

Welsh Statutory Instrument 2002 No. 283 (W.34)

The Animal Gatherings (Interim Measures) (Wales) Order 2002

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STATUTORY INSTRUMENTS

2002 No. 283 (W.34)

ANIMALS, WALES

ANIMAL HEALTH

The Animal Gatherings (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, acting in exercise of the powers conferred on them by sections, 1, 7, 8 and 83 of the Animal Health Act 1981^[1] and of all other powers enabling them in that behalf, make the following Order:

Title, application and commencement

1. - (1) This Order may be cited as the Animal Gatherings (Interim Measures) (Wales) Order 2002 and it applies to Wales.

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

Interpretation

2. In this Order, unless the context otherwise requires:

"animal gathering" ("*crynhoad anifeiliaid*") means an occasion at which animals are brought together for the purposes of -

- (a) sale;
- (b) show;
- (c) exhibition;
- (d) onward consignment for slaughter within Great Britain; or
- (e) in the case of store cattle, onward consignment within Great Britain for further rearing or finishing,

and includes the reception or temporary detention of those animals; and

"approved disinfectant" ("*diheintydd a gymeradwywyd*") means a disinfectant listed in the Diseases of Animals (Approved Disinfectants) Order 1978^[2] as being approved for the time being for use under general orders.

The use of premises for animal gatherings

3. - (1) Subject to article 4 below, no person shall use premises for an animal gathering -

- (a) in contravention of the provisions of the Schedule to this Order; and
- (b) unless those premises are licensed for that purpose by a veterinary inspector.

(2) The licence referred to in paragraph (1) above -

- (a) shall 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 premises to which the licence relates.

Exceptions to article 3

4. - (1) Article 3 above shall not apply where -

- (a) all the animals attending the 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.

(2) For the purposes of this article, "keeper" means the person with principal responsibility for the day to day care and management of the animals.

Enforcement

5. Except where otherwise provided, this Order shall be enforced by the local authority.

The Markets, Sales and Lairs Order 1925

6. The Markets, Sales and Lairs Order 1925[3] shall not apply while this Order is in force.

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

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

8th February 2002

SCHEDULE

Article 3

GENERAL REQUIREMENTS FOR THE USE OF PREMISES FOR ANIMAL GATHERINGS

28 day restricted period prior to an animal gathering

1. Subject to paragraph 3 of this Schedule, no person shall allow an animal gathering to take place on premises on which animals have been kept until 28 days have passed from the day on which -

- (a) the last animal left those premises; and
- (b) the cleansing of visible contamination on all pens, hurdles and any other equipment to which the animals have had access, has been completed.

28 day restricted period following an animal gathering

2.

- (a) Subject to paragraph 3 of this Schedule, no person shall allow animals onto premises on which an animal gathering has been held until 28 days have passed from the day on which -
 - (i) the last animal left those premises; and

(ii) the cleansing of visible contamination on all pens, hurdles and any other equipment to which the animals have had access has been completed.

(b) During the 28 days period referred to in paragraph (a) above, no person shall remove from the premises any pen, hurdle or other equipment to which the animals have had access unless they have been swept or scraped clean, cleansed by washing and an approved disinfectant applied in accordance with manufacturers' instructions.

Exception to restricted period

3. The restrictions in paragraph 1 and 2 above do not apply if the parts of the premises to which animals have had access are paved with cement, concrete, asphalt or other hard, impermeable material that is capable of being effectively cleansed and disinfected and the premises are cleansed and disinfected in accordance with Paragraphs 4, 5 and 6 below.

Cleansing and disinfection of paved premises

4. All parts of the premises to which animals have had access (including any pens, hurdles and any other equipment) must be swept or scraped clean and then cleansed by washing and an approved disinfectant applied in accordance with manufacturers' instructions.

5. The cleansing and disinfecting set out in paragraph 4 above -

- (a) must not begin until the animals have been removed from the part of the premises to be cleansed and disinfected; and
- (b) must be completed after the last animal has left the premises and before animals are allowed onto the premises again.

6. If (for a reason other than the presence of animals there) the premises become contaminated with animal excreta or other material of animal origin or any contaminant derived from animals, then the premises or those parts that have become so contaminated must be swept or scraped clean and then cleansed by washing and an approved disinfectant applied in accordance with manufacturers' instructions before any animals are allowed onto the premises again.

Disposal of waste from animal gatherings

7. All feedingstuffs to which the animals have had access, and all bedding, excreta, other material of animal origin and other contaminants derived from the animals at the animal gathering shall, as soon as possible and before animals are allowed to enter the premises again, be -

- (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.

(This note is not part of the Order)

This Order temporarily disappplies and replaces the Markets, Sales and Lairs Order 1925 (S.I. 1925/1349) (as amended) in relation to Wales.

It prohibits the use of premises for animal gatherings unless there is a licence permitting that activity (article 3).

It requires -

- premises used for animal gatherings to be free of animals for 28 days before and after such an event unless those premises can be and are properly cleansed and disinfected (Schedule 1 paragraphs 1 - 5);
- premises that have become contaminated to be cleansed and disinfected prior to being used for an animal gathering (Schedule 1, paragraph 6);
- waste material derived from animal gatherings to be properly disposed of (Schedule 1, Paragraph 7).

A regulatory appraisal has not been prepared for this Order.

Notes:

[1] 1981 c.22. *See* section 86(1) for the definitions of "the Ministers" and "the Minister". 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. 1978/32. Relevant amending instruments are S.I. 1978/934; S.I. 1999/919 and, as regards Wales, S.I. 2001/641 (W.31).[back](#)

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

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

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