

# Welsh Statutory Instrument 2002 No. 281 (W.33)

## **The Pigs (Records, Identification and Movement) (Interim Measures) (Wales) Order 2002**

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### STATUTORY INSTRUMENTS

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**2002 No. 281 (W.33)**

**ANIMALS, WALES**

**ANIMAL HEALTH**

**The Pigs (Records, Identification and Movement) (Interim Measures) (Wales) Order 2002**

*Made*

*8th February 2002*

*Coming into force*

*11th February 2002*

The National Assembly for Wales and the Minister of Agriculture, Fisheries and Food, in exercise of the powers conferred on them by sections 1, 7(1), 8(1) and 87(2) of the Animal Health Act 1981<sup>[1]</sup> and of all other powers enabling them in that behalf, make the following Order -

#### **Title, application, commencement and cessation**

**1.** - (1) This Order may be cited as the Pigs (Records, Identification and Movement) (Interim Measures) (Wales) Order 2002 and applies to Wales.

(2) This Order comes into force on 11th February 2002 and shall cease to have effect on 1st December 2002.

## **Application of the Pigs (Records, Identification and Movement) Order 1995**

**2.** - (1) In so far as it applies to Wales, the Pigs (Records, Identification and Movement) Order 1995<sup>[2]</sup> applies as if amended in accordance with the following provisions of this article.

(2) In article 2(1) the following definitions are inserted in the appropriate places -

"CPH number" means the farm holding number assigned from time to time to any premises or part of any premises by the National Assembly;

"National Assembly" means the National Assembly for Wales; and

"sole occupancy group" has the meaning given to it in the Disease Control (Interim Measures) (Wales) Order 2002<sup>[3]</sup>".

(3) For article 5(3) there is substituted the following paragraph -

" (3) It shall not be lawful to move a pig from a holding (other than with a view to it being moved outside Great Britain) unless before the movement commences it is marked -

(a) in the case of a pig moving to an exhibition or show or for breeding purposes and which is intended to be returned to the premises from which it is moved, with an identification mark comprising the herd mark of the holding on which the mark is applied and a unique individual identification number allotted to the pig by the owner or person in charge of it; or

(b) in all other cases -

(i) with an identification mark which complies with paragraph (2) above, or

(ii) with an identification mark which will last at least until the pig reaches its destination and which, either by itself or by reference to a document accompanying the pig during the movement, enables the holding from which the pig was last moved to be identified.".

(4) For article 7(2) there is substituted the following paragraph -

" (2) It shall not be lawful for any person -

(a) to move a pig to a slaughterhouse save for the purpose of slaughter within 48 hours of its arrival there;

(b) to remove a pig from a slaughterhouse except after slaughter; or

(c) to return a pig to a farm from a market for pigs intended for immediate slaughter.".

(5) For article 8 there is substituted the following article -

**8.** - (1) Subject to the following provisions of this article, whenever any animal

has been moved to any premises it shall not be lawful to move any pig from those premises (or any other premises in the same sole occupancy group) before the expiry of a period of 20 days from the day on which the animal first referred to was delivered to those premises.

(2) The restriction contained in paragraph (1) of this article shall not apply in any of the cases set out in article 3(2) of the Disease Control (Interim Measures) (Wales) Order 2002.

(3) Notwithstanding the prohibition in paragraph (1) above, no account shall be taken of the following movements -

(a) any movement referred to in article 3(3) of the Disease Control (Interim Measures) (Wales) Order 2002; and

(b) movement of a pig intended for breeding or growing from a source approved by the National Assembly onto any premises, when such movement is authorised in accordance with conditions set out in writing by a veterinary inspector."

(6) For article 9 there is substituted the following article -

" **9.** - (1) No person may move a pig from a farm to other premises for any purpose other than those set out in paragraphs (2) or (3) below unless the pig is accompanied by a completed declaration in the form set out in Schedule 2.

(2) No person may move a pig from a farm to other premises for the purposes of exhibition or show, artificial insemination or veterinary treatment or return a pig to a farm from such premises unless the pig is accompanied by a completed declaration in the form set out in Schedule 3.

(3) No person may move a pig from a farm to other premises for breeding purposes unless the pig is accompanied by a completed declaration in the form set out in Schedule 3.

(4) No person may return a pig to a farm from premises to which it was moved for breeding purposes unless the pig is accompanied by a completed declaration in the form set out in Schedule 4."

(7) For article 11(3) there is substituted the following paragraph -

" (3) It shall be the duty of the person in charge of the collecting centre in the case of a movement to a farm, within the period of three days after the movement is commenced, to send a further copy of the declaration to the local authority of the area in which the collecting centre is situated."

