey during which an animal is carried on that day" shall be deemed to include—

- (a) a journey commenced but not completed before midnight on the day in question; and
- (b) where an animal carried has been participating in an event taking place during, or continuing into, the evening of the day in question, a journey commenced as soon as practicable after the end of that event, whether or not it is commenced before midnight.

(5) Paragraph (2) above shall not apply to a vehicle or receptacle used exclusively—

- (a) by the owner thereof for the carriage of his own horse; or
- (b) by the occupier of racing stables licensed by the Jockey Club, for the carriage of horses kept at those stables to or from race meetings, or to or from a place at which horses kept at those stables undergo training for racing:

Provided that a vehicle or receptacle to which this paragraph applies shall, together with its accessories and any other equipment or thing used in connection with the loading, unloading or carriage of horses, be cleansed and disinfected before—

- (i) in the case of a vehicle or receptacle falling within sub-paragraph (a) above, it is used for the carriage of any animal, other than a horse belonging to the owner of the vehicle or receptacle, and
- (ii) in the case of a vehicle or receptacle falling within sub-paragraph (b) above, it is used for the carriage of any animal, other than a horse kept at those stables.

(6) Every pen, fitting, passageway and thing, and any other equipment used in connection with the loading, unloading or detention of animals at a railway station, shall be kept in such condition as will ensure that it is capable of being properly cleansed and disinfected, and shall be so cleansed and disinfected as soon as practicable after being used in connection with an animal or consignment of animals, and before being used in connection with another animal.

(7) Every vehicle and receptacle which has been used for the carriage of a diseased or suspected animal, or for the carriage of the carcase of such an animal, shall, together with its accessories and any other equipment or thing used in connection with the loading, unloading or carriage thereof, be immediately cleansed and disinfected after the animal or, as the case may be, the carcase has been unloaded, and in any case before it is used for the carriage of any animal, or of any thing intended to be used in connection with an animal.

(8) Every pen, fitting, passageway and thing, and any other equipment used at a railway station in connection with the loading, unloading or detention of a diseased or suspected animal, or of the carcase of such an animal, shall be immediately cleansed and disinfected after such use, and in any case before it is used in connection with another animal.

(9) Nothing in the foregoing provisions of this Article shall affect the provisions of paragraphs (1) to (4) of Article 8 of the Movement and Sale of Pigs Order 1975.

*Powers of inspectors and local authorities in relation to cleansing and disinfection*

**16.**—(1) Where an inspector is of the opinion that the provisions of Article 15 above have not been fully complied with in any case, or where he has reasonable grounds for considering that—

- (a) any vehicle or receptacle, or any accessory or other equipment or thing used in connection therewith, or
- (b) any pen, fitting, passageway or thing, or any other equipment used in connection with the loading, unloading or detention of animals at a railway station,

should be cleansed and disinfected apart from those provisions, he may, by notice in writing served on the owner or other person in charge or having the use of that vehicle, receptacle, accessory, equipment or thing, or, as the case may be, on the British Railways Board or a railway company, require such cleansing and disinfection as may be specified in the notice to be carried out, in accordance with such conditions (if any) as may be so specified; and the person on whom such a notice is served shall, at his own expense, carry out the work within the time specified in the notice.

(2) If any person on whom a notice is served under paragraph (1) above fails to comply with any of the requirements thereof, the local authority may, without prejudice to any proceedings for an offence arising out of such default, carry out, or cause to be carried out, the work specified in the notice; and the amount of any expenses reasonably incurred by the local authority in making good the default shall be recoverable by them on demand as a civil debt from the person in default.

(3) Where in the opinion of an inspector any pen, fitting, passageway or thing, or any other equipment used in connection with the loading, unloading or detention of animals at a railway station is not capable, by reason of its design or condition, of being properly cleansed and disinfected in accordance with the provisions of Schedule 3 to this order, he may prohibit in writing its use for that purpose.

(4) A local authority may provide, for the purposes of this order, cleansing and disinfection facilities within their area, and may make charges in respect of the use thereof.

