STATUTORY INSTRUMENTS

1979 No. 1013

ANIMALS

DISEASES OF ANIMALS

The Transit of Animals (Road and Rail) (Amendment) Order 1979

Made - - - -	1*st August* 1979
Coming into Operation	1*st September* 1979

The Minister of Agriculture, Fisheries and Food, the Secretary of State for Scotland and the Secretary of State for Wales, acting jointly, in exercise of the powers conferred by sections 1(1) and (2)(*a*), 20(ix) and (x) and 85(1) of the Diseases of Animals Act 1950**(a)**, and now vested in them **(b)**, and of all their other enabling powers, hereby order as follows:—

Citation, extent, commencement and interpretation

1.—(1) This order, which may be cited as the Transit of Animals (Road and Rail) (Amendment) Order 1979, shall apply throughout Great Britain and shall come into operation on 1st September 1979.

(2) In this order "the principal order" means the Transit of Animals (Road and Rail) Order 1975**(c)**.

Amendment of principal order

2.—(1) In Article 2 of the principal order (interpretation) for the definition of "the Minister" there shall be substituted the following definition:—

> " "the Minister", in the application of this order to England, means the Minister of Agriculture, Fisheries and Food, in the application of this order to Scotland, means the Secretary of State for Scotland, and, in the application of this order to Wales, means the Secretary of State for Wales;".

(2) In Article 15(5) of the principal order (which exempts certain vehicles and receptacles used for the carriage of horses from the general provisions of that article relating to cleansing and disinfection), for sub-paragraph (*a*) there shall be substituted the following sub-paragraph:—

> "(*a*) by the owner thereof for the carriage of his own horse, or for the carriage of any other horse which is used for private recreational or private sporting purposes only, and which is kept on the same premises as a horse owned by him; or".

(a) 1950 c. 36.
(b) By the Transfer of Functions (Animal Health) Order 1955 (S.I. 1955/958) and the Transfer of Functions (Wales) (No. 1) Order 1978 (S.I. 1978/272).
(c) S.I. 1975/1024.

(3) In Article 15(5)(i) of the principal order for the words "belonging to the owner of the vehicle or receptacle, and" there shall be substituted the words "referred to in that sub-paragraph, and".

(4) In Article 17(5) of the principal order (which provides exceptions in respect of certain vehicles from the requirement in that article as to the keeping of records), for sub-paragraph (*a*) there shall be substituted the following sub-paragraph:—

"(*a*) by the owner thereof for the carriage of—

(i) a horse which is owned by him, and which is used by him or by a person acting with his consent for private recreational or private sporting purposes only, or

(ii) any other horse which is used for such purposes, and which is kept on the same premises as a horse owned by him; or"

(5) In Article 19 of the principal order (exceptions in certain cases) after paragraph (1) there shall be inserted the following paragraph:—

"(1A) Without prejudice to paragraph (1) above—

(*a*) the provisions of Article 4(3) of this Order shall not apply to goats carried for breeding, exhibition or as pets; and

(*b*) the provisions of Articles 3 and 4(4) and (6) of this Order shall not apply to a vehicle which is being used on any journey exclusively for the carriage of goats for breeding, exhibition or as pets."

(6) In paragraph 2(2) of Schedule 2 to the principal order (separation of animals during carriage) for items (*j*) and (*k*) there shall be substituted the following items:—

"(*j*) female goats when accompanied by unweaned kids;

(*k*) male goats over 6 months of age;"

(7) In paragraph 4 of Schedule 2 to the principal order (exceptions to separation of animals during carriage) after item (*d*) there shall be added the following item:—

"(*e*) goats other than male goats over 6 months of age may be carried together in the same undivided vehicle, receptacle or pen if they are carried for breeding, exhibition or as pets and if they have been kept together on the same premises."

In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 25th July 1979.

(L.S.)

Peter Walker,
Minister of Agriculture, Fisheries and Food.

26th July 1979.

George Younger,
Secretary of State for Scotland.

1st August 1979.

Nicholas Edwards,
Secretary of State for Wales.

EXPLANATORY NOTE

(This Note is not part of the Order.)

This order makes a number of minor amendments to the Transit of Animals (Road and Rail) Order 1975. Under the first of these, the exemption from the cleansing and disinfection requirements of the 1975 Order which is applied to a vehicle which is used by its owner for the carriage of his own horse is extended to cover the carriage of any other horse used for the purposes specified in the order and which is kept on the same premises as a horse owned by the owner of the vehicle. The exemption from record keeping which applies to such carriage in the majority of cases is similarly extended.

In addition, the order disapplies certain requirements of the 1975 Order in relation to carrying of goats if they are carried for breeding, exhibition or as pets and permits goats so carried and which have been kept together on the same premises to be carried together in the same undivided vehicle.

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