WELSH STATUTORY INSTRUMENTS

2003 No. 481 (W.67)

ANIMALS, WALES

ANIMAL HEALTH

The Animal Gatherings (Interim Measures) (Wales) Order 2003

Made - - - -	*3rd March 2003*
Coming into force - -	*4th March 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, commencement and cessation

1. This Order may be cited as the Animal Gatherings (Interim Measures) (Wales) Order 2003; it applies in relation to Wales, comes into force on 4th March 2003 and ceases to have effect 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,

(b) a show or exhibition,

(c) onward consignment for slaughter within Great Britain, or

(d) onward consignment within Great Britain for further rearing or finishing,

(**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).

and includes the reception or temporary detention of those animals;

"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. The provisions of this Order do not apply if —

(a) all the animals attending an animal gathering are owned by the same person and have the same keeper, and

(b) 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) The use by any person of premises for an animal gathering is prohibited 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 must 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. All animal gatherings on premises on which animals have been kept are prohibited 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 —

(a) the premises have an animal area paved with cement, concrete, asphalt or other hard, impermeable material that is capable of being effectively cleansed and disinfected, and

(b) the animal area has been cleansed and disinfected, and any waste on the animal area has been removed and disposed of, in accordance with this article.

(2) The cleansing and disinfection —

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

(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.

(3) All feedingstuffs to which animals have had access, and all bedding, excreta, other material of animal origin and other contaminants must be removed from the animal area and —

(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.

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

(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 cleansed and disinfected, and any waste must be disposed of, in accordance with this article before an animal gathering is held.

Duties on persons at an animal gathering

7. 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

8.—(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 —

(a) the equipment has been cleansed of visible contamination and a period of 27 days has elapsed since the last animal at the animal gathering has left the licensed premises, or

(b) the equipment has been swept or scraped clean, cleansed by washing and disinfected with an approved disinfectant.

The Markets, Sales and Lairs Order 1925

9. The Markets, Sales and Lairs Order 1925(**3**) does not apply while this Order is in force.

Enforcement

10. This Order may be enforced by the local authority or the Secretary of State.

Revocations

11. The following are revoked —

(a) The Animal Gatherings (Interim Measures) (Wales) Order 2002(**4**);

(**3**) S.I. 1925/1349 as amended by S.I. 1926/546; S.I. 1927/982 and S.I. 1996/3265.
(**4**) S.I. 2002/283 (W.34).