#### *Records*

17.—(1) Subject to paragraphs (4) and (5) below, every person having the management of a vehicle used for the carriage of animals by road shall keep, or cause to be kept, a record in respect of the vehicle and the animals carried therein; and every such record shall be in the form set out in Part I of Schedule 4 to this order (or to the like effect), and shall contain the particulars therein prescribed.

(2) The prescribed particulars, which shall be entered in the record within 18 hours after the carriage of any animal (other than those particulars relating to the times of loading, feeding and watering and unloading, which shall be so entered immediately after loading, feeding and watering or, as the case may be, unloading has taken place), shall be recorded in a permanent and legible form, and the record shall be available at all reasonable times at the office or usual place of business of the person having the management of the vehicle to which it relates.

(3) Where, in the course of a journey, an animal is transferred from one vehicle to another, the carrier or other person having charge of the animal before the transfer takes place shall furnish to the carrier or other person taking charge of the animal after the transfer such information as may be necessary to enable him to complete the record required to be kept by the foregoing provisions of this Article.

(4) Paragraph (1) above shall not apply in respect of a vehicle which is—

- (a) owned by the proprietor of a travelling circus, and which is used exclusively for the carriage of animals appearing in that circus;
- (b) used for the carriage of a horse on a journey which is completed within a period of less than 3 hours.

(5) Except where a vehicle is used to carry a horse on a journey which is not completed within a period of 12 hours, the provisions of paragraph (1) above shall not apply in respect of a vehicle which is used exclusively—

- (a) by its owner for the carriage of a horse which is owned by him, and which is used by him, or by a person acting on his behalf, for recreational purposes only; or
- (b) by the occupier of racing stables licensed by the Jockey Club, for the carriage of horses kept at those stables to or from race meetings, or to or from a place at which horses kept at those stables undergo training for racing.

(6) The British Railways Board and every railway company shall cause a label containing the particulars prescribed in Part II of Schedule 4 to this order to be affixed to the outside of every vehicle being used for the carriage of animals by rail, and a record of the information contained in such label shall be kept by a person who has been designated for the purpose by the Board or the company at the station at which any animal is received and unloaded.

(7) The British Railways Board and every railway company shall designate a person at every depot at which vehicles used for the carriage of animals by rail are cleansed and disinfected to keep a record indicating the date of cleansing and disinfection of every such vehicle, and the place to which it was despatched for loading.

(8) Every record required to be kept by the foregoing provisions of this Article shall be retained for a period of at least six calendar months from the date of the last entry therein, and shall be produced at all reasonable times on demand to an inspector or a police constable, who shall be entitled to make copies thereof, or to take extracts therefrom.

(9) Nothing in the foregoing provisions of this Article shall affect the provisions of the Movement of Animals (Records) Order 1960(a) as amended (b), and any record required to be kept by this Article shall be in addition to any record required to be kept by that order.

(10) A local authority may supply forms of record for the purposes of this Article to any person in the district of the local authority.

*Power of Secretary of State to grant exemptions in respect of the Crofting Counties in Scotland*

18.—(1) The Secretary of State may, if he thinks fit, and subject to such conditions for the protection of animals during their loading, carriage and unloading as he may think expedient, issue a certificate exempting any person within the Crofting Counties from any of the provisions of this order.

(2) For the purposes of this Article “the Crofting Counties” means the former counties of Argyll, Caithness, Inverness, Orkney, Ross and Cromarty, Sutherland and Zetland.

*Exceptions in certain cases*

19.—(1) The provisions of Articles 3, 5, 6(5), 8(4) and (5) and 17 of this order shall not apply to a vehicle having an internal length of not more than 3.1 m available for the carriage of animals which is owned by the owner or occupier of an agricultural unit (other than a dealer), and which is used by him, a member of his family or his employee for the carriage of animals by road to or from the agricultural unit, or any part thereof, so long as the journey is within a radius of 40 km of that part of the agricultural unit at which loading or, as the case may be, unloading takes place.

(2) The provisions of Articles 3, 6(5), 8(2)(b) and 17 of this order shall not apply to a vehicle registered in a country other than Great Britain, or normally kept in such other country, which is being used exclusively for the carriage of horses brought temporarily to Great Britain for racing, breeding or other temporary purpose.