(8) For article 13 there is substituted the following article -

" **13.** - (1) It shall not be lawful for any person to hold a sale of pigs on a farm except in accordance with a licence issued by an inspector of the local authority for the area in which the farm is situated.

(2) A licence under paragraph (1) above shall not be issued, and a sale shall not be held, unless -

(i) the sale will comprise only pigs forming the whole or part of the standing herd of that farm, and

(ii) no animals (other than animals moved on to the farm in accordance with the provisions of article 3(3) of the Disease Control (Interim Measures) (Wales) Order 2002) have been moved on to that farm on the day of sale or within a period of 20 days preceding the day of sale."

(9) Article 14 is deleted.

(10) After article 19 there is inserted the following article -

**" Extension of definition of "animals"???"**

**20.** For the purposes of the Animal Health Act 1981 in its application to this order; the definition of "animals" in section 87(2) of the Act is extended so as to comprise elephants."

(11) For Schedules 2, 3, 4, 6 and 7 there are substituted the Schedules contained in the Schedule to this Order.

Signed on behalf of the National Assembly for Wales under section 66(1) of the Government of Wales Act 1998[4]

*Carwyn Jones*  
Assembly Secretary

8th February 2002

*Whitty*  
Parliamentary Under Secretary of State Department for Environment, Food and Rural Affairs

8th February 2002

SCHEDULE

Article 2(11)

**" SCHEDULE 2**

Article 9

**MOVEMENT OF PIGS FROM A FARM - FORM OF DECLARATION**

The Pigs (Records, Identification and Movement) Order 1995 (Article 9)

**Declaration relating to movement of pigs from a farm**

I, of hereby declare as follows: -

(a) I am the owner (or the duly authorised agent for this purpose of the owner) of the pigs which are described below and which are to be moved as so described;

(b) this movement is made under the authority of and in accordance with the conditions of a licence issued by the National Assembly or the Minister or an inspector under article 3(1)(a) of the Disease Control (Interim Measures) (Wales) Order 2002.

(c) no animals have been moved on to the premises described below from which the said pigs are to be moved or on to premises in the same sole occupancy group since (day/month/year) (being 20 days before the date of the movement) except in accordance with article 3(3) of the Disease Control (Interim Measures) (Wales) Order 2002;

(d) no pigs on the premises described below from which the said pigs are to be moved have been fed or allowed to have access to any catering waste since 24th May 2001, in accordance with articles 19 and 20 of the Animal By-Products Order 1999.

<i>Date of movement</i>	<i>Number of pigs to be moved</i>	<i>Description of pigs to be moved</i>	<i>Identification marks</i>	<i>Name, address (including postcode) and CPH number of premises from which pigs are to be moved</i>	<i>Name, address (including postcode) and CPH number of place of destination to which pigs are to be moved</i>

I understand that the making of any statement in this declaration which is false in a material particular may constitute an offence against the Animal Health Act 1981.

Dated

Signed

Owner/Agent for owner (delete as appropriate)

Name in block letters

[The following must appear on the back of the declaration]

**Conditions**

1. The person in charge of the pigs moved under this declaration must -

(a) carry a copy of it throughout the movement and produce it on demand to a constable or an inspector and, if required by that person, give his or her name and address; and

(b) deliver the copy to the person in charge of the premises to which the pigs are moved (whose duty it is to retain it for a period of six months from the date he or she receives it and to produce it on demand to a constable or an inspector).

2. Where this declaration relates to the movement of pigs to a slaughterhouse, it does not authorise the movement unless the pigs are to be slaughtered within 48 hours of arrival at the slaughterhouse and not removed from there alive.

3. The pigs must be transported in accordance with the conditions of the licence issued by the National Assembly or the Minister or an inspector under article 3(1)(a) of the Disease Control (Interim Measures) (Wales) Order 2002.

4. Any means of transport used for the movement of pigs shall be cleansed and disinfected in accordance with the requirements of the Transport of Animals (Cleansing and Disinfection) (Wales) Order 2001 and with any additional requirements as may be specified in the licence issued under article 3(1)(a) of the Disease Control (Interim Measures) (Wales) Order 2002 .

5. A copy of this declaration must be sent to your Local Authority within 3 days unless the pigs are to be moved for immediate slaughter."

