

S.I. No 99 of 2002

DISEASES OF ANIMALS (CARRIAGE OF CATTLE BY SEA) ORDER **1996 (EXTENSION OF APPLICATION TO SHEEP AND** **CONSEQUENTIAL PROVISIONS) ORDER 2002**

I, Joe Walsh, Minister for Agriculture, Food and Rural Development in exercise of the powers conferred on me by sections 3, 28 and 29 of the Diseases of Animals Act 1966 (No. 6 of 1966) (as adapted by the Agriculture and Food (Alteration of Name of Department and Title of Minister Order, 1999) (S.I. No. 307 of 1999)), hereby order as follows-

1. This Order may be cited as the Diseases of Animals (Carriage of Cattle by Sea) Order 1996 (Extension of Application to Sheep and Consequential Provisions) Order 2002.
- 2.(1) In this Order –

“the Order of 1996” means the Diseases of Animals (Carriage of Cattle by Sea) Order 1996 (S.I. No. 17 of 1996).
- (2) A reference to an Article is to an Article of this Order, unless it appears that a reference to some other enactment is intended and a reference to a paragraph or sub-paragraph is to a paragraph or sub-paragraph of the provision in which the reference occurs unless it is indicated that a reference to some other provision is intended.
- (3) The Order is in addition to and not in substitution for the Diseases of Animals (Protection of Animals During Transport) Order, 1995 (S.I. No. 98 of 1995).
- 3.(1) The Order of 1996, subject to paragraph (2), shall be construed and have effect as if references therein to cattle, animals or livestock included references to sheep.
- (2) Paragraph (1) shall not apply to the following provisions of the Order of 1996, that is to say –
 - a) paragraphs (1), (2) and (4) of Article 17,
 - (b) Article 28, and
 - (c) paragraphs 9 (other than the final sub-paragraph thereof), 10, 11, 12, 14, Chapter IV (other than Table 2 to paragraph 20) and paragraphs 21(b), 22, 25 and 88 of the First Schedule thereto.
4. The Order of 1996 is amended –
 - (a) in paragraph (2) of Article 12, by the substitution for “suspend” of “suspend”,
 - (b) in paragraph (1) (a) of Article 21, by the insertion after “cattle” of “and at least 4 litres of water per day to each head of sheep”,

- (c) in paragraph 35(a) of Chapter IX of the First Schedule by the insertion after “25” of “or, in the case of sheep, paragraph 104”, and
- (d) in the First Schedule by the insertion after paragraph 94 of –

**“CHAPTER XXII
Design of Pens and Passageways for Sheep**

- 95.** Without prejudice to paragraph 96, the construction of pens for sheep and of adjacent passageways shall comply with the specifications shown in Table 5.

TABLE 5

Detail of design	Dimension
Maximum distance between rails aligned fore and aft	4.5 metres
Minimum distance between rails aligned fore and aft	2.0 metres
Maximum distance between rails aligned athwartships	Not more than twice the distance between rails aligned fore and aft
Minimum distance between rails aligned athwartships	Not less than the distance between rails aligned fore and aft
Maximum clear floor area within pen	40.5 square metres
Minimum clear height within pen	1.1 metres
Minimum height of top edge of upper most rail above pen floor except that the height of that rail may be decreased if the clear height above the rail does not exceed 300 millimetres	900 millimetres
Maximum clear vertical distance between rails	300 millimetres
Maximum clear vertical distance below bottom edge of lowest rail of pen installed at deck level	200 millimetres
Maximum clear vertical distance below bottom edge of lowest rail of pen not installed at deck level	50 millimetres
Minimum width of adjacent passageway clear of receptacles and any other obstructions	900 millimetres

96. In respect of the side of a pen in a structure on an unenclosed deck, if that side forms part of the boundary of that structure but is not contiguous with a passageway:
- (a) the maximum clear vertical space below the bottom edge of the lowest rail and the top of a deck boundary angle or fashion plate, shall be 100 millimetres; and
 - (b) the maximum clear vertical space between rails shall be 200 millimetres except that the maximum clear vertical space between the uppermost rail and the next lower rail may be 250 millimetres.
97. The sides of pens, passageways, ramps and any areas where sheep are kept or through which they pass shall be vertical.