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(a) S.I. 1960/105 (1960 I, p. 302).

(b) S.I. 1961/1493 (1961 II, p. 3016).

(3) For the purposes of this Article—

- (a) “agricultural unit” means land which is occupied and worked as a unit for agricultural purposes, together with all other land (including land held in common) used in connection with such land for the purpose of grazing; and
- (b) “dealer” means a person regularly engaged in the trade or business of selling animals purchased by him or on his behalf for the purpose of resale, and not for the purpose of rearing, milking, fattening or breeding.

#### *Offences*

20. Any person who contravenes any provision of this order, or any provision of a notice served hereunder, or who fails to comply with any such provision, or who causes or permits any such contravention or non-compliance, commits an offence against the Act.

#### *Local authority to enforce order*

21. This order shall, except where otherwise expressly provided, be executed and enforced by the local authority.

#### *Amendment and revocation of existing orders*

22.—(1) The Transit of Animals Order of 1927(a) shall be amended by the substitution for Article 30 thereof of the following Article:—

*“Notification by inspector of unfitness of animals for conveyance by vessel*

30. Where an inspector is of opinion that an animal intended to be conveyed on a vessel from any port in Great Britain cannot, owing to infirmity, illness, injury, fatigue, or any other cause, be so conveyed without unnecessary suffering, or that the animal is likely to give birth during the carriage, he may serve a notice to that effect on the person in charge of the animal and also, when practicable, on the master of the vessel, and until such notice is withdrawn by an inspector it shall be unlawful to convey the animal on a vessel, and if the animal is conveyed in contravention of this Article, the person in charge thereof, and the master of the vessel where the notice has been served on him, shall be deemed guilty of an offence against the Diseases of Animals Act 1950.”

(2) The orders specified in Part I of Schedule 5 to this order are hereby revoked to the extent indicated in column 3 thereof.

(3) The provisions indicated in column 3 of Part II of Schedule 5 to this order of the orders specified in columns 1 and 2 thereof shall—

- (a) cease to have effect in respect of vehicles to which Article 1(2)(a) of this order applies on 1st August 1976; and
- (b) be revoked on 1st August 1980.

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(a) S.R. & O. 1927/289 (Rev. II, p. 259: 1927, p. 57).

(4) Where any measurement referred to in any provision of this order (other than a provision contained in Article 3 hereof or Schedule 1 hereto) differs from any measurement referred to in a corresponding provision to which paragraph (3) above applies, then, notwithstanding the provisions of that paragraph, the measurement referred to in the provision of this order shall be substituted for the measurement referred to in that corresponding provision.

(5) The Transit of Animals (General) Order 1973(a) shall cease to have effect in relation to the carriage by road or rail of the animals to which this order applies.

In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 18th June 1975.

(L.S.)

*Frederick Peart,*

Minister of Agriculture, Fisheries and Food.

*William Ross,*

Secretary of State for Scotland.

19th June 1975.

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(a) S.I. 1973/1377 (1973 II, p. 4251).

## SCHEDULE 1

(Article 3)

## CONSTRUCTION AND MAINTENANCE OF VEHICLES AND RECEPTACLES

## PART I

## ROAD VEHICLES

*Construction of road vehicles*

1. Every road vehicle shall be of substantial design, and so constructed and maintained as to withstand the action of the weather and the weight of any animal which may be thrown against it.

*Provision of partitions*

2.—(1) Subject to sub-paragraph (4) below, each floor of every road vehicle shall, at intervals of not more than 1 m along the body length thereof, be provided with fittings attached to the sides of the vehicle to which partitions can be properly secured.

(2) Every partition shall be of substantial design, and so constructed and maintained as to withstand the weight of any animal which may be thrown against it.

(3) Every fitting and partition shall be so designed and constructed as to ensure that any gap which is left between the lower end of the partition and the floor of the vehicle will not result in damage or injury to the limbs of any animal being carried in the vehicle.

(4) Sub-paragraph (1) above shall not apply to a vehicle which has been specifically designed and constructed, and which is exclusively used, for the carriage of horses which are loaded in such a way as will ensure that during carriage each horse stands facing either the front or the rear of the vehicle.

