

**Diseases of Animals (Protection of Animals during Transport)**

**(Amendment) Order, 2001**

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I, Joe Walsh, Minister for Agriculture, Food and Rural Development, in exercise of the powers conferred on me by sections 3, 11, 28 and 29 of the Diseases of Animals Act, 1966 (No. 6 of 1966) (as adapted by the Agriculture, Food and Rural Development (Alteration of Name of Department and Title of Minister) Order, 1999 (S.I. No. 307 of 1999)), and for the purpose, *inter alia*, of giving effect to Council Directive 97/12/EC of 17 March 1997<sup>1</sup> and Council Regulation (EC) No. 1255/97 of 25 June 1997<sup>2</sup>, hereby order as follows:

1. This Order may be cited as the Diseases of Animals (Protection of Animals during Transport) (Amendment) Order, 2001.

2. In this Order “Principal Order” means the Diseases of Animals (Protection of Animals during Transport) Order, 1995 (S.I. No. 98 of 1995).

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<sup>1</sup> O.J. No L109, 25.04.1997, p.1

<sup>2</sup> O.J. No. L174, 02.07.1997, p.1

3. The Principal Order is amended –

(a) in Article 2 by –

(i) the insertion after the definition of “airport” of the following:

“‘approved disinfectant’ means a disinfectant which for the time being stands approved by the Minister in accordance with the Diseases of Animals (Disinfectants) Order, 1975 (S.I. No. 273 of 1975).” as amended by the Diseases of Animals (Disinfectants) Order, 1975 (Amendment) Order, 1978 (S.I. No. 345 of 1978);”

(ii) the insertion before the definition of “attendant” of the following:

“‘assembly centre’ has the meaning assigned to it by the European Communities (Assembly Centres) Regulations, 2000 (S.I. No 257 of 2000);”, and

(iii) the substitution for the definition of “the Council Directive” of the following:

“‘Council Directive’ means Council Directive No. 91/628/EEC of 19 November 1991<sup>3</sup> (as amended by Council Decision No. 92/438/EEC of 13 July 1992<sup>4</sup>, Commission Decision No. 94/96/EEC of 3 February 1994<sup>5</sup> and Council Directive No. 95/29/EC of 29 June 1995<sup>6</sup>), Council Directive 97/12/EC of 17 March 1997

in so far as it relates to the transport of bovine animals and swine, and Council Regulation (EC) No. 1255/97 of 25 June 1997;”,

(b) by the substitution for Article 10 of the following:

“10. (1) The transporter shall ensure that he or she -

(a) is -

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<sup>3</sup> O.J. No. L340, 11.12.92, p.17

<sup>4</sup> O.J. No. L243, 25.8.92, p.27

<sup>5</sup> O.J. No. L50, 22.2.94, p.13

<sup>6</sup> O.J. No. L148, 30.6.95, p.52

(i) registered for the time being by the  
Minister to transport animals in  
accordance with Article 11;

(ii) in the case of transport of animals  
beyond the territory of the State,  
authorised for the time being by the  
Minister in accordance with Article 12;

(b) does not transport any animals, or cause any animals  
to be transported, in a way which is likely to cause  
injury or undue suffering to those animals;

(c) uses, for the transport of animals referred to in this Order,  
means of transport that are -

(i) in compliance with the Council Directive  
and this Order and in particular the  
requirements laid down in the First  
Schedule;

(ii) constructed in such a way as to ensure  
that faeces, litter or feed cannot leak or fall  
out of the vehicle, and

(iii) cleaned and disinfected immediately  
after every animal transport operation  
and, if necessary, before any new loading of  
animals, using an approved disinfectant  
to remove any product which could affect animal  
health;

(d) (i) has appropriate cleaning and disinfection  
facilities for animals including facilities for  
storing litter and dung, approved by the Minister,  
or

(ii) provides documentary evidence that such cleaning and disinfection operations are performed by a third party approved by the Minister;

(e) for each vehicle used for the transport of animals, keeps a register containing at least the following information which shall be retained for a minimum period of 3 years:

(i) places and dates of pick-up, and the name or business name and address of the holding or assembly centre where the animals are picked up,

(ii) places and dates of delivery, and the name or business name and address of the consignee,

(iii) species and number of animals carried,

(iv) date and place of disinfection,

(v) details of accompanying documentation including serial number;

(f) ensures that a consignment of animals does not, at any time, between leaving the holdings or an assembly centre and arriving at its destination, come into contact with animals of a lower health status;

(g) entrusts the transport of animals to staff who have received appropriate training or have the equivalent practical experience as required in Article 12(4)(b);

