1963 No. 1228

ANIMALS

DISEASES OF ANIMALS

The Transit of Calves Order 1963

Made - - - - 11*th July* 1963

Coming into Operation—

(a) *except for the Schedule* 22*nd July* 1963

(b) *Schedule* - - - 1*st January* 1964

The Minister of Agriculture, Fisheries and Food and the Secretary of State, acting jointly, by virtue and in exercise of the powers vested in them by sections 1 and 20 of the Diseases of Animals Act 1950(a), and of all other powers enabling them in that behalf, hereby order as follows :—

Citation, extent and commencement

1. This order, which may be cited as the Transit of Calves Order 1963, shall apply throughout Great Britain and shall come into operation on 22nd July 1963, except for the Schedule, which shall come into operation on 1st January 1964.

Interpretation

2.—(1) In this order, unless the context otherwise requires—

" calf " means a bovine animal under the age of six months ;

" dealer " means a person habitually engaged in the trade or business of selling animals purchased by him for re-sale and not for the purpose of rearing, milking, fattening or breeding ;

" floor " includes deck or tier ;

" local authority " has the same meaning as in section 59 of the Diseases of Animals Act 1950.

(2) The Interpretation Act 1889(b) applies to the interpretation of this order as it applies to the interpretation of an Act of Parliament.

Prohibition on carriage of unfit calves

3.—(1) No person shall carry a calf by road in a vehicle, or permit it to be so carried, if for any reason it is unfit to be so carried without unnecessary suffering.

(2) Nothing in this article shall be deemed to prohibit the use of a vehicle as an ambulance for a calf.

(a) 14 Geo. 6. c. 36. (b) 52 & 53 Vict. c. 63.

Protection of calves from unnecessary suffering during inland transit

4.—(1) No person shall carry calves, or permit them to be carried, by road in a vehicle which is being used—

(*a*) on hire for the carriage of animals,

(*b*) for the carriage of animals the property of a dealer or for the carriage of animals in connection with the trade or business of a dealer, or

(*c*) for the carriage of animals which are not all of them owned by the same person,

except in accordance with the following provisions of this article and the provisions of the Schedule to this order so far as they are in operation.

(2) While in the vehicle the calves shall be offered suitable and adequate food and water at intervals of not more than 18 hours.

(3) The floor of every part of the vehicle in which the calves are carried shall be covered with adequate quantities of suitable bedding material.

Enforcement

5. The provisions of this order shall be executed and enforced by the local authority.

Saving for Transit of Animals Orders

6. The provisions of this order shall be in addition to and not in substitution for the provisions of the Transit of Animals Order of 1927(**a**) as amended(**b**).

In witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 11th July 1963.

(L.S.) *Christopher Soames,*

Minister of Agriculture, Fisheries and Food.

Given under the Seal of the Secretary of State for Scotland on 11th July 1963.

(L.S.) *Michael Noble,*

Secretary of State for Scotland.

(**a**) S.R. & O. 1927/289 (Rev. II, p. 259: 1927, p. 57).
(**b**) The relevant amending instruments are S.R. & O. 1931/750, 1939/501 (Rev. II, p. 27: 1931, p. 55; 1939 I, p. 166).

SCHEDULE

Article 4(1)

PROVISIONS COMING INTO OPERATION ON 1ST JANUARY 1964

1. The vehicle, except when it has a top floor on which no calves are carried, shall have a rigid and substantial roof over it, so constructed as to prevent the calves from falling out of the vehicle and to protect them from the weather, from overhanging branches of trees, and from other obstructions overhead.

2. The sides of the vehicle shall be enclosed in such a manner as to protect the calves from the weather, without obstruction to proper ventilation.

3. The vehicle shall be so constructed by the arrangement of apertures and footholds as to enable the interior to be inspected from outside at the level of each floor on which the calves are carried.

4. (*a*) No section of the vehicle in which calves are carried shall be more than 8 feet in length.

(*b*) The sections shall be separated from each other by transverse barriers or partitions of adequate strength so constructed as to minimise the risk of injury to the calves without obstruction to proper ventilation.

(*c*) The calves shall be so contained and distributed within the sections, regard being had to differences of age and size, as to avoid injury, overcrowding or other cause of unnecessary suffering, whether the vehicle is stationary or in motion.

(*d*) The floor of every section shall be fitted with such transverse battens or other proper transverse footholds as are necessary to prevent the calves from slipping.

5. Every falling loading door, tail board or ramp which is carried on the vehicle for the purpose of loading the calves on, or unloading them from, any floor other than the lowest floor, or of transferring them from one floor to another, or which is used for any such purpose—

(*a*) shall have battens not less than 1 inch in height, not less than 1½ inches or more than 2½ inches wide, and not more than 6 inches apart;

(*b*) shall be so constructed as to have a gradient not steeper than 1 in 3 when in use while the vehicle is on level ground; and

(*c*) shall not be used with a steeper gradient than 1 in 3.

6. Except on the lowest floor, the vehicle shall have barriers on every floor on which the calves are carried, so constructed as to prevent the calves from falling when the back of the vehicle is lowered.

7. Pigs and sheep carried in the vehicle shall be separated from the calves by a barrier or partition of adequate strength.

EXPLANATORY NOTE

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

This order, which is made under sections 1 and 20 of the Diseases of Animals Act 1950, provides for the protection of calves (less than six months old) from unnecessary suffering during road transit. There is a general provision prohibiting the carriage of calves by road if they are unfit, and special provisions relating to the construction and use of dealers' and carriers' road vehicles where calves are carried, including a requirement that the calves must be offered food and water every 18 hours. The prohibition on the carriage of unfit calves, and the provisions relating to food, water and bedding, come into operation on 22nd July 1963; the constructional provisions on 1st January 1964.