ANIMAL

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Diseases of Animals (Amendment) Act (Northern Ireland) 1953

1953. No. 100

WHEREAS by Section Seven of the Diseases of Animals (Amendment) Act (Northern Ireland) 1953 (hereinafter referred to as " the Act "), it is provided that the Act shall come into operation on the appointed day, and the appointed day for the purposes of the Act shall be such day as the Minister shall by order appoint :

NOW, THEREFORE, I, THE REVEREND THE RIGHT HONOURABLE ROBERT MOORE, the Minister of Agriculture for Northern Ireland, hereby appoint the first day of September, nineteen hundred and fifty three, to be the date on which the Act shall come into operation.

7th July, 1953.

R. Moore,
Minister of Agriculture for Northern Ireland.

Horses (Sea Transport)

ORDER, DATED 8TH JUNE, 1953 MADE BY THE MINISTRY OF AGRICULTURE UNDER THE DISEASES OF ANIMALS ACTS (NORTHERN IRELAND) 1894 TO 1948.

1953. No. 87

The Ministry of Agriculture for Northern Ireland in exercise of the powers conferred on it by or under the Diseases of Animals Acts (Northern Ireland) 1894 to 1948, and of every other power enabling it in that behalf hereby orders as follows :—

Short Title and Commencement

1. This Order may be cited as the Horses (Sea Transport) Order (Northern Ireland) 1953, and shall, except as provided in Articles 6 (7) and 18 (2), come into operation on the first day of July, 1953.

Interpretation

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

" Approved disinfectant " means any disinfectant which is an approved disinfectant for the purposes of the Animals Disinfection (Northern Ireland) Order, 1927, as amended by the Animals Disinfection (Northern Ireland) Order, 1927, Amendment Order 1931 ;

" Fodder " means hay or other substance commonly used for food for horses ;

" Horse " includes ass, mule and jennet ;

" Inspector " means a Veterinary Officer of the Ministry ;

" Litter " means straw or other substance commonly used for bedding or otherwise for or about horses ;

" Master " includes every person except a pilot having charge or command of a vessel ;

" Ministry " means the Ministry of Agriculture for Northern Ireland ;

" Owner " in relation to any vessel, includes any character or other person having control and management of the vessel ;

" Person " includes a body corporate ;

" Port " includes place.

(2) The Interpretation Act, 1889 shall apply to the interpretation of this Order as it applies for the interpretation of an Act of the Parliament of Northern Ireland.

Notice of Intended Exportation

3. Any person intending to ship a horse from a port in Northern Ireland shall give notice in writing of the intended shipment to the Portal Supervisor, Portal Inspection Office, at the port of shipment so as to reach him not later than 2 p.m. on the day preceding that on which the animals are to be shipped. The notice shall state :—

(*a*) the name and address of the owner and the number of horses intended to be shipped ;

(*b*) the name of the vessel on which the animals are intended to be shipped ;

(*c*) the name of the wharf, quay or dock at the port of shipment from which the animals are intended to be shipped ;

(*d*) the date and approximate time at which the animals will arrive at the place of proposed shipment ;

(*e*) the date and the approximate time of sailing of the vessel on which the animals are intended to be shipped ;

Notification by Inspectors of Unfitness of Horses for Conveyance

4. Where an Inspector is of opinion that a horse intended to be carried on a vessel from any port in Northern Ireland cannot, owing to infirmity, illness, injury, fatigue, or any other cause, be so carried without unnecessary suffering, he may serve a Notice to that effect on the person in charge of the animal and also, when practicable, on the master of the vessel, and until such Notice is withdrawn by an Inspector it shall be unlawful to carry the animal on a vessel, and if the animal is carried in contravention of this Article, the person in charge thereof, and the master of the vessel where the Notice has been served on the master, shall be deemed guilty of an offence against the Act of 1894.

Conditions relating to carriage of horses by sea

5. No vessel shall be used for the carriage of any horse by sea to or from any port in Northern Ireland except in accordance with the provisions of the next following Article.

Conditions relating to vessels on which horses are carried

6. Subject to the provisions of paragraph (7) hereof, this Article shall apply to all vessels on which horses are carried by sea to or from a port in Northern Ireland.

METHOD OF CARRYING HORSES AND FITTINGS OF VESSELS

(1) Each horse shall be carried athwartships either in a separate stall or in a portable box. Each stall and the movable fittings thereof shall be numbered for purposes of identification.

Provided that small ponies, asses, small mules, mares with foal at foot, and young unbroken horses may be carried together in pens of suitable size formed either by removing the division boards between a number of stalls and by fastening a sufficient number of boards to the front of the stanchions under the breast-rail to keep the animals in the pen, or by being constructed in some other equally suitable and effective manner.

(2) No horse shall be carried during the months of October to March inclusive on open or exposed decks except under a substantial and structurally sound watertight deck covering and in fittings constructed in accordance with this Article.

(3) Boxes shall be secured to the vessel separately and in such a manner as to prevent their displacement by the motion of the vessel.