*Provision of barriers or straps*

3. Every road vehicle shall be equipped, on each floor on which animals are carried, with barriers or (in the case only of a vehicle which is specifically designed and constructed, and exclusively used, for the carriage of horses) with straps, so designed, constructed and maintained as to prevent any animal from falling out of the vehicle when the ramp used for loading and unloading is in the lowered position.

*Protection of animals against slipping*

4. The floor of every road vehicle shall be fitted with suitable foot battens, or some other means of preventing animals from slipping during carriage.

*Ramps used for loading and unloading animals*

5. Every ramp which is carried on or forms part of a road vehicle, and which is used for the purpose of loading animals into and unloading animals out of that vehicle, shall be fitted with suitable foot battens, or some other means of affording a proper foothold to any animal which is using it, and shall be so designed and constructed as to ensure that—

- (a) when in use, the gradient thereof is not steeper than 4 in 7 when the vehicle is on level ground;
- (b) any step at the top of the ramp does not exceed 21 cm in height; and
- (c) any gap between the top of the ramp and the vehicle does not exceed 6 cm in width.

*Internal ramps and lifting gear*

6.—(1) Every road vehicle which contains more than one floor on which animals are carried shall be provided with a suitable ramp or with suitable mechanical lifting gear (to be carried at all times on the vehicle) designed to facilitate the movement of animals from one floor of the vehicle to another.

(2) Every ramp shall be fitted with—

- (a) suitable foot battens, or some other means of affording a proper foothold to any animal which is using it; and
- (b) side railings, or some other means of protection designed and constructed so as to prevent any animal from falling when using the ramp.

(3) Every ramp shall be so designed and constructed as to ensure that, when in use, the gradient thereof is not steeper than 2 in 3 when the vehicle is on level ground.



*Ventilation and disinfection*

7. Every road vehicle shall be so designed, constructed and maintained as to—

- (a) ensure that adequate and suitable ventilation is provided for every animal carried on each floor thereof; and
- (b) enable the vehicle to be cleansed and disinfected in the manner prescribed by this order.

*Provision for inspection of interior of vehicles*

8.—(1) Every road vehicle shall be so designed and constructed as readily to facilitate the inspection from the outside of the vehicle of the interior thereof at each floor level, and for this purpose there shall be provided suitably arranged apertures and footholds.

(2) The requirements of sub-paragraph (1) above shall be satisfied by the provision of a door (other than a door through which animals are loaded and unloaded) giving access to each floor of the vehicle.

*Tying points*

9. Every road vehicle which is used for the carriage of animals which are required by this order to be secured during carriage shall be provided with sufficient tying points designed and constructed for the purpose.

*Interior of vehicles to be free from projections and other hazards*

10.—(1) Where the wheel arches of a road vehicle project into the interior of the vehicle, they shall be fully covered with permanently fitted shields which have been designed and constructed to prevent injury or unnecessary suffering to any animal being carried in the vehicle.

(2) The interior of every road vehicle shall be free from any sharp edges or projections which are likely to cause injury or unnecessary suffering to any animal being carried in the vehicle, and all electrical fittings and wiring shall be so protected as to prevent any such animal from being injured by coming into contact therewith.

*Protective covering*

11.—(1) A road vehicle to which Article 1(2)(a) of this order applies shall be provided with rigid sides and suitable overhead protection.

(2) A road vehicle to which Article 1(2)(b) of this order applies shall either—

- (a) be provided with rigid sides and suitable overhead protection; or
- (b) be so adapted as to enable suitable covering to be fitted to the sides and top to protect animals being carried therein.

(3) Nothing in sub-paragraph (1) above shall preclude a vehicle to which it applies from being constructed or adapted so as to permit the top floor thereof (in the case of a vehicle which contains more than one floor) from being capable of being removed or collapsed when not in use.

## PART II RAIL VEHICLES

*Construction of rail vehicles*

12. Every rail vehicle and its fittings shall be of substantial design, and so constructed and maintained as to withstand the action of the weather and the weight of any animal which may be thrown against it.

*Provision of partitions*

13.—(1) Every rail vehicle shall be equipped, at suitable intervals along its body length, with fittings to which partitions can be properly secured.

