

Council Regulation (EC) No 1255/97 of 25 June 1997 concerning
Community criteria for control posts and amending the
route plan referred to in the Annex to Directive 91/628/EEC

[^{F1}Article 3

1 The competent authority shall approve and issue an approval number to each control post. Such approval may be limited to a particular species or to certain categories of animal and health status. Member States shall notify the Commission of the list of approved control posts and any updates.

Member States shall also notify the Commission of the detailed arrangements in application of the provisions in Article 4(2), in particular the period of use as control posts and the double purpose of approved premises.

2 Control posts shall be listed by the Commission in accordance with the procedure referred to in Article 31(2) of Regulation (EC) No 1/2005 upon a proposal of the competent authority of the Member State concerned.

3 Member States may only propose control posts for listing once the competent authority has checked that it complies with the relevant requirements and approved it. For the purpose of such approval, the competent authority as defined in Article 2(6) of Directive 90/425/EEC shall ensure that control posts fulfil all the requirements in Annex I to this Regulation; in addition, such control posts shall:

- a be located in an area which is not subject to prohibition or restrictions in accordance with relevant Community legislation;
- b be under the control of an official veterinarian who shall ensure, *inter alia*, compliance with the provisions of this Regulation;
- c operate in compliance with all the relevant Community rules regarding animal health, the movement of animals and the protection of animals at the time of slaughter;
- d undergo regular inspection, at least twice a year, to ascertain that the requirements for approval continue to be fulfilled.

4 A Member State must, in serious cases, particularly on animal health or welfare grounds, suspend the use of a control post situated in its territory. It shall inform the Commission and the other Member States of such suspension and of its reasons. The suspension of the use of the control post may only be lifted after notification to the Commission and the other Member States on its reasons.

5 The Commission, in accordance with the procedure referred to in Article 31(2) of Regulation (EC) No 1/2005, may suspend the use of a control post or withdraw it from the list, if on-the-spot checks carried out by the experts of the Commission as referred to in Article 28 of that Regulation indicate non-compliance with the relevant Community legislation.]

Textual Amendments

- F1** Substituted by [Council Regulation \(EC\) No 1/2005 of 22 December 2004 on the protection of animals during transport and related operations and amending Directives 64/432/EEC and 93/119/EC and Regulation \(EC\) No 1255/97.](#)

Changes to legislation:

There are outstanding changes not yet made to Council Regulation (EC) No 1255/97. Any changes that have already been made to the legislation appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to :

- Art. 3(1) words omitted by [S.I. 2019/802 reg. 2\(5\)\(a\)\(ii\)](#)
- Art. 3(1) words omitted by [S.I. 2019/802 reg. 2\(5\)\(b\)](#)
- Art. 3(1) words substituted by [S.I. 2019/802 reg. 2\(5\)\(a\)\(i\)](#)
- Art. 3(2) words substituted by [S.I. 2019/802 reg. 2\(6\)](#)
- Art. 3(2) words substituted in earlier amending provision S.I. 2019/802, reg. 2(6) by [S.I. 2020/1590 reg. 2\(4\)](#)
- Art. 3(3) word inserted by [S.I. 2019/802 reg. 2\(7\)\(a\)\(ii\)](#)
- Art. 3(3) words omitted by [S.I. 2019/802 reg. 2\(7\)\(a\)\(iii\)](#)
- Art. 3(3) words substituted by [S.I. 2019/802 reg. 2\(7\)\(a\)\(i\)](#)
- Art. 3(4) words substituted by [S.I. 2019/802 reg. 2\(8\)\(a\)](#)
- Art. 3(4) words substituted by [S.I. 2019/802 reg. 2\(8\)\(b\)](#)
- Art. 3(5) words substituted by [S.I. 2019/802 reg. 2\(9\)\(a\)](#)
- Art. 3(5) words substituted by [S.I. 2019/802 reg. 2\(9\)\(b\)](#) (This amendment not applied to legislation.gov.uk. Reg. 2(9)(b) substituted immediately before IP completion day by [S.I. 2020/1590, reg. 2\(5\)\(a\)](#))
- Art. 3(5) words substituted by [S.I. 2019/802 reg. 2\(9\)\(c\)](#)
- Art. 3(5) words substituted by [S.I. 2019/802 reg. 2\(9\)\(d\)](#)
- Art. 3(5) words substituted by [S.I. 2019/802, reg. 2\(9\)\(b\)](#) (as substituted) by [S.I. 2020/1590 reg. 2\(5\)\(a\)](#)

