SECOND SCHEDULE

Diseases of Animals (Boiling of Animal Foodstuffs) Order of 1947(a).

The Diseases of Animals (Licensing of Waste Food Sterilisation Plant) Order, 1954.

Foot-and-Mouth Disease (Disinfection of Road Vehicles) Order of 1941(b).

Foot-and-Mouth Disease (Disinfection of Road Vehicles) (Amendment) Order of 1942(c).

EXPLANATORY NOTE

(This Note is not part of the Order, but is intended to indicate its general purport.)

Waste foods may, if not boiled for one hour, spread foot-and-mouth and other diseases. This Order prohibits the feeding of unboiled waste foods to certain animals or to poultry. It also provides that, where a person has collected from the premises of other persons onto his own premises any waste foods for feeding to animals or poultry, the waste foods shall not be used on or moved from his premises unless they have first been boiled for one hour in a plant licensed by the local authority. But if no animals or poultry are kept on the collector's premises, the unboiled waste foods may be moved from those premises, either by another collector for boiling in his own licensed plant, or to a plant operated by a local authority, or by a small stockkeeper to his premises for feeding, after boiling, to his own pigs or poultry. The Order also prohibits the carriage of animals, poultry or feedingstuffs in a vehicle that is carrying unboiled waste foods; and it requires the disinfection of vehicles and containers after each occasion on which they are used for the carriage of unboiled waste foods before they are again used for the carriage of animals, poultry or feedingstuffs.

1957 No. 170

The Exported Cattle Protection Order, 1957

Made - - - -	*6th February*, 1957
Coming into Operation	*26th February*, 1957

The Minister of Agriculture, Fisheries and Food and the Secretary of State acting jointly in exercise of the powers conferred upon them by sections 1, 20 and 23 of the Diseases of Animals Act, 1950(d), and section 11 of the Agriculture (Miscellaneous Provisions) Act, 1954(e), and of all other powers enabling them in that behalf, hereby order as follows:—

Citation and Commencement

1. This Order, which may be cited as the Exported Cattle Protection Order, 1957, shall come into operation on the 26th day of February, 1957.

(a) S.R. & O. 1947/1175 (Rev. II, p. 317: 1947 I, p. 82).
(b) S.R. & O. 1941/312 (Rev. II, p. 518: 1941 I, p. 77).
(c) S.R. & O. 1942/1794 (Rev. II, p. 519: 1942 I, p. 18).
(d) 14 Geo. 6. c. 36. (e) 2 & 3 Eliz. 2. c. 39.

Interpretation

2.—(1) In this Order, unless the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them—

"the Act" means the Diseases of Animals Act, 1950, as amended or extended by any other enactment;

"approved premises" has the meaning assigned to it by Article 3 of this Order;

"cattle" means bulls, cows, oxen, heifers and calves;

"inspector" means a person appointed to be an inspector for the purposes of the Act by the Minister or by a local authority and, when used in relation to a person appointed by the Minister, includes a veterinary inspector;

"local authority" means a local authority for the purposes of the Act;

"master" includes any person having the charge or command of a vessel, except the pilot;

"Minister" and "Ministry" means the Minister and Ministry of Agriculture, Fisheries and Food respectively;

"pilot", in relation to an aircraft, means the pilot or other person having the command or charge of the aircraft;

"rest period" has the meaning assigned to it by Article 3 (2) of this Order.

(2) The Interpretation Act, 1889(**a**), shall apply to the interpretation of this Order as it applies to the interpretation of an Act of Parliament.

Provisions for the purpose of protecting exported cattle from unnecessary suffering during carriage by sea or air

3.—(1) No person shall ship, or permit to be shipped, any cattle by sea or by air from any place in Great Britain to any place in Europe outside the United Kingdom, the Channel Islands, the Isle of Man or the Republic of Ireland, unless immediately before being loaded in the ship or aircraft in which they are to be carried they have been rested by detention for the rest period defined by the succeeding paragraph of this Article on premises (hereinafter referred to as "approved premises") which

(*a*) are at or near the place of loading;

(*b*) are, if they are to be used during the period between 31st October and 1st April, provided with suitable protection against the weather; and

(*c*) are approved for that purpose, in England and Wales by the Minister or in Scotland by the Secretary of State, which approval may be granted subject to such conditions as the Minister or Secretary of State may see fit to impose, and in particular subject to a condition limiting the number of cattle to be rested on the premises at any one time.

(2) The rest period shall be a period of not less than ten hours which shall include at least three consecutive hours between sunrise and sunset, and shall commence in respect of all the cattle in any consignment at the time of entry into the approved premises of the last animal of the consignment.

(a) 52 & 53 Vict. c. 63.

Conditions of use of premises for detention

4. No person having the charge or control of any approved premises shall use or cause or permit them to be used for the rest period of any cattle—

(*a*) except in accordance with such conditions, if any, as the Minister or Secretary of State may have attached to his approval of the premises, and

(*b*) unless

(i) where the cattle are housed in any buildings, shelter or yard, sufficient clean bedding is provided ;

(ii) adequate supplies of food and water are available during any rest period for all cattle therein ;

(iii) while the premises are used for the rest period of the cattle, all other cattle, and sheep, goats and swine are excluded therefrom ; and

(iv) all reasonable facilities are afforded to an inspector or to any constable, for the examination of the cattle and the observation of their treatment during detention.

Notification of arrival at approved premises

5. It shall be the duty of the person having the charge or control of any approved premises at the commencement of the rest period of any consignment of cattle therein to notify with all practicable speed (whether by telephone or otherwise), to an inspector of the Ministry and to the local authority—

(*a*) the number of cattle in the consignment ;

(*b*) the time of its arrival on the approved premises ; and

(*c*) the place from which it was despatched.