(2) Every partition shall be of substantial design, and so constructed and maintained as to withstand the weight of any animal which may be thrown against it.

(3) Every fitting and partition shall be so designed and constructed as to ensure that any gap which is left between the lower end of the partition and the floor of the vehicle will not result in damage or injury to the limbs of any animal being carried in the vehicle.

*Protection of animals against slipping*

14. The floor of every rail vehicle shall be fitted with suitable foot battens, or with some other means of preventing animals from slipping during carriage.

*Weather-proofing*

15. Every rail vehicle shall be fitted with a rigid and weather-proof roof.

*Falling loading doors*

16. Every rail vehicle shall be fitted with a falling loading door which is suitable for the purpose of loading animals into and unloading animals out of the vehicle, and every such loading door shall be provided with suitable foot battens, or with some other means of affording a proper foothold to any animal which is using it.

*Ventilation and disinfection*

17. Every rail vehicle shall be so designed, constructed and maintained as to—

- (a) ensure that adequate and suitable ventilation is provided for every animal being carried therein; and
- (b) enable the vehicle to be cleansed and disinfected in the manner prescribed by this order.

*Provision for inspection of interior of vehicles*

18. Every rail vehicle shall be so designed and constructed as to ensure that the interior thereof can be readily inspected from outside.

*Interior of vehicles to be free from projections*

19. The interior of every rail vehicle shall be free from any sharp edges or projections which are likely to cause injury or unnecessary suffering to any animal being carried in the vehicle.

PART III  
RECEPTACLES

*Construction of receptacles*

20. Every receptacle shall be of substantial design, and so constructed and maintained as to withstand the action of the weather and the weight of any animal which may be thrown against it.

*Requirements for the protection of animals carried in receptacles*

21. Every receptacle shall be so designed, constructed and maintained, and shall be of sufficient size and height, as to ensure that—

- (a) each animal carried therein can be properly accommodated without being caused unnecessary suffering;
- (b) feeding and watering can be effected without removing the animal from the receptacle;
- (c) each animal being carried therein is able to stand in its natural position;
- (d) adequate and suitable ventilation is provided for each animal carried therein;
- (e) suitably placed apertures are available to enable the interior thereof to be readily inspected;
- (f) easy access to the interior thereof is available;
- (g) each animal carried therein is protected from exposure to the weather;
- (h) the interior thereof does not contain any sharp edges or projections which are likely to cause injury or unnecessary suffering to any animal being carried therein; and
- (i) the receptacle can be adequately cleansed and disinfected in the manner prescribed by this order.

*Receptacles to be proof against leakage*

22. Every receptacle shall be so designed, constructed and maintained as to prevent any leakage of liquid matter therefrom or any escape of waste feedingstuffs or animal droppings.

*Protection of animals against slipping*

23. The floor of every receptacle shall be fitted with suitable foot battens, or provided with a suitable anti-slip surface.

*Securing of receptacles to vehicles*

24. Every receptacle shall be so designed, constructed and maintained as to ensure that it is capable of being properly and effectively secured to the vehicle on which it is to be transported.

(Article 9)

## SCHEDULE 2

## SEPARATION OF ANIMALS DURING CARRIAGE

*Extension of definition of "animals"*

1. For the purposes of paragraph 2 of this Schedule, the expression "animals" shall not be restricted to the meaning assigned to it by Article 2(1) of this order, but shall be construed as referring to animals of any species.

*Animals required to be carried separately*

2.—(1) Subject to paragraph 4 below, an animal of one of the following descriptions shall not be carried in the same undivided vehicle, receptacle or pen as any other animal, that is to say—

- (a) a cow when accompanied by a calf or calves it is suckling;
- (b) a bull over 10 months of age, which shall be secured by the head or neck;
- (c) a sow when accompanied by unweaned piglets;
- (d) a boar over 6 months of age;
- (e) a mare with a foal at foot; or
- (f) a stallion.

