

Welsh Statutory Instrument 2003 No. 1967 (W. 212)

The Animal Gatherings (Wales) Order 2003

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STATUTORY INSTRUMENTS

2003 No. 1967 (W. 212)

ANIMALS, WALES

ANIMAL HEALTH

The Animal Gatherings (Wales) Order 2003

<i>Made</i>	<i>29th July 2003</i>
<i>Coming into force</i>	<i>1st August 2003</i>

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The National Assembly for Wales and the Secretary of State, acting jointly in exercise of the powers conferred on them by sections 1, 7, 8 and 83 of the Animal Health Act 1981[1], make the following Order:

Title, application and commencement

1. This Order is called the Animal Gatherings (Wales) Order 2003; it applies in relation to Wales and comes into force on 1st August 2003.

Interpretation

2. In this Order -

"animals" ("*anifeiliaid*") means cattle (excluding bison and yak), deer, goats, sheep and pigs;

"animal area" ("*ardal i anifeiliaid*") has the meaning given in article 4(3) (c);

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

(a) a sale, show or exhibition;

(b) onward consignment within Great Britain for further rearing, finishing or slaughter;

(c) inspection to confirm the animals possess specific breed characteristics;

"approved disinfectant" ("*diheintydd a gymeradwywyd*") means a disinfectant approved under the Diseases of Animals (Approved Disinfectants) Order 1978[2] at the concentration required under that Order for "general orders"; and

"equipment" ("*cyfarpar*") includes pens and hurdles.

Exceptions

3. This Order does not apply if -

(a) all the animals brought to the gathering are owned by the same

person;

(b) all the animals come from one set of premises which the National Assembly for Wales has authorised as a sole occupancy group under the Disease Control (Wales) Order 2003[3]; and

(c) the animal gathering is to take place on premises owned or occupied by the owner of the animals.

The use of premises for animal gatherings

4. - (1) No person may use premises for an animal gathering unless those premises are licensed for that purpose by a veterinary inspector.

(2) A licence under this article -

(a) must 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 licensed premises.

(3) A licence is to specify -

(a) the name of the licensee;

(b) the premises in which the animal gathering may take place; and

(c) the area to which animals may be given access ("the animal area").

27 day restriction on when an animal gathering can take place

5. No person may allow an animal gathering to take place on premises on which animals have been kept until 27 days have passed from the day on which -

(a) the last animal left those premises; and

(b) after the last animal has left the premises, all equipment to which animals have had access has been cleansed of visible contamination.

Exemption from the 27 day restricted period for premises with a paved animal area

6. - (1) The restriction in article 5 does not apply if the animal area in the licensed premises is paved with cement, concrete, asphalt or other hard, impermeable material that is capable of being effectively cleansed and disinfected, and is cleansed and disinfected and waste is disposed of in accordance with this article before a further animal gathering is held.

(2) The cleansing and disinfection -

(a) must not begin until all animals have been removed from the part of the animal area being cleansed and disinfected; and

(b) must be completed after the last animal has left the licensed premises and before an animal gathering is held on the premises again.

(3) All parts of the animal area (including any equipment) must be swept or scraped clean, cleansed by washing and disinfected with an approved disinfectant.

(4) The licensee must ensure that all feedingstuffs to which animals have had access, and all bedding, excreta, other material of animal origin and other contaminants derived from animals in the animal area are, as soon as possible and before animals are allowed to enter the licensed premises again -

(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.

(5) If, following the last occasion on which the animal area was cleansed and disinfected in accordance with this article, it becomes contaminated with animal excreta or other material of animal origin or any contaminant derived from animals, then the animal area or those parts of it that have become so contaminated must be swept or scraped clean and then cleansed by washing and an approved disinfectant applied before any animals are allowed on to the licensed premises again.

Maximum time limits

7. - (1) No animal gathering for the purpose of -

(a) a sale or inspection held on premises to which article 6 applies; or

(b) an onward consignment licensed under this Order,

may last longer than 48 hours.

(2) The 48 hour period begins at midday and ends at midday two days later.

(3) The licensee must ensure that -

(a) no animal is brought on to the premises before the 48 hour period starts; and

(b) every animal is removed from the premises by the end of the 48 hour period.

(4) A veterinary inspector who is satisfied that -

- (a) it is necessary for animal welfare reasons; or
- (b) the risk of the introduction of disease into the sale and subsequent dissemination is low;

may by notice in writing extend the 48 hour time limit in respect of a sale.

Duties on persons at an animal gathering

8. When an animal gathering (other than for a show or exhibition) is taking place, the provisions of the Schedule (requirements at an animal gathering) have effect.

Restrictions following an animal gathering

9. - (1) The provisions of this article apply once the last animal at an animal gathering has left the licensed premises.

(2) No person may allow animals on to the licensed premises until all equipment to which animals at the gathering had access has been cleansed of visible contamination.

(3) No person may remove from the licensed premises any equipment to which animals at the gathering had access unless -

- (a) the equipment has been cleansed of visible contamination and a period of 27 days has elapsed since the last animal at the animal gathering has left the licensed premises; or
- (b) the equipment has been swept or scraped clean, cleansed by washing and disinfected with an approved disinfectant.

Enforcement

10. - (1) This Order is to be enforced by the local authority.

(2) The National Assembly for Wales may direct, in relation to cases of a particular description or any particular case, that an enforcement duty imposed on a local authority under this article is to be discharged by the National Assembly for Wales and not by the local authority.