Changes and effects yet to be applied to the whole legislation item and associated provisions

- Annex section B para. 5 words substituted by [S.I. 2019/802 reg. 2\(15\)\(c\)](#)
- Art. 2(1) Art. 2 renumbered as Art. 2(1) by [S.I. 2019/802 reg. 2\(3\)\(a\)](#)
- Art. 2(1) words substituted by [S.I. 2019/802 reg. 2\(3\)\(b\)](#)
- Art. 2(2)(3) inserted by [S.I. 2019/802 reg. 2\(3\)\(c\)](#)
- Art. 2(2)(a)(iv) omitted in earlier amending provision S.I. 2019/802, reg. 2(3)(c) by [S.I. 2020/1590 reg. 2\(3\)\(i\)](#)
- Art. 2(2)(c) omitted in earlier amending provision S.I. 2019/802, reg. 2(3)(c) by [S.I. 2020/1590 reg. 2\(3\)\(ii\)](#)
- Art. 2(2)(d)(iv) omitted in earlier amending provision S.I. 2019/802, reg. 2(3)(c) by [S.I. 2020/1590 reg. 2\(3\)\(iii\)](#)
- Art. 2(2)(e) words omitted in earlier amending provision S.I. 2019/802, reg. 2(3)(c) by [S.I. 2020/1590 reg. 2\(3\)\(iv\)](#)
- Art. 2(3) omitted in earlier amending provision S.I. 2019/802, reg. 2(3)(c) by [S.I. 2020/1590 reg. 2\(3\)\(v\)](#)
- Art. 2a inserted by [S.I. 2019/588 reg. 2\(3\)](#)
- Art. 2a(1)(d) omitted in earlier amending provision S.I. 2019/588, reg. 2(3) by [S.I. 2020/1590 reg. 3\(2\)\(a\)\(i\)](#)
- Art. 2a(2)(c) omitted in earlier amending provision S.I. 2019/588, reg. 2(3) by [S.I. 2020/1590 reg. 3\(2\)\(a\)\(ii\)](#)
- Art. 3(3)(a) words substituted by [S.I. 2019/802 reg. 2\(7\)\(b\)](#)
- Art. 3(3)(c) words substituted by [S.I. 2019/802 reg. 2\(7\)\(c\)](#)
- Art. 4(3)(a) words substituted by [S.I. 2019/802 reg. 2\(10\)\(b\)\(i\)](#)
- Art. 4(3)(b)(i) word omitted by [S.I. 2019/802 reg. 2\(10\)\(b\)\(ii\)\(aa\)](#)
- Art. 4(3)(b)(i) words substituted by [S.I. 2019/802 reg. 2\(10\)\(b\)\(ii\)\(bb\)](#)
- Art. 4(3)(b)(i) words substituted by [S.I. 2019/802 reg. 2\(10\)\(b\)\(ii\)\(cc\)](#)

- Art. 4(3)(b)(i) words substituted in earlier amending provision S.I. 2019/802, reg. 2(10)(b)(ii)(cc) by [S.I. 2020/1590 reg. 2\(6\)](#)
- Art. 4(3)(b)(ii) words substituted by [S.I. 2019/802 reg. 2\(10\)\(b\)\(iii\)](#)
- Art. 5(a) words substituted by [S.I. 2019/802 reg. 2\(11\)\(a\)](#)
- Art. 5(e) words substituted by [S.I. 2019/802 reg. 2\(11\)\(b\)](#)
- Art. 5(h)(i) word inserted by [S.I. 2019/802 reg. 2\(11\)\(c\)](#)
- Art. 6c inserted by [S.I. 2019/588 reg. 2\(5\)](#)
- Art. 6c(3) omitted in earlier amending provision S.I. 2019/588, reg. 2(5) by [S.I. 2020/1590 reg. 3\(2\)\(b\)](#)
- Art. 6c(7) omitted in earlier amending provision S.I. 2019/588, reg. 2(5) by [S.I. 2020/1590 reg. 3\(2\)\(b\)](#)