(2) Subject to sub-paragraph (1) above and paragraph 4 below, animals of any one of the following descriptions may be carried together in the same undivided vehicle, receptacle or pen, but shall be carried separately from any other animal, that is to say—

- (a) horned cattle;
- (b) cattle without horns;
- (c) calves;
- (d) ewes when accompanied by unweaned lambs;
- (e) rams over 6 months of age;
- (f) weaned lambs under 3 months of age;
- (g) other sheep;
- (h) weaned piglets under 3 months of age;
- (i) other swine;
- (j) nanny goats when accompanied by unweaned kids;
- (k) billy goats over 6 months of age;
- (l) weaned kids under 3 months of age;
- (m) other goats;
- (n) broken horses, other than asses, mules and hinnies;
- (o) unbroken horses, other than asses, mules and hinnies;
- (p) asses;
- (q) mules and hinnies;
- (r) foals of any description under 9 months of age.

*Secured and unsecured animals not to be carried together*

3. Notwithstanding the provisions of paragraph 2 above, no unsecured animal shall be carried in the same undivided vehicle, receptacle or pen as any animal which is secured, other than unweaned young which are being carried with a female animal which is suckling them, or an animal to which sub-paragraph 4(b) below applies.

*Exceptions in certain cases*

4. Notwithstanding the provisions of paragraph 2 above—

- (a) no horse shall be carried in the same vehicle or receptacle as any swine;
- (b) subject to sub-paragraph (a) above, a horse registered under the Rules of Racing may be accompanied in the same undivided vehicle, receptacle or pen by an animal which is its stable companion;
- (c) horned cattle and cattle without horns may be carried in the same undivided vehicle, receptacle or pen if all of the animals which are so carried are secured by the head or neck; and
- (d) bulls over 10 months of age which have been reared together, and in respect of which a general permit to keep an unlicensed bull has been issued under the Improvement of Livestock (Licensing of Bulls) Act 1931(a), may be carried in the same undivided vehicle, receptacle or pen without being secured by the head or neck.

## SCHEDULE 3

(Article 15)

## CLEANSING AND DISINFECTION

*Cleansing and disinfection of vehicles and receptacles*

1. Where a vehicle or receptacle is required by this order to be cleansed and disinfected, such cleansing and disinfection shall be carried out in the following manner, that is to say—

- (a) the floor, sides and roof of the interior of the vehicle or receptacle, and the sides and ends of the exterior thereof, together with all fittings and other parts of the vehicle or receptacle with which any animal, or its droppings or other discharge or excretion, has come into contact, shall be—
  - (i) swept or otherwise cleansed, and all sweepings, dung, litter and other matter removed, and
  - (ii) washed or scrubbed with water, and thereafter treated with an approved disinfectant;
- (b) the sweepings and all dung, litter and other matter shall be destroyed, or effectively removed from contact with any animal; and
- (c) all accessories shall be cleansed and disinfected by being sprayed with or washed or saturated in an approved disinfectant.

*Cleansing and disinfection of pens, passageways, etc., at railway stations*

2.—(1) Where any pen or passageway used in connection with the loading, unloading or detention of animals at a railway station is required by this order to be cleansed and disinfected, such cleansing and disinfection shall be effected in the manner prescribed in relation to vehicles and receptacles by the provisions of sub-paragraph (a) of paragraph 1 above, and all sweepings, dung, litter and other matter shall be disposed of in the manner prescribed by sub-paragraph (b) of that paragraph.

(2) Where any fitting, equipment or other thing used in connection with the loading, unloading or detention of animals at a railway station is required by this order to be cleansed and disinfected, such cleansing and disinfection shall be effected by the fitting, equipment or other thing being washed or scrubbed with water, and thereafter sprayed with or washed or saturated in an approved disinfectant.

(a) 1931 c. 43.

*Special requirements where diseased or suspected animals or carcasses have been carried*

3. Where any vehicle or receptacle has been used for the carriage of a diseased or suspected animal, or the carcase of such an animal, or where any pen or passageway at a railway station has been used in connection with such an animal or carcase, before the vehicle, receptacle, pen or passageway is swept or otherwise cleansed in accordance with the foregoing provisions of this Schedule, the dung, and all parts of the vehicle, receptacle, pen or passageway with which the dung has come into contact, shall be sprayed with or saturated in an approved disinfectant.