CHAPTER XXIII

Strength of Pens and Passageways for Sheep

98. Without prejudice to paragraph 102, rails and stanchions forming a fore and aft boundary of a sheep pen shall be capable of withstanding a load per metre length determined by the application of Formula 3 below, uniformly distributed up to the height of the top of the uppermost rail the centre of which is at a height of not more than 900 millimetres above the pen floor.

FORMULA 3

$$F = 1668 B (0.574 + 0.252 Z) \text{ newtons per metre length}$$

where: F = load per metre length of boundary;

B = maximum breadth of pen, in metres; and

Z = the vertical distance from a point 0.50 metre above the pen floor to the ship's water-line corresponding to the anticipated lightest load, in metres.

99. Rails and stanchions forming a boundary of a sheep pen other than a fore and aft boundary referred to in paragraph 98, shall be, where possible, of the same method of construction and of the same scantlings as determined by the application of Formula 3 above, for the fore and aft boundaries.
100. Without prejudice to paragraph 102, the floor and floor supports of a sheep pen shall be capable of withstanding a load, determined by the application of Formula 4, below, uniformly distributed over any two-thirds of the area of the floor of the pen.

Formula 4

$$F = 2500 \left[1 + 1/d((0.094 - 0.00035L)y + (7.4 - 0.016L)) \right]$$

where: F = floor load, per square metre

d = draught of the ship corresponding to the anticipated lightest loaded water-line, in metres;

y = longitudinal distance from the midpoint of the pen to amidships, in metres; and

L = length between the perpendiculars of the ship in metres.

101. A floor support of a sheep pen that also forms a boundary of a lower pen shall comply with paragraphs 98, 99 and 100.
102. In respect of a livestock pen structure above the uppermost continuous deck, the requirements of paragraphs 98, 99 and 100 may be dispensed with if the owner of a ship obtains the approval of the Minister to calculations showing that the rails and stanchions of the pens and the pen floor and floor supports of those pens in that structure are capable of withstanding appropriate design forces using the criteria specified by the survey authority or other classification society responsible for the design of the structure.
103. The maximum stresses permissible for materials used in the construction of the boundaries and floors of a pen must not exceed the values specified in Table 2, above, when under the loads determined in accordance with paragraphs 98, 100 and 102 as appropriate.

CHAPTER XXIV

Arrangement of Pens and Passageways for Sheep

104. Where sheep are to be moved between decks, a ramp shall be provided and shall –
 - (a) have a minimum clear width of 550 millimetres,
 - (b) have sides that-
 - (i) are free from protrusions, and
 - (ii) extend to a height of not less than 900 millimetres perpendicular to the ramp floor,
 - (c) be fitted with foot battens that are –
 - (i) of a minimum height of 25 millimetres and a minimum breadth of 10 millimetres with edges well rounded, and

- (ii) spaced at regular intervals of not more than 300 millimetres, each end batten being not more than 100 millimetres from the end of the ramp,
 - and
 - (d) have a gradient not exceeding 1 in 2.
- 105.** If pens are constructed in more than one tier on a deck, walkways shall be provided so that no pen floor is at a height of more than 1.50 metres above the deck or a walkway; and such walkways shall be so constructed as to not interfere with the safe use of any passageway beneath a walkway and must have a minimum clear height of 1.8 metres.”.

GIVEN under my Official Seal
20 March 2002

Joe Walsh
Minister for Agriculture, Food
and Rural Development

EXPLANATORY NOTE

(This note is not part of the instrument and does not purport to be a statutory interpretation.)

This Order establishes conditions for the carriage of sheep by sea.

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