

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

CHAPTER I

SCOPE, DEFINITIONS AND GENERAL CONDITIONS FOR THE TRANSPORT OF ANIMALS

Article 1

Scope

1 This Regulation shall apply to the transport of live vertebrate animals carried out within [^{F1}Great Britain], including the specific checks to be carried out by officials on consignments entering or leaving [^{F2}... [^{F1}Great Britain].

2 Only [^{F3}Article 3] shall apply to:

- a the transport of animals carried out by farmers using agricultural vehicles or means of transport belonging to them in cases where the geographical circumstances call for transport for seasonal transhumance of certain types of animals;
- b transport carried out by farmers, of their own animals, in their own means of transport for a distance of less than 50 km from their holding.

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5 This Regulation shall not apply to the transport of animals which does not take place in connection with an economic activity and to the transport of animals directly to or from veterinary practices or clinics, under the advice of a veterinarian.

Textual Amendments

- F1** Words in Art. 1(1) substituted (31.12.2020) by [The Animal Welfare \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/802\)](#), regs. 1, **3(2)(a)(i)** (as substituted by [S.I. 2020/1590](#), regs. 1(1)(b)(i), **2(8)**); 2020 c. 1, **Sch. 5 para. 1(1)**
- F2** Words in Art. 1(1) omitted (31.12.2020) by virtue of [The Animal Welfare \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/802\)](#), regs. 1, **3(2)(a)(ii)** (as substituted by [S.I. 2020/1590](#)), regs. 1(1)(b)(i), 2(8); 2020 c. 1, **Sch. 5 para. 1(1)**
- F3** Words in Art. 1(2) substituted (E.W.S.) (20.7.2022) by [The Animal Welfare \(Miscellaneous Amendments\) Regulations 2022 \(S.I. 2022/846\)](#), regs. 1, **4(3)**
- F4** Art. 1(3) omitted (31.12.2020) by virtue of [The Animal Welfare \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/802\)](#), regs. 1, **3(2)(b)**; 2020 c. 1, Sch. 5 para. 1(1)
- F5** Art. 1(4) omitted (31.12.2020) by virtue of [The Animal Welfare \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/802\)](#), regs. 1, **3(2)(b)**; 2020 c. 1, Sch. 5 para. 1(1)

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Article 2

Definitions

- [^{F61}] For the purposes of this Regulation the following definitions shall apply:
- (a) ‘animals’ means live vertebrate animals;
 - (b) ‘assembly centres’ means places such as holdings, collection centres and markets, at which domestic Equidae or domestic animals of bovine, ovine, caprine or porcine species originating from different holdings are grouped together to form consignments;
 - (c) ‘attendant’ means a person directly in charge of the welfare of the animals who accompanies them during a journey;
 - (d) [^{F7}‘border inspection post’ means a border control post as defined in Article 3(38) of Regulation (EU) 2017/625 of the European Parliament and of the Council⁽¹⁾ on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products;]
 - (e) ‘[^{F8}retained EU] veterinary legislation’ means legislation listed in [^{F9}Annex 2A to this Regulation] and any subsequent implementing rules;
 - (f) ‘[^{F10}competent authority’ means [^{F11}“the competent authority” within the meaning given] in Article 3(3) of Regulation [^{X1}(EU) 2017/625];]
 - (g) ‘container’ means any crate, box, receptacle or other rigid structure used for the transport of animals which is not a means of transport;
 - (h) ‘control posts’ means control posts as referred to in Regulation (EC) No 1255/97;
 - (i) ‘[^{F10}exit point’ means an exit point as defined in Article 3(39) of Regulation [^{X1}(EU) 2017/625];]
 - (j) ‘journey’ means the entire transport operation from the place of departure to the place of destination, including any unloading, accommodation and loading occurring at intermediate points in the journey;
 - (k) ‘keeper’ means any natural or legal person, except a transporter, in charge of or handling animals whether on a permanent or temporary basis;
 - (l) ‘livestock vessel’ means a vessel which is used or intended to be used for the carriage of domestic Equidae or domestic animals of bovine, ovine, caprine or porcine species other than a roll-on-roll-off vessel, and other than a vessel carrying animals in moveable containers;
 - (m) ‘long journey’ means a journey that exceeds 8 hours, starting from when the first animal of the consignment is moved;
 - (n) ‘means of transport’ means road or rail vehicles, vessels and aircraft used for the transport of animals;