### SCHEDULE 3

#### Article 9

#### **MOVEMENT OF PIGS FROM A FARM FOR BREEDING, EXHIBITION, ARTIFICIAL INSEMINATION OR VETERINARY TREATMENT AND ON RETURN TO A FARM FOLLOWING EXHIBITION, ARTIFICIAL INSEMINATION OR VETERINARY TREATMENT - FORM OF DECLARATION**

The Pigs (Records, Identification and Movement) Order 1995 (Article 9)

**Declaration relating to movement of pigs from a farm for breeding, exhibition, artificial insemination or veterinary treatment and on return to a farm following exhibition, artificial insemination or veterinary treatment**

I,        of        hereby declare as follows: -

**1.**

(a) I am the owner (or the duly authorised agent for this purpose of the owner) of the pigs which are described below and which are to be moved as so described;

(b) this movement is made under the authority of and in accordance with the conditions of a licence issued by the National Assembly or the Minister or an inspector under article 3(1)(a) of the Disease Control (Interim Measures) (Wales)

Order 2002.

(c) no animals have been moved on to the premises described below from which the said pigs are to be moved or on to premises in the same sole occupancy group since (day/month/year) (being 20 days before the date of the movement) except in accordance with article 3(3) of the Disease Control (Interim Measures) (Wales) Order 2002;

(d) no pigs on the premises described below from which the said pigs are to be moved have been fed or allowed to have access to any catering waste since 24th May 2001, in accordance with articles 19 and 20 of the Animal By-Products Order 1999.

<i>Date of movement</i>	<i>Number of pigs to be moved</i>	<i>Description of pigs to be moved</i>	<i>Identification marks</i>	<i>Name, address (including postcode) and CPH number of premises from which pigs are to be moved</i>	<i>Name, address (including postcode) and CPH number of place of destination to which pigs are to be moved</i>

2. I further declare that, on return to my premises, the pigs will be detained there and kept separate from all other pigs for a period of 20 days. In the case of pigs being returned from exhibition such detention shall be in isolation facilities approved by a veterinary inspector under article 3(5) of the Disease Control (Interim Measures) (Wales) Order 2002.

I understand that the making of any statement in this declaration which is false in a material particular may constitute an offence against the Animal Health Act 1981.

Dated

Signed

Owner/Agent for owner (delete as appropriate)

Name in block letters

[The following must appear on the back of the declaration]

**Conditions**

1. The person in charge of the pigs moved under this declaration must -

(a) carry a copy of it throughout the movement and produce it on demand to a constable or an inspector and, if required by that person, give his or her name and address; and

(b) deliver the copy to the person in charge of the premises to which the pigs are moved (whose duty it is to retain it for a period of six months from the date he or she receives it and to produce it on demand to a constable or an inspector).

2. The pigs must be transported in accordance with the conditions of the licence issued

by the National Assembly or the Minister or an inspector under article 3(1)(a) of the Disease Control (Interim Measures) (Wales) Order 2002.

3. Any means of transport used for the movement of pigs shall be cleansed and disinfected in accordance with the requirements of the Transport of Animals (Cleansing and Disinfection) (Wales) Order 2001 and with any additional requirements as may be specified in the licence issued under article 3(1)(a) of the Disease Control (Interim Measures) (Wales) Order 2002.

4. If during the 20-day period of detention the pigs are to be exhibited at a further show or exhibition, a declaration will be required for their movement.

5. A copy of this declaration must be sent to your Local Authority within 3 days."

#### SCHEDULE 4

Article 9

#### MOVEMENT OF PIGS ON RETURN TO FARM AFTER MOVEMENT FROM FARM FOR BREEDING PURPOSES - FORM OF DECLARATION

The Pigs (Records, Identification and Movement) Order 1995 (Article 9)

#### Declaration relating to movement of pigs on return to farm after movement from farm for breeding purposes

I, of hereby declare as follows: -

1.

(a) I am the person in charge of the premises on which are kept the boars or sows which have been mated with the sows or boars described below;

(b) this movement is made under the authority of and in accordance with the conditions of a licence issued by the National Assembly or the Minister or an inspector under article 3(1)(a) of the Disease Control (Interim Measures) (Wales) Order 2002;

(c) no animals have been moved on to the premises described below from which the said pigs are to be moved or on to premises in the same sole occupancy group since (day/month/year) (being 20 days before the date of the movement) except in accordance with article 3(3) of the Disease Control (Interim Measures) (Wales) Order 2002;

(d) no pigs on the premises described below from which the said boars or sows are to be moved have been fed or allowed to have access to any catering waste since 24th May 2001, in accordance with articles 19 and 20 of the Animal By-Products Order 1999.

