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STATUTORY INSTRUMENTS

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**2006 No. 3260**

**The Welfare of Animals (Transport) (England) Order 2006**

**PART 2**

**Transport of Animals**

**General provision on the protection of animals during transport**

**4.—(1)** It is an offence to transport any animal in a way which causes, or is likely to cause, injury or unnecessary suffering to that animal.

(2) It is an offence to transport any animal except in such receptacles or means of transport, under conditions (in particular with regard to space, ventilation, temperature and security) and with such supply of liquid and oxygen, as are appropriate for the species concerned.

(3) This article applies to the transport of cold-blooded invertebrate animals.

(4) This article applies to the transport of vertebrate animals except those to which Council Regulation (EC) No 1/2005 applies.

**Transport**

**5.—(1)** A person who fails to comply with any of the following provisions of Council Regulation (EC) No 1/2005 is guilty of an offence against the Act—

- (a) Article 3 (general conditions for the transport of animals);
- (b) Article 4(1) (Article 4 relates to transport documentation);
- (c) Article 5(1) (Article 5 relates to planning obligations for the transport of animals);
- (d) Article 6(1) (Article 6 relates to transporters);
- (e) from 5 January 2008, Article 6(5);
- (f) Article 7 (prior inspection and approval of means of transport);
- (g) points 1.8, 1.9 or 1.11 of Chapter III of Annex I (Chapter III relates to transport practices).

(2) No person shall remove, deface, obliterate or alter a mark made under paragraph (3) of article 24 (powers of inspectors).

(3) Copies of the documentation referred to in Article 4 of Council Regulation (EC) No 1/2005 must be kept for 6 months from the completion of the journey.

**Transporters**

**6.** A transporter who fails to comply with the following provisions of Council Regulation (EC) No 1/2005 is guilty of an offence against the Act—

- (a) Article 4(2) (Article 4 relates to transport documentation);
- (b) Article 5(2) and (4) (Article 5 relates to planning obligations for the transport of animals);
- (c) Article 6(2), (3), (4), (6) and (8) (Article 6 relates to transporters);

- (d) Article 6(9)—
  - (i) for means of transport by road in service for the first time on or after the coming into force date of this Order; and
  - (ii) for all means of transport by road on or after 1 January 2009;
- (e) Article 12 (Article 12 relates to limitation on applications for authorisation).

### **Roll-on-roll-off vessels**

7.—(1) A master of a roll-on-roll-off vessel who fails to comply with point 3.1 of Chapter II of Annex I to Council Regulation (EC) No 1/2005 (Chapter II relates to additional provisions for transport on roll-on-roll-off vessels) is guilty of an offence against the Act.

(2) No transporter shall transport animals on a roll-on-roll-off vessel unless the master of the vessel has first verified the matters referred to in that point.

### **Organisers**

8. An organiser who fails to comply with any of the obligations in Article 5(3) and (4) of Council Regulation (EC) No 1/2005 (Article 5 relates to planning obligations for the transport of animals) is guilty of an offence against the Act.

### **Keepers**

9. A keeper who fails to comply with Article 8 of Council Regulation (EC) No 1/2005 (keepers at places of departure, transfer or destination) is guilty of an offence against the Act.

### **Assembly centres**

10. An operator of an assembly centre who fails to comply with Article 9 of Council Regulation (EC) No 1/2005 (assembly centres) is guilty of an offence against the Act.

### **Control posts**

11.—(1) It is an offence for a person to operate a control post unless he is approved for that purpose.

(2) It is an offence for any person to operate or use a control post unless it is approved in accordance with Article 3(1) of Council Regulation (EC) No 1255/97.

(3) An operator of a control post who fails to comply with any of the following provisions of Council Regulation (EC) No 1255/97 is guilty of an offence against the Act—

- (a) Article 4 (use of control posts);
- (b) Article 5 (the operation of control posts);
- (c) Article 6(1) (confirmation that an animal is fit to continue its journey).