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- (o) ‘navigation systems’ means satellite-based infrastructures providing global, continuous, accurate and guaranteed timing and positioning services or any technology providing services deemed equivalent for the purpose of this Regulation;
- (p) ‘^{F10}official veterinarian’ means an official veterinarian as defined in Article 3(32) of Regulation ^{X1}(EU) 2017/625 ;]
- (q) ‘organiser’ means:
- (i) a transporter who has subcontracted to at least one other transporter for a part of a journey; or
 - (ii) a natural or legal person who has contracted to more than one transporter for a journey; or
 - (iii) a person who has signed Section 1 of the journey log as set out in ^{F12}the form published by an Appropriate Minister from time to time];
- (r) ‘place of departure’ means the place at which the animal is first loaded on to a means of transport provided that it had been accommodated there for at least 48 hours prior to the time of departure.
- However, assembly centres approved in accordance with ^{F13}retained EU] veterinary legislation may be considered as place of departure provided that:
- (i) the distance travelled between the first place of loading and the assembly centre is less than 100 km; or
 - (ii) the animals have been accommodated with sufficient bedding, untied, if possible, and watered for at least six hours prior to the time of departure from the assembly centre;
- (s) ‘place of destination’ means the place at which an animal is unloaded from a means of transport and
- (i) accommodated for at least 48 hours prior to the time of departure; or
 - (ii) slaughtered;
- (t) ‘place of rest or transfer’ means any stop during the journey which is not a place of destination, including a place where animals have changed the means of transport, with or without being unloaded;
- (u) ^{F14}‘registered Equidae’:
- i for equidae registered in Great Britain, has the meaning given in Article 2(e) of Commission Implementing Regulation (EU) 2015/262;
 - ii for all other registered equidae, has the meaning given in Article 2(c) of Council Directive [2009/156/EC](#)];
- (v) ‘roll-on-roll-off vessel’ means a sea-going vessel with facilities to enable road or rail vehicles to roll on and roll off the vessel;
- (w) ‘transport’ means the movement of animals effected by one or more means of transport and the related operations, including loading, unloading, transfer and rest, until the unloading of the animals at the place of destination is completed;

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- (x) ‘transporter’ means any natural or legal person transporting animals on his own account, or for the account of a third party;
- (y) ‘unbroken Equidae’ means Equidae that cannot be tied or led by a halter without causing avoidable excitement, pain or suffering;
- (z) ‘vehicle’ means a means of transport fitted with wheels which is propelled or towed;
- (z1) [F15c Appropriate Minister’ means:
 - i in relation to England, the Secretary of State;
 - ii in relation to Wales, the Welsh Ministers;
 - iii in relation to Scotland, the Scottish Ministers;
- (z2) ‘third country’ means any country other than the British Islands;
- (z3) ‘EU Council Regulation’ means Council Regulation (EC) No 1/2005 as it has effect in EU law as amended from time to time;]

Editorial Information

- X1** Substituted by Corrigendum to Regulation (EU) 2017/625 of the European Parliament and of the Council of 15 March 2017 on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products, amending Regulations (EC) No 999/2001, (EC) No 396/2005, (EC) No 1069/2009, (EC) No 1107/2009, (EU) No 1151/2012, (EU) No 652/2014, (EU) 2016/429 and (EU) 2016/2031 of the European Parliament and of the Council, Council Regulations (EC) No 1/2005 and (EC) No 1099/2009 and Council Directives 98/58/EC, 1999/74/EC, 2007/43/EC, 2008/119/EC and 2008/120/EC, and repealing Regulations (EC) No 854/2004 and (EC) No 882/2004 of the European Parliament and of the Council, Council Directives 89/608/EEC, 89/662/EEC, 90/425/EEC, 91/496/EEC, 96/23/EC, 96/93/EC and 97/78/EC and Council Decision 92/438/EEC (Official Controls Regulation) (Official Journal of the European Union L 95 of 7 April 2017).