<i>Date of movement</i>	<i>Number of pigs to be</i>	<i>Description of pigs to be moved</i>	<i>Identification marks</i>	<i>Name, address (including</i>	<i>Name, address (including postcode) and</i>
				<i>including</i>	

	<i>moved</i>			<i>postcode) and CPH number of premises from which pigs are to be moved</i>	<i>CPH number of place of destination to which pigs are to be moved</i>

2. I further declare that, on return to my premises, the pigs will be detained there and kept separate from all other pigs for a period of 20 days in isolation facilities approved by a veterinary inspector under article 3(5) of the Disease Control (Interim Measures) (Wales) Order 2002.

I understand that the making of any statement in this declaration which is false in a material particular may constitute an offence against the Animal Health Act 1981.

Dated

Signed

Person in charge of the premises described above

Name in block letters

[The following must appear on the back of the declaration]

**Conditions**

1. The person in charge of the boars or sows moved under this declaration must -

(a) carry a copy of it throughout the movement and produce it on demand to a constable or an inspector and, if required by that person, give his or her name and address; and

(b) deliver the copy to the person in charge of the premises to which the pigs are moved (whose duty it is to retain it for a period of six months from the date he or she receives it and to produce it on demand to a constable or an inspector).

2. The pigs must be transported in accordance with the conditions of the licence issued by the National Assembly or the Minister or an inspector under article 3(1)(a) of the Disease Control (Interim Measures) (Wales) Order 2002.

3. Any means of transport used for the movement of pigs shall be cleansed and disinfected in accordance with the requirements of the Transport of Animals (Cleansing and Disinfection) (Wales) Order 2001 and with any additional requirements as may be specified in the licence issued under article 3(1)(a) of the Disease Control (Interim Measures) (Wales) Order 2002 .

4. A copy of this declaration must be sent to your Local Authority within 3 days."

**SCHEDULE 6**

Article 11

**MOVEMENT OF PIGS FROM A COLLECTING CENTRE - FORM OF DECLARATION**

The Pigs (Records, Identification and Movement) Order 1995 (Article 11)

**Declaration relating to movement of pigs from a collecting centre**

I, of hereby declare as follows -

(a) I am the occupier of the collecting centre known as (or the duly authorised agent for this purpose of the occupier) from which the pigs described below are to be moved as so described;

(b) this movement is made under the authority of and in accordance with the conditions of a licence issued by the National Assembly or the Minister or an inspector under article 3(1)(a) of the Disease Control (Interim Measures) (Wales) Order 2002;

(c) no pigs on the premises described below from which the said pigs are to be moved have been fed or allowed to have access to any catering waste since 24th May 2001, in accordance with articles 19 and 20 of the Animal By-Products Order 1999.

<i>Date of movement</i>	<i>Number of pigs to be moved</i>	<i>Description of pigs to be moved</i>	<i>Identification marks</i>	<i>Name, address (including postcode) and CPH number of premises from which pigs are to be moved</i>	<i>Name, address (including postcode) and CPH number of place of destination to which pigs are to be moved</i>

I understand that the making of any statement in this declaration which is false in a material particular may constitute an offence against the Animal Health Act 1981.

Dated

Signed

Owner/Agent for owner (delete as appropriate)

Name in block letters

[The following must appear on the back of the declaration]

**Conditions**

1. The person in charge of the pigs moved under this declaration must -

(a) carry a copy of it throughout the movement and produce it on demand to a

constable or an inspector and, if required by that person, give his or her name and address; and

(b) (except in the case of pigs intended for direct export) deliver the copy to the person in charge of the premises to which the pigs are moved (whose duty it is to retain it for a period of six months from the date he or she receives it and to produce it on demand to a constable or an inspector).

2. Where this declaration relates to the movement of pigs to a slaughterhouse, it does not authorise the movement unless the pigs are to be slaughtered within 48 hours of arrival at the slaughterhouse and not removed from there alive.

3. The pigs must be transported in accordance with the conditions of the licence issued by the National Assembly or the Minister or an inspector under article 3(1)(a) of the Disease Control (Interim Measures) (Wales) Order 2002.

4. Any means of transport used for the movement of pigs shall be cleansed and disinfected in accordance with the requirements of the Transport of Animals (Cleansing and Disinfection) (Wales) Order 2001 and with any additional requirements as may be specified in the licence issued under article 3(1)(a) of the Disease Control (Interim Measures) (Wales) Order 2002 .

5. A copy of this declaration must be sent to your Local Authority within 3 days unless the pigs are to be moved for immediate slaughter."

## SCHEDULE 7

Article 12

### **MOVEMENT OF PIGS OTHER THAN MOVEMENT AUTHORISED UNDER ARTICLE 9 OR 11 - FORM OF LICENCE**

The Pigs (Records, Identification and Movement) Order 1995 (Article 12)

**Licence for movement of pigs other than movement from a farm and on return after movement for certain purposes and from collecting centres**

(Name and address of person to whom licence is granted) is hereby licensed to move the pigs described in the table below as described in that table.

