
STATUTORY INSTRUMENTS

1995 No. 131

ANIMALS

ANIMAL HEALTH

**The Welfare of Animals during
Transport (Amendment) Order 1995**

Made - - - - *20th January 1995*

Coming into force - - *23rd January 1995*

The Minister of Agriculture, Fisheries and Food, the Secretary of State for Scotland and the Secretary of State for Wales, acting jointly, in exercise of the powers conferred on them by sections 1, 7, 8(1), 37, 38(1), 39, 83(2) and 87(2), (3) and (5)(a) of the Animal Health Act 1981⁽¹⁾, and of all other powers enabling them in that behalf, hereby make the following Order:—

Title and commencement

1. This Order may be cited as the Welfare of Animals during Transport (Amendment) Order 1995 and shall come into force on 23rd January 1995 immediately after the coming into force of the Welfare of Animals during Transport Order 1994⁽²⁾.

Amendments to the Welfare of Animals during Transport Order 1994

2.—(1) The Welfare of Animals during Transport Order 1994 shall be amended in accordance with this article.

(2) In article 1(3) after the definition of “Divisional Veterinary Officer” there shall be inserted the following definition—

““transport undertaking” includes the consignor of the animals.”.

(3) In article 7 after paragraph (8) there shall be inserted the following paragraphs—

“(9) Any person in charge of any animal in respect of which a journey plan has been drawn up shall take all reasonable steps to ensure that the journey plan is adhered to.

(10) In the case of the consignment of animals to a destination outside Great Britain, it shall be the duty of the consignor of the animals rather than the person in charge of the transport undertaking to draw up, sign, certify and return the journey plan; and the journey

(1) 1981 c. 22. See section 86(1)(c) for a definition of “the Ministers”.

(2) S.I. 1994/3249.

plan shall be for the whole journey up to the place of destination, that is, the place at which the animals are finally unloaded, and excluding any staging post or transfer point.”.

(4) In article 8 after paragraph (5) there shall be inserted the following paragraph—

“(6) In the case of the consignment of animals to a destination outside Great Britain, it shall be the duty of the consignor of the animals rather than the person in charge of the transport undertaking to draw up and sign the certificate; and the certificate shall be for the whole journey up to the place of destination, that is, the place at which the animals are finally unloaded, and excluding any staging post or transfer point.”.

(5) In article 15 after paragraph (5) there shall be inserted the following paragraph—

“(6) For the purposes of this article any failure by a person in charge of an animal transport undertaking to comply with any of the provisions of this Order or any other Order made under sections 37, 38 or 39 of the Act shall be deemed to be a failure of the undertaking itself.”.

19th January 1995

Angela Browning
Parliamentary Secretary, Ministry of Agriculture,
Fisheries and Food

20th January 1995

Allan Stewart
Parliamentary Under Secretary of State, Scottish
Office

19th January 1995

Gwilym Jones
Parliamentary Under Secretary of State, Welsh
Office

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the [Welfare of Animals during Transport Order 1994, S.I. 1994/ 3249](#). It extends the meaning of “transport undertaking” to include persons who consign animals for transport, and provides that, in journeys which transport animals outside Great Britain, the consignor must provide the journey plan or animal transport certificate. It provides that, where there is a journey plan, there is a duty on the person in charge of the animals to comply with its provisions. It also provides that any breach of an obligation by a person in charge of a transport undertaking shall be considered to be a breach by the undertaking itself for certain purposes (article 2).