(h) for animals referred to in Article 3(1)(a), where the journey time is likely to exceed 8 hours, completes Part A of the route plan set out in the Second Schedule which shall accompany the animals indicating any staging and transfer points during the whole period of the journey;

(i) submits to an inspector the route plan referred to in subparagraph (e), on which will be indicated the number or numbers of the health certificates, if any, and the authorisation number allocated to him or her in accordance with Article 12, which shall then be stamped and signed by an inspector, where the inspector is satisfied that such route plan complies with the provisions of this Order, prior to export of these animals from the State:

(j) arranges -

(i) for the correct drawing up of the route plan referred to in sub-paragraph (e) and attaches it to the health certificate or certificates, if any, accompanying the animals throughout the journey;

(ii) that the staff in charge of the means of transport -

(I) state in the route plan the times and places at which the animals transported have been fed and watered and ensure that all other requirements of Part B of the route plan are completed during the journey;

(II) following the return of the means of transport concerned to the State, and within a maximum of 7 days following such return, return the route plan to the Minister;

(k) keeps a copy of the route plan for the period of at least 3 years from the date of return of the means of transport to the State. This copy shall be produced to, and may be inspected by, an authorised officer on a request being made in that behalf by such officer;

(l) takes the necessary steps to meet the animals' needs for food and water during the journey, even where the journey is changed from that specified in the route plan or where the journey is interrupted for reasons beyond his or her control;

(m) arranges, subject to the provisions of Chapter VII of the First Schedule, for the animals to be transported without delay to their place of destination;

(n) ensures, without prejudice to compliance with the provisions of Chapter III of the First Schedule, that animals of species not referred to in Chapter VII of the First Schedule are suitably fed and watered at appropriate intervals during transport;

(o) notifies the Minister in writing, within 7 days of the return of the means of transport concerned to the State, of any deaths of or serious injuries to animals being transported during the journey and the reasons for such deaths or serious injuries;

(p) furnishes a written undertaking in relation to the transport animals to the Minister stating that -

- (i) all the measures necessary to comply with this Order and the Council Directive shall be taken, and
- (ii) the transport of animals is or shall be, entrusted to staff who possess the necessary ability, professional competence and knowledge.

(2) The costs of meeting animals' feeding, watering and rest requirements shall be borne by the transporter.”,

(c) by the substitution for paragraph (1) of Article 11 of the following:

“(1) the Minister shall,as soon as may be after the coming into operation of this Order, establish and maintain a register (referred to subsequently in this Article as “the register”) of persons carrying out animal transport -

(a) who have been approved by him or her as transporters,  
and

(b) whose cleaning and disinfection facilities, including facilities for storing litter and dung, have also been approved by the Minister, or, where such facilities are provided by a third party, where the transporter provides documentary evidence that those facilities have been so approved.” , and

(d) by the substitution for the Second Schedule of the Schedule to this Order.

**SCHEDULE**  
**Diseases of Animals (Protection of Animals during Transport) Orders 1995/1997**  
**and**  
**Council Regulation (EC) No. 1255/77 - Community Criteria for Staging Points**  
**ROUTE PLAN (Part A)**

(1)	TRANSPORTER (name, address, business name)   SIGNATURE OF TRANSPORTER (a)	(2)	Means of Transport   No of registration or identification (a)	
(3)	Animal Species  Number  Place of departure  Place and country of destination (a)	(4)	Itinerary   Estimated journey time (a)	
(5)	Number of Health Certificate(s) or accompanying document(s) (a)	(6)	Stamp of veterinarian at place of departure  (b)	Stamp of veterinarian at staging point(s) (b)
(8)	Date and time of departure (a)	(9)	Name of person in charge of transport during journey (c)	Stamp of competent authority at point of exit or authorized crossing point (d)

- (a) To be completed by the transporter before departure  
(b) To be completed by the appropriate veterinarian  
(c) To be completed by the transporter during the journey  
(d) To be completed by the competent authority at the point of exist or authorized crossing point  
(e) To be completed by the transporter after the journey

(Part B)

(11) Planned staging or transfer points (a)		(12) Actual staging or transfer points: (c and e)			
(13) Place and address	(14) Date and time	(15) Length of stop	(16) Reason	(17) Place and address	(18) Date and time
(i)					
(ii)					
(iii)					
(iv)					
(v)					
(vi)					
(a) To be completed by the transporter before departure (b) To be completed by the appropriate veterinarian (c) To be completed by the transporter during the journey (e) To be completed by the transporter after the journey	(20) Signature of person in charge during journey (e)	(21) Date and time of arrival at place of destination (e)			
(22) OBSERVATIONS:					



**GIVEN** under my Official Seal

11 May 2001

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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 legal interpretation.)

The effect of this Order is to provide for revised conditions for the protection of animals during transport.

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