The licence is issued subject to the requirements set out overleaf (and to the following additional conditions). (Insert any required conditions or, if there are none, delete words in brackets.)

This licence is valid on the day of issue only\*/for eight days including the day of issue\*. It must be returned to the issuing authority if not used.

\* delete as appropriate

**Pigs and movements to which this licence relates**

<i>Number</i>	<i>Description</i>	<i>Identification</i>	<i>Name, address</i>	<i>Name, address</i>

<i>of pigs to be moved</i>	<i>of pigs to be moved</i>	<i>marks</i>	<i>(including postcode) and CPH number of premises from which pigs are to be moved</i>	<i>(including postcode) and CPH number of place of destination to which pigs are to be moved</i>

Date of issue

Signature

[Name in block letters]

An inspector for the purposes of the Animal Health Act 1981

IMPORTANT SEE CONDITIONS ON THE BACK

[The following must appear on the back of the licence]

**Conditions**

1. This licence shall be valid only for the period stated, and may be revoked by the issuing authority at any time before the authorised movement begins.
  
2. Where this licence relates to the movement of pigs to a slaughterhouse, it does not authorise the movement unless the pigs are to be slaughtered within 48 hours of arrival at the slaughterhouse and not removed from there alive.
  
3. The person in charge of the pigs moved under this declaration must -
  - (a) carry a copy of it throughout the movement and produce it on demand to a constable or an inspector and, if required by that person, give his or her name and address; and
  - (b) deliver the copy to the person in charge of the premises to which the pigs are moved (whose duty it is to retain it for a period of six months from the date he or she receives it and to produce it on demand to a constable or an inspector).
  
4. The pigs must be transported in accordance with the following conditions -
  - (a) the loading and unloading facilities must have received prior approval from an inspector;
  - (b) no trip may combine multiple pick-ups and multiple drop-offs of pigs;
  - (c) multiple pick-ups are limited to a maximum of five per trip;
  - (d) multiple drop-offs are not permitted when pigs are picked up from a market unless the pigs are dropped off at slaughterhouses.
  
5. Any means of transport used for the movement of pigs shall be cleansed and disinfected in accordance with the requirements of the Transport of Animals (Cleansing and Disinfection) (Wales) Order 2001 and with any additional requirements as may be specified in this licence."

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## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order, which applies to Wales, provides that the Pigs (Records, Identification and Movement) Order 1995 (S.I. 1995/11, as amended) ("the principal Order") shall read for the specified period as if amended in certain respects.

In particular the Order inserts into the principal Order -

- a new article 5(3) that requires a pig being moved to an exhibition or show or for breeding purposes to be marked with a unique identification number (article 2(3));
- a new article 7(2) that prohibits the movement of a pig to a slaughterhouse save for the purpose of slaughter within 48 hours of arrival there; the removal of a live pig from a slaughterhouse, and the return of a pig to a farm from a market for pigs intended for immediate slaughter (article 2(4));
- a new article 8 that prohibits the movement of pigs off premises within 20 days of the movement of any animal on to those premises and sets out exemptions to that prohibition (article 2(5));
- a new article 9 that requires a pig moved from a farm for certain purposes or returned to it to be accompanied by an appropriate declaration (article 2(6));
- a requirement that a movement of a pig must be notified to the local authority within three days of that movement taking place (article 2(7) and Schedule );
- a new article 13 that prohibits the sale of pigs on a farm except in accordance with a licence issued by an inspector of the local authority (article 2(8)); and
- revised versions of the declarations to accompany movements of pigs in Schedules 2, 3, 4 and 6 and a revised version of the movement licence issued in accordance with article 12 and Schedule 7 (article 2(11) and Schedule ).

This Order also disapplies for the specified period article 14 (licensing of collecting centres) of the principal Order (article 2(9)).

The definition of "animals" in the Animal Health Act 1981 is extended for the purposes of the application of that Act to the principal Order so as to cover elephants (article 2(10)).

A regulatory appraisal has not been prepared for these Regulations.

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### Notes:

[1] 1981 c.22. See section 86(1) for the definitions of "the Minister" and "the Ministers". Functions of the Ministers so far as exercisable by the Secretary of State for Wales in relation to Wales were transferred to the National Assembly for Wales by the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672) and so far as 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).[back](#)

[2] S.I. 1995/11, as amended by S.I. 1995/2922.[back](#)

[3] 2002/280 (W.32).[back](#)

[4] 1998 c.38.[back](#)

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