Textual Amendments

- F6** Art. 2 renumbered as Art. 2(1) (31.12.2020) by The Animal Welfare (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/802), regs. 1, **3(3)(a)**; 2020 c. 1, Sch. 5 para. 1(1)
- F7** Words in Art. 2(1)(d) substituted (31.12.2020) by The Animal Welfare (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/802), regs. 1, **3(3)(b)** (as amended by S.I. 2020/1481, regs. 1, **42(2)(a)(i)**) and S.I. 2020/1631, regs. 1(2), **10(2)**); 2020 c. 1 Sch. 5 para. 1(1)
- F8** Words in Art. 2(1)(e) substituted (31.12.2020) by The Animal Welfare (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/802), regs. 1, **3(3)(c)(i)**; 2020 c. 1, Sch. 5 para. 1(1)
- F9** Words in Art. 2(1)(e) substituted (31.12.2020) by The Animal Welfare (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/802), regs. 1, **3(3)(c)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F10** Substituted by Regulation (EU) 2017/625 of the European Parliament and of the Council of 15 March 2017 on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products, amending Regulations (EC) No 999/2001, (EC) No 396/2005, (EC) No 1069/2009, (EC) No 1107/2009, (EU) No 1151/2012, (EU) No 652/2014, (EU) 2016/429 and (EU) 2016/2031 of the European Parliament and of the Council, Council Regulations (EC) No 1/2005 and (EC) No 1099/2009 and Council Directives 98/58/EC, 1999/74/EC, 2007/43/EC, 2008/119/EC and 2008/120/EC, and repealing Regulations (EC) No 854/2004 and (EC) No 882/2004 of the European Parliament and of the Council, Council Directives 89/608/EEC, 89/662/EEC, 90/425/EEC, 91/496/EEC, 96/23/EC, 96/93/EC

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and 97/78/EC and Council Decision 92/438/EEC (Official Controls Regulation) (Text with EEA relevance).

- F11** Words in Art. 2(1)(f) substituted (E.W.S.) (20.7.2022) by The Animal Welfare (Miscellaneous Amendments) Regulations 2022 (S.I. 2022/846), regs. 1, **4(4)**
- F12** Words in Art. 2(1)(q)(iii) substituted (31.12.2020) by The Animal Welfare (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/802), regs. 1, **3(3)(g)** (as substituted by S.I. 2020/1590, regs. 1(1)(b)(i), **2(9)(a)**); 2020 c. 1, **Sch. 5 para. 1(1)**
- F13** Words in Art. 2(1)(r) substituted (31.12.2020) by The Animal Welfare (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/802), regs. 1, **3(3)(h)**; 2020 c. 1, Sch. 5 para. 1(1)
- F14** Words in Art. 2(1)(u) substituted (31.12.2020) by The Animal Welfare (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/802), regs. 1, **3(3)(i)** (as amended by The Animal Welfare and Invasive Non-native Species (Amendment etc.) (EU Exit) Regulations 2020 (S.I. 2020/1590), regs. 1(1)(b)(i), **2(9)(b)**); 2020 c. 1, Sch. 5 para. 1(1)
- F15** Art. 2(1)(z1)-(z3) inserted (31.12.2020) by The Animal Welfare (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/802), regs. 1, **3(3)(j)** (as amended by virtue of The Animal Welfare and Invasive Non-native Species (Amendment etc.) (EU Exit) Regulations 2020 (S.I. 2020/1590), regs. 1(1)(b)(i), **2(9)(c)**); 2020 c. 1, Sch. 5 para. 1(1)

[^{F16} Article 2a

Definition of the appropriate authority

- 1 Subject to paragraph 2, ‘the appropriate authority’ means—
- a for regulations applying in relation to England, the Secretary of State;
- b for regulations applying in relation to Wales, the Welsh Ministers;
- c for regulations applying in relation to Scotland, the Scottish Ministers;
- 2 ‘The appropriate authority is the Secretary of State if consent is given by—
- a for regulations applying in relation to Wales, the Welsh Ministers;
- b for regulations applying in relation to Scotland, the Scottish Ministers;]

Textual Amendments

- F16** Art. 2a inserted (31.12.2020) by The Animals (Legislative Functions) (EU Exit) Regulations 2019 (S.I. 2019/588), regs. 1, **6(3)** (with reg. 12) (as amended by S.I. 2020/1590, regs. 1(1)(b)(i), **3(3)(a)**); 2020 c. 1, **Sch. 5 para. 1(1)**

[^{F17} Article 2b

Authorisations and certificates issued in the Channel Islands and the Isle of Man

For the purposes of Chapter 2 and Chapter 3 of, and Annex 2 to, this Regulation, a transporter authorisation, certificate of competence or certificate of approval granted or issued in the Channel Islands or the Isle of Man is to be recognised as if it were issued by [^{F18}the competent authority] in Great Britain.]