(4) The flooring or deck covering of each box, stall or pen shall, in order to prevent slipping, either be of an anti-slip design approved by the Ministry or be fitted with suitable wooden battens and be strewn with sufficient quantity of sand or other suitable substance.

(5) A horse while on a vessel shall be protected against injury or suffering from exposure to the weather.

(6) On any vessel any fittings used in connection with the carriage of horses shall be so constructed as to be of a substantial character and of sufficient strength to withstand the action of the weather and resist the weight of any horse that may be thrown against them.

(7) On and after the first day of December, 1953, all fittings referred to in the First Schedule to this Order shall be constructed in accordance with the specifications therein prescribed.

(8) The fittings or other parts of a vessel, box, stall or pen likely to cause injury or suffering to any horse shall be properly and securely fenced off or padded as the case may require. The head of any horse shall, if necessary, be protected from injury by the use of a suitable poll pad while it is being embarked and dis-embarked and during the voyage.

(9) Suitable provision shall be made for slinging horses when necessary.

METHOD OF SECURING HORSES ON BOARD

(10) Every stall and every box shall be provided with a strong head-stall with ropes attached on either side. In stalls the head-stalls shall be secured to the rings provided on the front of the stanchions or to the breast-rails so as to prevent the horses irritating and biting each other, and also to prevent their heads striking the deck above. In the case of horses carried in boxes, the head-stall shall be placed on each horse before it enters a box and each box shall have strong rings securely fastened to the sides of the corner uprights (well below the level of the top of the doors) to which the head ropes shall be fastened in such a manner as to prevent the horse getting its front legs over the top of the door.

PASSAGE WAYS

(11) Every part of a vessel where horses are carried shall be provided with passage ways giving free frontal access at all times to every stall or box, of a minimum width of three feet from the inside of the breast-rail (in the case of any single row of stalls) or from the front of boxes, as the case may be, and except in the case of vessels fitted before the date of this Order when carrying horses between Northern Ireland and Great Britain, a minimum width of six feet from the inside of the breast-rails between two rows of stalls in which the horses face each other. All such passage ways shall be kept free of obstruction. The top of a hatchway shall not be deemed to be a passage way, unless in the case of 'tween decks (*a*) the coamings do not exceed one foot in height, and (*b*) the hatches are on and covered with tarpaulins, and (*c*) the stalls are sufficiently far back to prevent the head of the horse extending beyond the coaming into the hatchway.

LIGHT

(12) All parts of a vessel over which horses pass, or in which they are carried, shall be properly lighted by lights placed at a distance of not more than twenty feet from each other, and arrangements shall be made for the provision at all times of adequate light for the proper tending of each horse.

SAVING FOR CERTAIN VOYAGES

(13) The foregoing provisions of this Article shall not apply to the carriage of any horse on a voyage of a vessel that involves only passage through partially smooth water, or the smooth water of an estuary, or on a river, canal or other inland water, but the fittings of the vessel shall be such as to protect any horse so carried from injury and suffering and provision shall be made in order to prevent any horse from slipping by strewing the deck with sand or other suitable substance.

VENTILATION

(14) All parts of the vessel in or on which any horse is carried shall be sufficiently and suitably ventilated and no part below deck shall be used for the carriage of any horse unless in addition to any ventilation obtained by means of the hatchways such part of the vessel is provided with mechanical means of ventilation by electric fans or otherwise, sufficient to ensure the removal of foul air and an adequate supply of fresh air at all times for every horse carried in that part of the vessel. Cowls shall be marked in such a manner as to indicate whether they are for the purposes of supply or exhaust, and the compartment ventilated thereby shall be indicated on each cowl.

DRAINAGE

(15) Suitable provision shall be made for the drainage of urine from the parts of the vessel used for the carriage of horses.

FEEDING AND WATERING

(16) Any horse carried on a vessel for a voyage which on an average takes more than six hours shall, while on board, be provided by the owner of the vessel with a sufficient amount of suitable food and water. Provided that if the horses are fed and watered within one hour before the start of the voyage, it shall not be necessary to feed or water them for a further twelve hours. Suitable receptacles shall at all times be provided for feeding horses with hay. Proper accommodation shall be provided on board for the storage of food, so that the same shall not be unduly exposed to the weather at sea.

ATTENDANCE

(17) The owner of any vessel on which horses are carried shall cause the vessel to be provided with a sufficient number of competent persons to ensure the efficient watering, feeding, and care of the horses during the voyage.

APPROACHES, GANGWAYS AND OTHER APPARATUS

(18) Approaches, gangways, passage ways, cages and other apparatus used for the loading or unloading or movement of horses on or from a vessel shall be so constructed that injury or suffering shall not be caused to the horses.

OVERCROWDING

(19) A vessel shall not be overcrowded in any part or pen so as to cause injury or suffering to the horses carried thereon or therein.

INJURED HORSES, ETC.

(20) If any horse on a vessel has a limb broken or is otherwise seriously injured so as to be incapable of being disembarked without cruelty, the master of the vessel may forthwith cause that horse to be slaughtered. The person in charge of the horse shall forthwith report the injury to the master of the vessel.