WELSH STATUTORY INSTRUMENTS

2007 No. 2425 (W.201)

ANIMALS, WALES

ANIMAL HEALTH

The Animal Gatherings (Wales) Order 2007

Made - - - -	*14 August 2007*
Coming into force - -	*14 August 2007*

The Welsh Ministers, in exercise of the powers vested in them by sections 1, 7, 8 and 83 of the Animal Health Act 1981(**1**), make the following Order:

Title, commencement and application

1.—(1) The title of this Order is the Animal Gatherings (Wales) Order 2007.

(2) This Order comes into force on 14 August 2007.

(3) This Order applies in relation to Wales.

Interpretation

2. In this Order—

"animals" ("*anifeiliaid*") means cattle (excluding bison and yak), deer, goats, sheep and pigs;

"animal area" ("*man i anifeiliaid*") has the meaning given in article 5(3)(c);

"animal gathering" ("*crynhoad anifeiliaid*") means an occasion at which animals are brought together for one or more of the following purposes—

(a) a sale, show or exhibition,

(b) onward consignment within Great Britain,

(c) inspection to confirm the animals possess specific breed characteristics;

"approved disinfectant" ("*diheintydd a gymeradwywyd*") means a disinfectant approved under the Diseases of Animals (Approved Disinfectants) Order 1978(**2**);

"equipment" ("*cyfarpar*") includes pens and hurdles;

"licensed premises" ("*mangre drwyddedig*") means premises licensed under article 5;

(**1**) 1981 c. 22. Functions of the Minister and the Secretary of State transferred to the National Assembly for Wales by S.I. 1999/672 and S.I. 2004/3044. Functions of the National Assembly for Wales transferred to the Welsh Ministers by virtue of paragraph 30 of Schedule 11 of the Government of Wales Act 2006.

(**2**) S.I. 1978/32, as last amended as regards Wales by S.I. 2006/3166 (W.291).

"paved" ("*palmantog*") means paved with cement, concrete, asphalt or other hard, impermeable material that is capable of being effectively cleansed and disinfected;

"sheep autumn breeding sale" ("*arwerthiant defaid magu yn yr hydref*") means an animal gathering held on a date between 1 August and 31 December for the primary purpose of the sale of breeding sheep.

Notices and licences

3.—(1) A notice or licence under this Order-

(a) must be in writing;

(b) may be amended, suspended or revoked by a notice issued by a veterinary inspector; and

(c) may be subject to such conditions as the veterinary inspector considers necessary to control the introduction into or spread of disease within or from the licensed premises.

(2) But this article does not apply to a notice or licence granted by the Welsh Ministers under article 8.

Exceptions

4. This Order does not apply if—

(a) all the animals brought to the animal gathering are owned by the same person;

(b) all the animals come from one set of premises which the Welsh Ministers have authorised as a sole occupancy group under the Disease Control (Wales) Order 2003(**3**); and

(c) the animal gathering takes place on premises owned or occupied by the owner of the animals.

The use of premises for animal gatherings

5.—(1) No person may use any premises for an animal gathering unless those premises are licensed for that purpose by a veterinary inspector.

(2) An application for a licence must be in writing.

(3) A licence must specify—

(a) the name of the licensee;

(b) the premises on which the animal gathering may take place; and

(c) the area to which animals may be given access ("the animal area").

27-day restriction on when an animal gathering may take place

6. Subject to articles 7 and 8, no person may allow an animal gathering to take place on premises on which animals have been kept until 27 days have passed from the day on which—

(a) the last animal left those premises; and

(b) all equipment to which animals had access has been cleansed of visible contamination, after the last animal has left the premises.

(**3**) S.I. 2003/1966 (W.211) as amended by S.I. 2006/179 (W.30) and S.I. 2006/1036 (W. 106).

Exemption for premises with a paved animal area

7.—(1) The restriction in article 6 does not apply if the animal area of the licensed premises is paved, and is cleansed and disinfected and waste is disposed of in accordance with this article before a further animal gathering is held.

(2) The cleansing and disinfection—

(a) must not begin until all animals have been removed from the part of the animal area to be cleansed and disinfected; and

(b) must be completed after the last animal has left the licensed premises and before an animal gathering is held on the premises again.

(3) All parts of the animal area (including any equipment) must be swept or scraped clean and then cleansed by washing and disinfected with an approved disinfectant.