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Textual Amendments

- F17** Art. 2b inserted by [The Animal Welfare \(Amendment\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/802), regs. 1, **3(3A)** (as inserted by S.I. 2020/1590, regs. 1(1)(b)(i), **2(10)**); 2020 c. 1, **Sch. 5 para. 1(1)**
- F18** Words in Regulation substituted (20.7.2022) by [The Animal Welfare \(Miscellaneous Amendments\) Regulations 2022](#) (S.I. 2022/846), regs. 1, **4(2)(a)**

Article 3

General conditions for the transport of animals

No person shall transport animals or cause animals to be transported in a way likely to cause injury or undue suffering to them.

In addition, the following conditions shall be complied with:

- (a) all necessary arrangements have been made in advance to minimise the length of the journey and meet animals' needs during the journey;
- (b) the animals are fit for the journey;
- (c) the means of transport are designed, constructed, maintained and operated so as to avoid injury and suffering and ensure the safety of the animals;
- (d) the loading and unloading facilities are adequately designed, constructed, maintained and operated so as to avoid injury and suffering and ensure the safety of the animals;
- (e) the personnel handling animals are trained or competent as appropriate for this purpose and carry out their tasks without using violence or any method likely to cause unnecessary fear, injury or suffering;
- (f) the transport is carried out without delay to the place of destination and the welfare conditions of the animals are regularly checked and appropriately maintained;
- (g) sufficient floor area and height is provided for the animals, appropriate to their size and the intended journey;
- (h) water, feed and rest are offered to the animals at suitable intervals and are appropriate in quality and quantity to their species and size.

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- (1) [^{F10}Regulation [^{X1}(EU) 2017/625] of the European Parliament and of the Council of 15 March 2017 on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products, amending Regulations (EC) No 999/2001, (EC) No 396/2005, (EC) No 1069/2009, (EC) No 1107/2009, (EU) No 1151/2012, (EU) No 652/2014, (EU) 2016/429 and (EU) 2016/2031 of the European Parliament and of the Council, Council Regulations (EC) No 1/2005 and (EC) No 1099/2009 and Council Directives 98/58/EC, 1999/74/EC, 2007/43/EC, 2008/119/EC and 2008/120/EC, and repealing Regulations (EC) No 854/2004 and (EC) No 882/2004 of the European Parliament and of the Council, Council Directives 89/608/EEC, 89/662/EEC, 90/425/EEC, 91/496/EEC, 96/23/EC, 96/93/EC and 97/78/EC and Council Decision 92/438/EEC (Official Controls Regulation) ([^{X1}OJ L 95, 7.4.2017, p. 1].)]

Editorial Information

- X1** Substituted by [Corrigendum to Regulation \(EU\) 2017/625 of the European Parliament and of the Council of 15 March 2017 on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products, amending Regulations \(EC\) No 999/2001, \(EC\) No 396/2005, \(EC\) No 1069/2009, \(EC\) No 1107/2009, \(EU\) No 1151/2012, \(EU\) No 652/2014, \(EU\) 2016/429 and \(EU\) 2016/2031 of the European Parliament and of the Council, Council Regulations \(EC\) No 1/2005 and \(EC\) No 1099/2009 and Council Directives 98/58/EC, 1999/74/EC, 2007/43/EC, 2008/119/EC and 2008/120/EC, and repealing Regulations \(EC\) No 854/2004 and \(EC\) No 882/2004 of the European Parliament and of the Council, Council Directives 89/608/EEC, 89/662/EEC, 90/425/EEC, 91/496/EEC, 96/23/EC, 96/93/EC and 97/78/EC and Council Decision 92/438/EEC \(Official Controls Regulation\) \(Official Journal of the European Union L 95 of 7 April 2017\).](#)

Textual Amendments

- F10** Substituted by [Regulation \(EU\) 2017/625 of the European Parliament and of the Council of 15 March 2017 on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products, amending Regulations \(EC\) No 999/2001, \(EC\) No 396/2005, \(EC\) No 1069/2009, \(EC\) No 1107/2009, \(EU\) No 1151/2012, \(EU\) No 652/2014, \(EU\) 2016/429 and \(EU\) 2016/2031 of the European Parliament and of the Council, Council Regulations \(EC\) No 1/2005 and \(EC\) No 1099/2009 and Council Directives 98/58/EC, 1999/74/EC, 2007/43/EC, 2008/119/EC and 2008/120/EC, and repealing Regulations \(EC\) No 854/2004 and \(EC\) No 882/2004 of the European Parliament and of the Council, Council Directives 89/608/EEC, 89/662/EEC, 90/425/EEC, 91/496/EEC, 96/23/EC, 96/93/EC and 97/78/EC and Council Decision 92/438/EEC \(Official Controls Regulation\) \(Text with EEA relevance\).](#)

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