SCHEDULE 4  
RECORDS  
PART I  
(Article 17)

Form of record in respect of the carriage of animals by road

Name and full address of owner or other person having the management of vehicle  
 .....  
 .....  
 .....  
 .....

Description of vehicle  
 .....

Registration number  
 .....

(1) Name of driver	(2) Date and time of loading animals	(3) Number and description of animals carried	(4) (i) Premises from which moved (ii) person from whom delivery was taken (if known)	(5) Time(s) and place(s) of feeding and watering (see Note 4)	(6) Time of unloading animals	(7) (i) Premises to which moved (ii) person taking delivery (if known)	(8) Date when and premises where vehicle was cleansed and disinfected in accordance with the order
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- NOTES**
1. Entries relating to times of loading, feeding and watering, and unloading, to be made when loading, feeding and watering, and unloading, take place, and other entries as soon as possible after completion of the journey; and in any case within 18 hours.
  2. Entries to be made in a permanent and legible form.
  3. Record to be available at the office or usual place of business of the person having the management of the vehicle to which it relates; to be retained there for a period of 6 months from date of latest entry; and to be produced on demand.
  4. Column (5) to be completed where a journey exceeds 12 hours.

## PART II

PARTICULARS TO BE INCLUDED IN FORM OF RECORD IN RESPECT OF THE CARRIAGE OF  
ANIMALS BY RAIL

- (a) Date and time when animals came into British Railways Board's or company's custody and when last fed and watered.
- (b) Number and description of animals.
- (c) Name and address of consignor.
- (d) Name and address of consignee.
- (e) Station of loading, route, and station of unloading.
- (f) Place, time and date of feeding and watering of animals.
- (g) Name of the depot to which the vehicle is consigned for cleansing and disinfection, and date.

## SCHEDULE 5

(Article 22)

## REVOCATION

## PART I

Provisions Revoked as from the Date of the Coming into Operation of this Order

No. of Instrument	Short Title	Extent of Revocation
S. R. & O. 1927/289.	The Transit of Animals Order of 1927.	Articles 11 to 20. In Article 23, in the heading the words "or rail", and in paragraph (1) the words "railway truck, or other railway vehicle" and "or on a railway". Articles 24 to 26. In Article 29, the words commencing "and the railway company" and ending "or other road vehicle in which". Article 31.
S. R. & O. 1931/750(a).	The Transit of Animals (Amendment) Order of 1931.	Articles 1 to 4. In Article 5, paragraphs (7), (8) and (9). Articles 6 to 13. The Schedule.
S. R. & O. 1947/2915(b).	The Transit of Animals (Amendment) Order of 1947.	The whole order.
S.I. 1951/335(e).	The Transit of Horses Order, 1951.	Articles 4 to 9. In Article 10, paragraphs (4), (6) and (7). Articles 11 and 12. In Article 13, paragraph (2). Articles 14 to 19. Article 21. Schedules 2 and 3. The whole order.
S.I. 1956/1127(d).	The Calves (Feeding in Transit) Order, 1956.	The whole order.
S.I. 1963/1228(e).	The Transit of Calves Order, 1963.	Article 3. In Article 4, in paragraph (1), the words "the following provisions of this Article and", and paragraphs (2) and (3). In the Schedule— in paragraph 4, sub-paragraphs (a) to (c); paragraph 7.

(a) (Rev. II, p. 277: 1931, p. 55).

(b) (Rev. II, p. 259: 1947, p. 86).

(c) (1951 I, p. 76).

(d) (1956 I, p. 174).

(e) (1963 II, p. 2038).



## PART II

Provisions to which Article 22 (3) applies

No. of Instrument	Short Title	Extent of Revocation
S.R. & O. 1927/289.	The Transit of Animals Order of 1927.	Article 10.
S.R. & O. 1931/750.	The Transit of Animals (Amendment) Order of 1931.	In Article 5, paragraphs (1) to (6). Article 14.
S.I. 1951/335.	The Transit of Horses Order, 1951.	Articles 1 to 3. In Article 10, paragraphs (1) to (3) and (5). In Article 13, paragraph (1). Article 20. Schedule 1.
S.I. 1963/1228.	The Transit of Calves Order, 1963.	Articles 1 and 2. In Article 4, paragraph (1). Articles 5 and 6. In the Schedule— paragraphs 1 to 3; in paragraph 4, sub-paragraph (d); paragraphs 5 and 6.