(4) The licensee must ensure that all feedingstuffs to which animals had access, and all bedding, excreta, other material of animal origin and other contaminants derived from animals in the animal area are-

(a) destroyed;

(b) treated so as to remove the risk of transmission of disease; or

(c) disposed of so that animals do not have access to them,

as soon as possible and before animals are allowed to enter the licensed premises again.

(5) If, following the last occasion on which the animal area was cleansed and disinfected in accordance with this article, it becomes contaminated with animal excreta or other material of animal origin or any contaminant derived from animals, then the animal area or those parts of it that have become so contaminated must be swept or scraped clean and then cleansed by washing and disinfected with an approved disinfectant before any animals are allowed on to the licensed premises again.

(6) Where there is a series of animal gatherings on premises with a paved animal area that last no longer than 48 hours in total, the series will be treated as one animal gathering.

Exemption for sheep autumn breeding sales

8.—(1) If licensed premises have a paved animal area, in the case of a sheep autumn breeding sale, the licensee may apply to the Welsh Ministers for an additional licence—

(a) to permit sheep at the sheep autumn breeding sale to have access outside the paved animal area; and

(b) to hold a further animal gathering within 27 days of the end of the sheep autumn breeding sale.

(2) The licence must specify the area outside the paved animal area to which the sheep may have access and the date on which that access is permitted.

(3) The licence must not permit access to any part of the area outside the paved area more than once every 27 days.

(4) The licence must specify the biosecurity measures that must be taken.

(5) The licence does not affect any animal gathering held in the 27-day period after the end of the sheep autumn breeding sale that only takes place on the paved animal area to which article 7 applies.

(6) Any application made to the Welsh Ministers under paragraph (1) must—

(a) be in writing;

(b) state the proposed date of the sheep autumn breeding sale;

(c) state the proposed date of any animal gathering that the licensee wishes to hold within 27 days of the end of the sheep autumn breeding sale and the nature of that animal gathering; and

(d) be received by the Welsh Ministers at least four weeks prior to the beginning of the sheep autumn breeding sale.

(7) Any licence issued under this article-

(a) must be in writing; and

(b) may be amended, suspended or revoked by a notice issued by the Welsh Ministers.

Time limits

9.—(1) An animal gathering for the purpose of a sale (whether or not sale is the sole purpose) held on premises with a paved animal area or a sheep autumn breeding sale licensed under article 8 must not last for more than 48 hours, starting at midday.

(2) A veterinary inspector may by notice extend the period of the animal gathering under paragraph (1) if he or she is satisfied that—

(a) the extension is necessary for animal welfare reasons; or

(b) the risk of the introduction of disease into the sale and its subsequent dissemination is low.

(3) In the case of an animal gathering to which paragraph (1) does not apply, if one of the purposes of the gathering is the bringing together of animals for onward consignment within Great Britain, the gathering must not last for more than 48 hours, starting at midday.

Change to the starting time of animal gatherings for the purpose of sale

10.—(1) In the case of an animal gathering for the purposes of a sale (whether or not sale is the sole purpose) held on premises with a paved animal area or a sheep autumn breeding sale licensed under article 8, the licensee may change the midday starting time by, at least two weeks in advance-

(a) notifying both the Welsh Ministers and the local authority of the date and starting and ending time of the animal gathering or sheep autumn breeding sale; and

(b) publicising the animal gathering or sheep autumn breeding sale so that those bringing animals to it are made aware of the new starting and ending time.

(2) If the animal gathering is one of a series of such gatherings, the notification and publication may be for that series.

Dedicated slaughter sales and dedicated slaughter collections

11.—(1) No person may hold a dedicated slaughter sale or a dedicated slaughter collection other than on premises with a paved animal area.

(2) No person may hold a dedicated slaughter sale or a dedicated slaughter collection as part of an animal gathering held for any other purpose.

(3) The licensee must notify the Welsh Ministers and the local authority that he or she intends to hold a dedicated slaughter sale or a dedicated slaughter collection at least 3 days before the sale or collection.

(4) The licensee must publicise the animal gathering so that those bringing animals to it are made aware that it is a dedicated slaughter sale or dedicated slaughter collection.

(5) In this article—

(a) a "dedicated slaughter sale" means an animal gathering for the purpose of a sale before onward consignment direct to slaughter in Great Britain;