Revocations

11. The following are revoked -

- (a) The Markets, Sales and Lairs Order 1925^[4];
- (b) The Markets, Sales and Lairs (Amendment) Order 1926^[5];
- (c) The Markets, Sales and Lairs (Amendment) Order 1927^[6];
- (d) The Markets, Sales and Lairs (Amendment) Order 1996^[7];
- (e) The Animal Gatherings (Interim Measures) (Wales) Order 2003^[8].

Signed on behalf of the National Assembly for Wales

John Marek
The Deputy Presiding Officer

29th July 2003

Ben Bradshaw
Parliamentary Under Secretary

Department for Environment, Food and Rural Affairs
29th July 2003

SCHEDULE

Article 8

Requirements at an animal gathering

Duties on a licensee

1. - (1) The licensee must ensure that any person entering the licensed premises is made aware that the premises are licensed under this Order, whether by means of a system of notices or otherwise.

(2) The licensee must provide footbaths containing approved disinfectant at exits from the animal area and at any loading and unloading bay, and facilities on the licensed premises for changing, cleaning and disinfecting clothes and disposing of disposable clothes.

(3) The licensee must -

- (a) ensure that animals are unloaded and re-loaded in the animal area, and
- (b) ensure, so far as is reasonably practicable, that animals do not leave the animal area except on a vehicle.

Duties on persons attending the animal gathering

2. - (1) No person shall enter licensed premises wearing outer clothing visibly contaminated with animal excreta or other animal contamination.

(2) If a person in the animal area is wearing outer clothing visibly contaminated with animal excreta or other animal contamination, on leaving the animal area that person shall immediately clean the clothing of gross contamination (unless the clothing is to be disposed of) and either -

- (a) disinfect it;
- (b) change into clean clothing;

- (c) dispose of it; or
- (d) leave the licensed premises.

(3) If a person outside the animal area is wearing outer clothing visibly contaminated with animal excreta or other animal contamination, an inspector may serve on that person a notice giving the option of immediately -

- (a) cleaning the outer clothing,
- (b) changing into clean clothing,
- (c) disposing of disposable clothing, or
- (d) leaving the licensed premises.

Footwear in the animal area

3. Any persons leaving the animal area must cleanse and disinfect their footwear in the footbath provided.

Vehicles

4. - (1) No person may bring on to or take from the licensed premises any vehicle or equipment carried with that vehicle that is contaminated with animal excreta.

(2) This paragraph does not apply to -

- (a) any vehicle or equipment contaminated with excreta from animals being carried on the vehicle at the time it is brought on to the licensed premises;
- (b) any vehicle or equipment contaminated with excreta from animals which have been unloaded from the vehicle on the licensed premises;
- (c) any vehicle or equipment brought on to the licensed premises solely for cleansing and disinfection, if taken directly to the cleansing and disinfection facilities immediately upon arrival.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order revokes and replaces the Animal Gatherings (Interim Measures) (Wales) Order 2003. It changes that Order as follows -

- it extends the definition of "animal gatherings" to include animals brought together for inspections to ensure they possess specific breed characteristics (article 2);

- it makes provision for premises in a sole occupancy group (article 3);
- it imposes a 48 hour time limit on the duration of animal gatherings for the purpose of sales and onward consignment within Great Britain for slaughter, further rearing or finishing. A veterinary inspector may extend the time limit of an animal sale if this is necessary for animal welfare reasons or if the risk of introduction of disease into the sale or subsequent dissemination is low (article 7);
- it extends paragraph 4 of the Schedule to include excreta from animals that have been unloaded from the vehicle at the licensed premises. It also provides that vehicles or equipment contaminated with animal excreta may enter licensed premises for the sole purpose of cleansing and disinfecting the vehicle.

As before, it requires a licence for animal gatherings (article 4). It specifies that an animal gathering can only take place 27 days after the last animal left those premises and equipment on the premises has been cleaned of visible contamination (article 5). If the gathering takes place in paved premises article 6 makes provision for the cleansing and disinfection of those premises and enables a gathering to take place inside the normal time limits. It imposes duties on persons attending an animal gathering (article 8 and the Schedule). It imposes restrictions following an animal gathering (article 9).

It revokes the Markets, Sales and Lairs Order 1925 (S.R. & O. 1925/1349) and amending instruments (article 11). It is enforced by the local authority (article 10).

Breach of the Order is an offence under section 73 of the Animal Health Act 1981, punishable in accordance with section 75 of that Act.

A Regulatory Appraisal has been prepared and placed in the library of the National Assembly. Copies can be obtained from the Animal Health Division, Welsh Assembly Government, Cathays Park, Cardiff CF10 3NQ.

Notes:

[1] 1981 c.22. Functions conferred under the 1981 Act on "the Ministers" (as defined in section 86 of that Act) were transferred so far as exercisable by the Secretary of State for Wales in relation to Wales, to the National Assembly for Wales by the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I.1999/672). The joint functions of "the Ministers" 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). All functions of the Minister of Agriculture, Fisheries and Food were then further transferred to the Secretary of State by the Ministry of Agriculture, Fisheries and Food (Dissolution) Order 2002 (S.I. 2002/794).[back](#)

[2] S.I. 1978/32 as amended by S. I. 1999/919 and, as regards Wales, by S. I. 2001/641 (W.31).[back](#)

[3] S.I.2003/1966 (W. 211).[back](#)

- [4] S.R. & O. 1925/1349.[back](#)
- [5] S.R. & O. 1926/546.[back](#)
- [6] S.R. & O. 1927/982.[back](#)
- [7] S.I. 1996/3265.[back](#)
- [8] S.I. 2003/253.[back](#)

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