

---

STATUTORY INSTRUMENTS

---

**1997 No. 1480**

**The Welfare of Animals (Transport) Order 1997**

**Powers of an inspector**

**18.**—(1) Where an inspector considers that animals are being transported, or are about to be transported, in a way which is likely to cause injury or unnecessary suffering, or in any other way in contravention of any provision of this Order, he may serve a notice on the person appearing to him to be in charge of the animals requiring that person to take any action necessary to ensure compliance with this Order, giving reasons for the requirements.

(2) Without prejudice to the generality of paragraph (1) above, an inspector may in particular—

- (a) prohibit that transport of the animals, either indefinitely or for a period specified in the notice;
- (b) specify conditions under which the animals may be transported;
- (c) require the journey to be completed or the animals to be returned to their place of departure by the most direct route, provided that this course of action would not cause unnecessary suffering to the animals;
- (d) require the animals to be held in suitable accommodation with appropriate care until the problem is solved; or
- (e) require the humane slaughter of the animals.

(3) If it is necessary for identification purposes, an inspector may mark an animal and it shall be an offence against the Animal Health Act 1981 for any person to remove, deface, obliterate or alter such mark.

(4) If any person fails to comply with the requirements of a notice served under this article, the inspector shall have powers to carry out those requirements himself, or cause them to be carried out, and the transporter shall be liable for the cost of such action.

(5) In deciding whether or not to serve a notice under this article, an inspector appointed by the Minister may take into account any previous failure to comply with any provision of this Order or of any other Order made under section 37, 38 or 39 of the Animal Health Act 1981 and in particular any failure to submit a completed and correct route plan at the end of any previous journey.