Certificate of detention to be produced on loading

6.—(1) It shall be unlawful to load into any ship or aircraft any animal required by this Order to be rested on approved premises unless at the time of loading it is accompanied by a statement signed by the person having the charge or control of the premises on which it was rested, that it was detained there throughout the whole of the rest period.

(2) Such a statement as aforesaid shall be delivered to the master of the vessel or pilot of the aircraft (as the case may be) in which the animal is to be loaded, and shall be produced on demand to any inspector, constable or officer of Customs and Excise.

Notification by inspector of unfitness of animals for carriage by ship or aircraft

7. Where an inspector is of opinion that any animal required to be rested under this Order cannot, owing to infirmity, illness, injury, fatigue or any other cause be carried without unnecessary suffering, or that the calving of the animal during transit is reasonably probable, he may place a mark upon the animal and serve a notice on the person in charge of the animal and also, when practicable, on the master of the vessel or the pilot of the aircraft (as the case may be) prohibiting the carriage of the animal and, until such notice is withdrawn by an inspector, it shall be unlawful to carry the animal by sea or by air.

Powers of inspector to require disembarkation of unfit animals

8. Where any animal required to be rested under this Order has been loaded into any ship or aircraft, and an inspector is of opinion that owing to infirmity, illness, injury, fatigue or any other cause, or because the calving

of the animal during transit is reasonably probable, the animal is likely to experience unnecessary suffering during transit, he may serve a notice on the master of the vessel or pilot of the aircraft (as the case may be) in which the animal is loaded, requiring him to unload the animal from the ship or aircraft and may also serve a notice on any person having charge or control of the animal, requiring him to comply with such conditions as to rest or other treatment as the inspector may specify in the notice, and if any person on whom such notice as aforesaid has been served fails to comply with any of its requirements, he shall be guilty of an offence against the Act.

Exemption for special purposes

9.—(1) The Minister or the Secretary of State may grant a licence exempting from the provisions of this Order any animal which he is satisfied—

(*a*) is a pedigree animal intended for use for breeding ; or

(*b*) will travel before reaching the place at which it is to be loaded in the ship or aircraft a distance so short that a rest period is unnecessary.

(2) Application for any licence under this Article shall be made in such manner and within such time as may be required by the Minister or the Secretary of State, and any licence so granted may have attached thereto such conditions as the Minister or the Secretary of State may impose for the prevention of unnecessary suffering in transit.

Disinfection of approved premises

10. An inspector may give notice in writing to the person having the charge or control of approved premises requiring the cleansing and disinfection of the whole or any part of those premises by him, or of any fittings, pens, hurdles, utensils or other things, or prescribing the method of disposal of dung, fodder or litter, and when such notice shall have been given, the approved premises or such part thereof as may be specified in the notice or such things as aforesaid, as the case may be, shall not be used for cattle unless and until the same shall have been cleansed and disinfected to the satisfaction of an inspector, and dung, fodder or litter shall not be disposed of otherwise than in accordance with the notice.

Execution and enforcement

11. The provisions of this Order shall, except where it is otherwise expressly provided, be executed and enforced by the local authority.

In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed this sixth day of February, nineteen hundred and fifty-seven.

(L.S.) *D. Heathcoat Amory,*
Minister of Agriculture, Fisheries and Food.

Given under the Seal of the Secretary of State for Scotland this sixth day of February, nineteen hundred and fifty-seven.

(L.S.) *John S. Maclay,*
Secretary of State for Scotland.

EXPLANATORY NOTE

(This Note is not part of the Order, but is intended to indicate its general purport.)

This Order requires that any cattle which are to be exported from Great Britain to any place outside the United Kingdom, the Channel Islands, the Isle of Man or the Republic of Ireland, whether by sea or by air, shall be rested for at least ten hours before they are loaded in the ship or aircraft in which they are to be carried. It requires the provision of adequate food and water, and, in winter, shelter and bedding, and also empowers an inspector appointed by the Minister of Agriculture, Fisheries and Food or by the local authority to prohibit the carriage of any animal, or to require an animal to be removed from the ship or aircraft if it is likely to be exposed to unnecessary suffering during transit.

1957 No. 1254

The Exported Cattle Protection (Amendment) Order, 1957

Made - - - -	15*th July*, 1957
Coming into Operation	22*nd August*, 1957

The Minister of Agriculture, Fisheries and Food and the Secretary of State, acting jointly, in exercise of the powers conferred on them by Sections 1, 20, 23 and 85 of the Diseases of Animals Act, 1950(a), and Section 11 of the Agriculture (Miscellaneous Provisions) Act, 1954(b), and of all other powers enabling them in that behalf, hereby order as follows:—

Citation, Commencement and Interpretation

1.—(1) This Order, which may be cited as the Exported Cattle Protection (Amendment) Order, 1957, shall come into operation on the 22nd day of August, 1957.

(2) The Interpretation Act, 1889(c), shall apply to the interpretation of this Order as it applies to the interpretation of an Act of Parliament.

Amendment of Principal Order

2. The Exported Cattle Protection Order, 1957(d), shall be altered as follows:—

(*a*) in sub-paragraph (*b*) of paragraph (1) of Article 3, the words "if they are to be used during the period between 31st October and 1st April" shall be deleted;

(*b*) for paragraph (*b*) of Article 4 the following paragraph shall be substituted, that is to say—

"(*b*) unless during the whole of the rest period of the cattle—

(i) sufficient clean bedding is provided;

(a) 14 Geo. 6. c. 36. (b) 2 & 3 Eliz. 2. c. 39. (c) 52 & 53 Vict. c. 63.
(d) S.I. 1957/170 (p. 152 above).