

L.N. 143 of 2023

**ANIMAL WELFARE ACT
(CAP. 439)**

**Protection of Animals during Transport and
related Operations (Implementing) Regulations, 2023**

IN EXERCISE of the powers conferred by article 22 of the Animal Welfare Act, the Minister responsible for veterinary services has made the following regulations:-

1. (1) The title of these regulations is the Protection of Animals during Transport and related Operations (Implementing) Regulations, 2023. Citation and scope.

(2) These regulations implement the requirements of Council Regulation (EC) No 1/2005 of 22 December 2004 on the protection of animals during transport and related operations and amending Directives 64/432/EEC and 93/119/EC and Regulation (EC) No 1255/97.

2. (1) In these regulations, unless the context otherwise requires: Interpretation.

"Act" means the Animal Welfare Act; Cap. 439.

"competent authority" means the competent authority in accordance with the meaning of Article 3(3) of Regulation (EU) 2017/625 of the European Parliament and the Council for the territory of Malta;

"Council Regulation (EC) No 1/2005" means Council Regulation (EC) No 1/2005 of 22 December 2004 on the protection of animals during transport and related operations and amending Directives 64/432/EEC and 93/119/EC and Regulation (EC) No 1255/97.

(2) For the purposes of these regulations, unless the context otherwise requires, the definitions of the Act and those of Council Regulation (EC) No 1/2005 shall apply.

3. The Veterinary Services shall be the competent authority for the purposes of Council Regulation (EC) No 1/2005. Designation of competent authority.

4. Where the Director Veterinary Services has reasonable cause to believe that an offence against these regulations or Council Offences and punishments.

Regulation (EC) No 1/2005 has been committed, he can:

(a) subject to the provisions of these regulations and of the Act, institute proceedings before the competent court against a person who infringes any of the provisions arising from these regulations. The person shall, on conviction, be liable to a fine (*multa*) of not less than eleven thousand and six hundred and forty-six euro and eighty-seven cents (€11,646.87) and not exceeding thirty-four thousand and nine hundred and forty euro and sixty cents (€34,940.60). The Court may also order any person who is found guilty of committing an offence against these regulations, to pay for the expenses incurred by the competent authority as a result of the said offence, the revocation of the permit issued in accordance with these regulations and the confiscation, retention and disposal of the *corpus delicti*; or

(b) apply the provisions of article 47 of the Act.

Repeal and
saving.

5. (1) The following regulations are hereby repealed:

S.L. 439.05.

(a) Carriage of Livestock (Road Vehicle Standards for Journeys exceeding Eight Hours) Regulations; and

S.L. 439.10.

(b) Animals Transport (Protection) Regulations.

(2) Any act, decision or action taken before the coming into force of these regulations shall continue to be regulated by the provisions of the regulations listed in sub-regulation (1) as in force prior to the coming into force of these regulations.