

# **S.I. No. 506/1998 — Diseases of Animals (Carriage of Cattle by Sea) (Amendment) (No. 2) Order, 1998.**

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DISEASES OF ANIMALS (CARRIAGE OF CATTLE BY SEA) (AMENDMENT)  
(NO. 2) ORDER, 1998.

DISEASES OF ANIMALS (CARRIAGE OF CATTLE BY SEA) (AMENDMENT)  
(NO. 2) ORDER, 1998.

I, Joe Walsh, Minister for Agriculture and Food, in exercise of the powers conferred on me by section 3 (2) of the Diseases of Animals Act, 1966 (No. 6 of 1966), as adapted by the Agriculture, Food and Forestry (Alteration of Name of Department and Title of Minister) Order, 1997 ( S.I. No. 302 of 1997 ) hereby order as follows:—

1. (1) This Order may be cited as the Diseases of Animals (Carriage of Cattle by Sea) (Amendment) (No. 2) Order, 1998.

(2) The Diseases of Animals (Carriage of Cattle by Sea) Order, 1996, (Carriage of Cattle by Sea) (Amendment) Order, 1998 and this Order may be cited together as the Diseases of Animals (Carriage of Cattle by Sea) Orders, 1996 and 1998.

2. This Order shall come into operation on the 8th day of December, 1998.

3. The Diseases of Animals (Carriage of Cattle by Sea) Order, 1996 ( S.I. No. 17 of 1996 ) is amended as follows—

(i) by the insertion of a new paragraph in Article 3, as follows:

"(6) Notwithstanding the provisions of paragraph (1) the provisions contained in the following paragraphs shall not apply to the carriage of cattle on vessels from the State on a voyage, the expected duration of which is not greater than 30 hours, to ports in the United Kingdom, the Isle of Man and the Channel Islands and to ports on the European Continent north of latitude 48 degrees 24 minutes North and west of longitude 09 degrees 09 minutes East:

(a) paragraph 6 of Article 20;

(b) paragraph 88 of the First Schedule.",

(ii) by the substitution for subparagraph (6)(b) of Article 20 by the following:

"(b) Notwithstanding the requirements of subparagraph (a), until 31 December, 2005, the Minister may permit feeding of hay in pens on vessels which, in the view of the Minister, have a satisfactory record in the carriage of cattle.",

(iii) by the substitution for Article 23 (2) by the following:

"(2) The report referred to in paragraph (1) shall be furnished to the Minister in the format laid down in the fourth schedule. A copy of this report shall be retained on board the vessel and shall be available to an inspector upon request."

(iv) by the substitution for the first sentence of Article 28 (2) by the following:

"(2) Notwithstanding the provisions of paragraph (1), in respect of:

— the carriage of bulls,

— any voyage intended to extend into the Red Sea,

— any other voyage intended to be of a duration exceeding 12 days or intended to extend south of latitude 25 degrees North,

the minimum space to be allowed for cattle shall be in accordance with the following table:",

(v) by the substitution for Paragraph 10 of the First Schedule by the following:

"10. (a) Without prejudice to paragraph 9, until 31 December, 2005, the minimum clear height within pens shall not be less than 1.8 metres in respect of vessels which, in the view of the Minister, have a satisfactory record in the carriage of cattle

(b) In the case of pens in which the clear height is less than 2.13 metres, an inspector may determine the weight, size or type of cattle to be carried in such pens.",

(vi) by the substitution for the final paragraph of Paragraph 43(b) of the First Schedule by the following:

"in respect of vessels which, in the view of the Minister, have a satisfactory and sufficient record in the carriage of cattle on voyages the duration and destination of which have been similar to the voyages which it is intended such vessels will undertake from Ireland.",

(vii) by the substitution for Paragraph (44)(b) of the First Schedule by the following:

"(b) Without prejudice to subparagraph (a), until 31 December, 2005, a rate of 60 per cent of the rates specified in paragraph 43 (a) may apply, in the case of vessels which, in the view of the Minister, have a satisfactory and sufficient record in the carriage of cattle on voyages the duration and destination of which have been similar to the voyages which it is intended such vessels will undertake from Ireland.",

(viii) by the substitution for Paragraph (82)(b) of the First Schedule by the following:

"(b) Until 31 December, 2005, the provisions of subparagraph (a) shall not apply in the case of vessels which, in the view of the Minister, have a satisfactory record in the carriage of cattle.",

(ix) by the substitution for Paragraph (88)(b) of the First Schedule by the following:

"(b) Until 31 December, 2005, the Minister may permit a manual watering system for cattle on vessels which, in the view of the Minister, have a satisfactory record in the carriage of cattle." and

(x) by the substitution for the phrase '(from table in Article 29)', contained in the Second Schedule, C 1 (a) by the following:

"(from the relevant table in Article 28)".

GIVEN under my Official Seal, this 8th day of December, 1998.

Joe Walsh,

Minister for Agriculture and Food.

## EXPLANATORY NOTE

This Order amends the Diseases of Animals (Carriage of Cattle by Sea) Order, 1996 ( S.I. No. 17 of 1996 ) to

(i) modify the conditions for the carriage of cattle from the State on shorter voyages, i.e., voyages of 30 hours or less duration to ports in the United Kingdom, the Isle of Man and the Channel Islands and to ports on the European Continent between the Elbe river in Germany and the port of Brest in France,

(ii) permit the application of the transitional provisions to vessels with a satisfactory and sufficient record in the carriage of cattle in similar voyages outside the State,

(iii) decrease the stocking density in respect of the carriage of bulls, and,

(iv) make certain minor technical amendments.

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