## EXPLANATORY NOTE

*(This Note is not part of the order.)*

This order, which applies throughout Great Britain, regulates the carriage by road and rail of farm animals and horses. Basically, its provisions are of two kinds: first, it lays down detailed requirements with regard to the construction and maintenance of vehicles and receptacles used for transporting animals; secondly, it contains measures designed to safeguard the welfare of animals during loading, unloading and carriage.

The main provisions of the first kind are contained in Schedule 1 (as applied by Article 3 of the order), and their effect is to ensure that only vehicles and receptacles which conform to prescribed standards of construction and maintenance are used to carry animals. However, the order provides that the requirements of the Schedule shall not take effect immediately, so as to allow time for any necessary modifications to be made to vehicles and receptacles. As a result, the Schedule will come into operation in relation to new vehicles and receptacles on 1st August 1976, but will not apply to used vehicles and receptacles until 1st August 1980.

The provisions of Schedule 1 are intended to ensure that animals are not caused injury or suffering by reason of their being carried in vehicles or receptacles which are badly designed or maintained, or which are not properly equipped for the purpose. Provision is therefore made for the floors of vehicles and receptacles to be so designed as to afford a proper foothold to animals during carriage, and for the space within which animals are accommodated to be free from dangerous projections. Other provisions deal with the design and construction of ramps by means of which animals are loaded and unloaded, and of partitions used for separating animals during carriage. Vehicles are required to be constructed with rigid sides and suitable roofs which will protect animals from the weather, and both vehicles and receptacles must be designed so as to provide adequate ventilation and easy access to animals being carried.

With regard to the treatment of animals during carriage, the order deals with their loading and unloading, their movement within a vehicle or receptacle and their general accommodation during carriage. It lays down a number of general principles designed to ensure that those concerned will have proper regard to the welfare of the animals with which they are dealing, and it also contains specific requirements in this connection. Thus, for example, it imposes a general prohibition against overcrowding, but seeks at the same time to ensure that animals are not thrown about during carriage by prescribing maximum pen lengths in relation to some animals determined by reference to the size of the species concerned.

Other provisions deal with such matters as feeding and watering during carriage, the carriage of unfit animals, disinfection and the keeping of records. Schedule 2 contains detailed requirements with regard to the animals (or groups of animals) which may or may not be carried together in the same undivided vehicle, receptacle or pen.

Because of the special transport problems which arise in the Crofting Counties of Scotland, power is given to the Secretary of State to exempt persons living in those Counties from provisions of the order. In addition, certain provisions of the order are not applied in respect of vehicles having an internal length of not more than 3.1 m which are owned by farmers, and used for journeys

within a radius of 40 km of the agricultural unit, or in respect of vehicles from outside Great Britain which are being used for the carriage of horses brought here for racing, breeding or other temporary purpose.

All measurements in the order are expressed in metric units, and only these will, of course, be effective. However, the following table sets out the approximate imperial equivalents of the measurements used:—

metric measure	approximate imperial equivalent
6 cm	2½"
21 cm	8"
31 cm	12"
76 cm	2' 6"
1 m	3' 3"
1·27 m	4' 2"
1·3 m	4' 4"
1·98 m	6' 6"
2·5 m	8' 2"
3·1 m	10' 2"
3·7 m	12' 1"
40 km	25 miles

The order revokes the provisions relating to inland transit which are contained in the Transit of Animals Order of 1927, together with the amending orders of 1931 and 1947. It also revokes the Transit of Horses Order, 1951, the Calves (Feeding in Transit) Order, 1956 and the Transit of Calves Order, 1963. However, certain provisions of these orders which relate to the construction of vehicles are kept alive until 1st August 1976 in relation to new vehicles, and until 1st August 1980 in relation to vehicles which have been used for the carriage of animals on or before 1st August 1975. The order also disappplies the Transit of Animals (General) Order 1973, in so far as that order relates to the carriage of farm animals and horses by road and rail.

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