
WELSH STATUTORY INSTRUMENTS

2003 No. 481 (W.67)

ANIMALS, WALES

ANIMAL HEALTH

The Animal Gatherings (Interim Measures) (Wales) Order 2003

Made - - - - *3rd March 2003*

Coming into force - - *4th March 2003*

The National Assembly for Wales and the Secretary of State, acting jointly in exercise of the powers conferred on them by sections 1, 7, 8 and 83 of the Animal Health Act 1981⁽¹⁾, make the following Order:

Title, application, commencement and cessation

1. This Order may be cited as the Animal Gatherings (Interim Measures) (Wales) Order 2003; it applies in relation to Wales, comes into force on 4th March 2003 and ceases to have effect on 1st August 2003.

Interpretation

2. In this Order —

“animals” (“*anifeiliaid*”) means cattle (excluding bison and yak), deer, goats, sheep and pigs;

“animal area” (“*ardal i anifeiliaid*”) has the meaning given in article 4(3)(c);

“animal gathering” (“*crynhoad anifeiliaid*”) means an occasion at which animals are brought together for —

- (a) a sale,
- (b) a show or exhibition,
- (c) onward consignment for slaughter within Great Britain, or
- (d) onward consignment within Great Britain for further rearing or finishing,

(1) 1981 c. 22. Functions conferred under the 1981 Act on “the Ministers” (as defined in section 86 of that Act) were transferred so far as exercisable by the Secretary of State for Wales in relation to Wales, to the National Assembly for Wales by the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672). The joint functions of “the Ministers” exercisable by the Secretary of State for Scotland in relation to Wales were transferred to the Minister of Agriculture, Fisheries and Food by the Transfer of Functions (Agriculture and Food) Order 1999 (S.I. 1999/3141). All functions of the Minister of Agriculture, Fisheries and Food were then further transferred to the Secretary of State by the Ministry of Agriculture, Fisheries and Food (Dissolution) Order 2002 (S.I. 2002/794).

and includes the reception or temporary detention of those animals;

“approved disinfectant” (“*diheintydd a gymeradwywyd*”) means a disinfectant approved under the Diseases of Animals (Approved Disinfectants) Order 1978(2) at the concentration required under that Order for “General Orders”; and

“equipment” (“*cyfarpar*”) includes pens and hurdles.

Exceptions

3. The provisions of this Order do not apply if —
- (a) all the animals attending an animal gathering are owned by the same person and have the same keeper, and
 - (b) the animal gathering is to take place on premises owned or occupied by the owner of the animals.

The use of premises for animal gatherings

4.—(1) The use by any person of premises for an animal gathering is prohibited unless those premises are licensed for that purpose by a veterinary inspector.

- (2) A licence under this article —
- (a) must be in writing,
 - (b) may be amended, suspended or revoked by a notice in writing issued by a veterinary inspector, and
 - (c) may be subject to such conditions as the veterinary inspector considers necessary to control the introduction into or spread of disease within or from the licensed premises.
- (3) A licence must specify —
- (a) the name of the licensee,
 - (b) the premises in which the animal gathering may take place, and
 - (c) the area to which animals may be given access (“the animal area”).

27 day restriction on when an animal gathering can take place

5. All animal gatherings on premises on which animals have been kept are prohibited until 27 days have passed from the day on which —

- (a) the last animal left those premises, and
- (b) after the last animal has left the premises, all equipment to which animals have had access has been cleansed of visible contamination.

Exemption from the 27 day restricted period for premises with a paved animal area

- 6.—(1) The restriction in article 5 does not apply if —
- (a) the premises have an animal area paved with cement, concrete, asphalt or other hard, impermeable material that is capable of being effectively cleansed and disinfected, and
 - (b) the animal area has been cleansed and disinfected, and any waste on the animal area has been removed and disposed of, in accordance with this article.
- (2) The cleansing and disinfection —

(2) S.I. 1978/32 as amended by S.I. 1999/919 and as regards Wales, S.I. 2001/641 (W.31).

- (a) must not begin until all animals have been removed from the part of the animal area being cleansed and disinfected, and
 - (b) must be completed after the last animal has left the licensed premises.
- (3) All feedingstuffs to which animals have had access, and all bedding, excreta, other material of animal origin and other contaminants must be removed from the animal area and —
- (a) destroyed,
 - (b) treated so as to remove the risk of transmission of disease, or
 - (c) disposed of so that animals do not have access to it.
- (4) All parts of the animal area (including any equipment) must be swept or scraped clean, cleansed by washing and disinfected with an approved disinfectant.
- (5) If, following the last occasion on which the animal area was cleansed and disinfected in accordance with this article, it becomes contaminated with animal excreta or other material of animal origin or any contaminant derived from animals, then the animal area or those parts of it that have become so contaminated must be cleansed and disinfected, and any waste must be disposed of, in accordance with this article before an animal gathering is held.

