
STATUTORY INSTRUMENTS

1990 No. 2628

The Welfare of Animals at Markets Order 1990

Detention and treatment of unfit animals

17.—(1) Where an inspector has reasonable grounds for supposing that any animal in a market is unfit he may move it, or cause it to be moved, to a pen provided in the market for the accommodation of unfit animals or to any other suitable place in the market and require the market operator to detain the animal there pending its examination by a veterinary inspector.

(2) Where a veterinary inspector is of the opinion that any animal in a market is unfit, he may treat it, or cause it to be treated, and take, or cause to be taken, any other steps that he considers necessary to protect it from suffering, and he may for any such purpose require the market operator to detain the animal in a pen or at a place mentioned in paragraph (1) above for as long as he considers necessary for the purpose of further treatment or otherwise protecting it from suffering.

(3) Where an animal is being detained in pursuance of paragraph (1) or (2) above no person shall move it from its place of detention except with the approval of a veterinary inspector and in accordance with any conditions subject to which the approval is given.

(4) No person shall enter a pen in which any unfit animal is being kept unless authorised to do so by an inspector.

(5) A market operator shall—

- (a) render such reasonable assistance to an inspector as he may require for the purpose of facilitating the exercise of his powers under paragraph (1) or (2) above; and
- (b) give to an inspector such information as he possesses as to the ownership of any animal in respect of which any such power is exercised.

(6) The amount of any expenses reasonably incurred by a veterinary inspector in treating, or causing to be treated, an unfit animal in exercise of the power conferred on him by paragraph (2) above shall be recoverable by the appropriate Minister as a civil debt from the owner of the animal in respect of which the power was exercised.

(7) In this article—

- (a) “treatment” includes milking and “treat”, “treated” and “treating” shall be construed accordingly; and
- (b) “unfit” includes overstocked with milk or likely to give birth.