WELSH STATUTORY INSTRUMENTS

2003 No. 1967 (W. 212)

ANIMALS, WALES

ANIMAL HEALTH

The Animal Gatherings (Wales) Order 2003

Made - - - -	*29th July 2003*
Coming into force - -	*1st August 2003*

The National Assembly for Wales and the Secretary of State, acting jointly in exercise of the powers conferred on them by sections 1, 7, 8 and 83 of the Animal Health Act 1981(**1**), make the following Order:

Title, application and commencement

1. This Order is called the Animal Gatherings (Wales) Order 2003; it applies in relation to Wales and comes into force on 1st August 2003.

Interpretation

2. In this Order —

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

"animal area" ("*ardal i anifeiliaid*") has the meaning given in article 4(3)(c);

"animal gathering" ("*crynhoad anifeiliaid*") means an occasion at which animals are brought together for —

(a) a sale, show or exhibition;

(b) onward consignment within Great Britain for further rearing, finishing or slaughter;

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

(**1**) 1981 c. 22. Functions conferred under the 1981 Act on "the Ministers" (as defined in section 86 of that Act) were transferred so far as exercisable by the Secretary of State for Wales in relation to Wales, to the National Assembly for Wales by the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I.1999/672). The joint functions of "the Ministers" exercisable by the Secretary of State for Scotland in relation to Wales were transferred to the Minister of Agriculture, Fisheries and Food by the Transfer of Functions (Agriculture and Food) Order 1999 (S.I.1999/3141). All functions of the Minister of Agriculture, Fisheries and Food were then further transferred to the Secretary of State by the Ministry of Agriculture, Fisheries and Food (Dissolution) Order 2002 (S.I. 2002/794).

"approved disinfectant" ("*diheintydd a gymeradwywyd*") means a disinfectant approved under the Diseases of Animals (Approved Disinfectants) Order 1978(**2**) at the concentration required under that Order for "general orders"; and

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

Exceptions

3. This Order does not apply if —

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

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

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

The use of premises for animal gatherings

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

(2) A licence under this article —

(a) must be in writing;

(b) may be amended, suspended or revoked by a notice in writing 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.

(3) A licence is to specify —

(a) the name of the licensee;

(b) the premises in 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 can take place

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

Exemption from the 27 day restricted period for premises with a paved animal area

6.—(1) The restriction in article 5 does not apply if the animal area in the licensed premises is paved with cement, concrete, asphalt or other hard, impermeable material that is capable of being effectively cleansed and disinfected, 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 —

(**2**) S.I. 1978/32 as amended by S. I. 1999/919 and, as regards Wales, by S. I. 2001/641 (W.31).
(**3**) S.I.2003/1966 (W. 211).

(a) must not begin until all animals have been removed from the part of the animal area being 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, cleansed by washing and disinfected with an approved disinfectant.

(4) The licensee must ensure that all feedingstuffs to which animals have had access, and all bedding, excreta, other material of animal origin and other contaminants derived from animals in the animal area are, as soon as possible and before animals are allowed to enter the licensed premises again —

(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 it.

(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 an approved disinfectant applied before any animals are allowed on to the licensed premises again.

Maximum time limits

7.—(1) No animal gathering for the purpose of —

(a) a sale or inspection held on premises to which article 6 applies; or

(b) an onward consignment licensed under this Order,

may last longer than 48 hours.

(2) The 48 hour period begins at midday and ends at midday two days later.

(3) The licensee must ensure that —

(a) no animal is brought on to the premises before the 48 hour period starts; and

(b) every animal is removed from the premises by the end of the 48 hour period.

(4) A veterinary inspector who is satisfied that —

(a) it is necessary for animal welfare reasons; or

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

may by notice in writing extend the 48 hour time limit in respect of a sale.

Duties on persons at an animal gathering

8. When an animal gathering (other than for a show or exhibition) is taking place, the provisions of the Schedule (requirements at an animal gathering) have effect.

Restrictions following an animal gathering

9.—(1) The provisions of this article apply once the last animal at an animal gathering has left the licensed premises.

(2) No person may allow animals on to the licensed premises until all equipment to which animals at the gathering had access has been cleansed of visible contamination.

(3) No person may remove from the licensed premises any equipment to which animals at the gathering had access unless —