Duties on persons at an animal gathering

7. When an animal gathering (other than for a show or exhibition) is taking place the provisions of the Schedule (requirements at an animal gathering) have effect.

Restrictions following an animal gathering

- 8.—(1) The provisions of this article apply once the last animal at an animal gathering has left the licensed premises.
- (2) No person may allow animals on to the licensed premises until all equipment to which animals at the gathering had access has been cleansed of visible contamination.
- (3) No person may remove from the licensed premises any equipment to which animals at the gathering had access unless —
- (a) the equipment has been cleansed of visible contamination and a period of 27 days has elapsed since the last animal at the animal gathering has left the licensed premises, or
 - (b) the equipment has been swept or scraped clean, cleansed by washing and disinfected with an approved disinfectant.

The Markets, Sales and Lairs Order 1925

9. The Markets, Sales and Lairs Order 1925(3) does not apply while this Order is in force.

Enforcement

10. This Order may be enforced by the local authority or the Secretary of State.

Revocations

11. The following are revoked —
- (a) The Animal Gatherings (Interim Measures) (Wales) Order 2002(4);

(3) S.I. 1925/1349 as amended by S.I. 1926/546; S.I. 1927/982 and S.I. 1996/3265.

(4) S.I. 2002/283 (W.34).

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- (b) The Animal Gatherings (Interim Measures) (Wales) (Amendment) Order 2002(5);
- (c) The Animal Gatherings (Interim Measures) (Wales) (Amendment) (No. 2) Order 2002(6);
- (d) The Animal Gatherings (Interim Measures) (Wales) (Amendment) Order 2003(7).

Signed on behalf of the National Assembly for Wales

3rd March 2003

D.Elis-Thomas
The Presiding Officer

Department for Environment, Food and Rural
Affairs
3rd March 2003

Whitty
Parliamentary Under Secretary

(5) S.I. 2002/1358 (W.134).
(6) S.I. 2002/2060 (W.209).
(7) S.I. 2003/169 (W.29).

SCHEDULE

Article 7

REQUIREMENTS AT AN ANIMAL GATHERING

Duties on a licensee

1.—(1) The licensee must ensure that any person entering the licensed premises is made aware that the premises are licensed under this Order, whether by means of a system of notices or otherwise.

(2) The licensee must provide footbaths containing an approved disinfectant at exits from the animal area and at any loading and unloading bay, and facilities on the licensed premises for changing, cleaning and disinfecting clothes and disposing of disposable clothes.

(3) The licensee must —

- (a) ensure that animals are unloaded and re-loaded in the animal area, and
- (b) ensure, so far as is reasonably practicable, that animals do not leave the animal area except on a vehicle.

Duties on persons attending the animal gathering

2.—(1) No person may enter licensed premises wearing outer clothing visibly contaminated with animal excreta or other animal contamination.

(2) If a person in the animal area is wearing outer clothing visibly contaminated with animal excreta or other animal contamination, on leaving the animal area he or she must immediately clean his or her clothing of gross contamination (unless the clothing is to be disposed of) and either —

- (a) disinfect it;
- (b) change into clean clothing;
- (c) dispose of it; or
- (d) leave the licensed premises.

(3) If a person outside the animal area is wearing outer clothing visibly contaminated with animal excreta or other animal contamination, an inspector may serve on him or her a notice giving him or her the option of immediately —

- (a) cleaning his outer clothing,
- (b) changing into clean clothing,
- (c) disposing of disposable clothing, or
- (d) leaving the licensed premises.

Footwear in the animal area

3. Any person leaving the animal area must cleanse and disinfect their footwear in the footbath provided.

Vehicles

4. No person may bring on to or take from the licensed premises any vehicle or equipment that is contaminated with animal excreta, other than excreta from animals on the vehicle at the time.

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EXPLANATORY NOTE

(This note is not part of the Order)

This Order revokes and replaces the Animal Gatherings (Interim Measures) (Wales) Order 2002. It does not apply in the circumstances set out in article 3 (animals gathered on their owner's premises). It requires a licence for animal gatherings (article 4). It specifies that an animal gathering can only take place 27 days after the last animal left those premises and equipment on the premises has been cleansed of visible contamination (article 5). If the gathering takes place in paved premises article 6 makes provision for the cleansing and disinfection of those premises and enables a gathering to take place inside the normal time limit. It imposes duties on persons attending an animal gathering (article 7 and the Schedule). It imposes restrictions following an animals gathering (article 8). It temporarily disappplies and replaces the Markets, Sales and Lairs Order 1925 (S.I.1925/1349) (article 9). It is enforced by the local authority or the Secretary of State (article 10). Breach of the Order is an offence under section 73 of the Animal Health Act, punishable in accordance with section 75 of that Act. This Order will cease to have effect on 1st August 2003. A regulatory appraisal has not been prepared for this Order.