

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 II

**ORGANISERS, TRANSPORTERS, KEEPERS AND ASSEMBLY CENTRES**

*Article 4*

**Transport documentation**

- 1 No person shall transport animals without carrying documentation in the means of transport stating:
- a their origin and their ownership;
  - b their place of departure;
  - c the date and time of departure;
  - d their intended place of destination;
  - e the expected duration of the intended journey.
- 2 The transporter shall make the documentation provided for in paragraph 1 available to the <sup>F1</sup>... competent authority upon request.

**Textual Amendments**

- F1** Word in Regulation omitted (E.W.S.) (20.7.2022) by virtue of [The Animal Welfare \(Miscellaneous Amendments\) Regulations 2022 \(S.I. 2022/846\)](#), regs. 1, **4(2)(b)**

*Article 5*

**Planning obligations for the transport of animals**

- 1 No person shall contract or subcontract the transport of animals except to transporters authorised in accordance with Article 10(1) or Article 11(1) [<sup>F2</sup>of this Regulation or authorised in Northern Ireland in accordance with Article 10(1) or 11(1) of the EU Council Regulation].
- 2 Transporters shall identify a natural person responsible for the transport and ensure that information on the planning, execution and completion of the part of the journey under their control can be obtained at any time.
- 3 Organisers shall ensure that for each journey:
- a the welfare of the animals is not compromised by insufficient coordination of the different parts of the journey; and the weather conditions are taken into account; and
  - b a natural person is responsible for providing information on the planning, execution and completion of the journey to the <sup>F1</sup>... competent authority at any time.
- 4 For long journeys [<sup>F3</sup>from third countries to Great Britain, from Great Britain to third countries or that transit through Great Britain] for domestic Equidae other than registered

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Equidae, and domestic animals of bovine, ovine, caprine and porcine species, transporters and organisers shall comply with the provisions on the journey log set out <sup>F4</sup>in Annex 2].

#### Textual Amendments

- F1** Word in Regulation omitted (E.W.S.) (20.7.2022) by virtue of [The Animal Welfare \(Miscellaneous Amendments\) Regulations 2022 \(S.I. 2022/846\)](#), regs. 1, **4(2)(b)**
- F2** Words in Art. 5(1) inserted (31.12.2020) by [The Animal Welfare \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/802\)](#), regs. 1, **3(5)(a)** (as amended by S.I. 2020/1590, regs. 1(1)(b)(i), **2(11)(a)**); 2020 c. 1, **Sch. 5 para. 1(1)**
- F3** Words in Art. 5(4) substituted (E.W.S.) (16.11.2022) by [The Animals, Food, Plant Health, Plant Propagating Material and Seeds \(Miscellaneous Amendments etc.\) Regulations 2022 \(S.I. 2022/1090\)](#), regs. 1(1), **8(2)**
- F4** Words in Art. 5(4) substituted (13.12.2022) by [The Animals and Animal Health, Feed and Food, Plants and Plant Health \(Amendment\) Regulations 2022 \(S.I. 2022/1315\)](#), regs. 1(1), **15(2)**

### Article 6

#### Transporters

<sup>F5</sup>1 No person shall act as a transporter unless that person holds:

- a an authorisation issued by <sup>F6</sup>the competent authority] pursuant to Article 10(1) or, for long journeys, Article 11(1), of this Regulation, or
- b an authorisation issued in Northern Ireland, where that authorisation is issued pursuant to Article 10(1), or for long journeys, Article 11(1) of the EU Council Regulation.]

<sup>F7</sup>1A. A copy of the authorisation shall be made available to the <sup>F1</sup>... competent authority when the animals are transported.]

2 Transporters shall notify to the <sup>F1</sup>... competent authority any changes in relation to the information and documents referred to in Article 10(1) or, for long journeys, Article 11(1), no more than 15 working days from the date the changes took place.

3 Transporters shall transport animals in accordance with the technical rules set out in Annex I.

<sup>F8</sup>4 Transporters must entrust the handling of the animals to personnel who have:

- a received training on the relevant provisions of Annex 1 to this Regulation and the form to be published by the Appropriate Minister from time to time, or
- b received training in Northern Ireland on the relevant provisions of Annexes 1 and 2 of the EU Council Regulation.]

<sup>F9</sup>5 No person shall drive, or act as an attendant on a road vehicle transporting domestic Equidae or domestic animals of bovine, ovine, caprine or porcine species or poultry unless he holds a certificate of competence pursuant to:

- a Article 17(2) of this Regulation, or
- b a certificate of competence issued in Northern Ireland pursuant to the EU Council Regulation;]

<sup>F10</sup>5A. The certificate of competence shall be made available to the <sup>F1</sup>... competent authority when the animals are transported.]

6 Transporters shall ensure that an attendant accompanies any consignment of animals except in the following cases:

- a where animals are transported in containers which are secured, adequately ventilated and, where necessary, contain enough food and water, in dispensers which cannot be tipped over, for a journey of twice the anticipated journey time;
- b where the driver performs the functions of attendant.

7 Paragraphs 1, 2, 4 and 5 shall not apply to persons transporting animals up to a maximum distance of 65 km counted from the place of departure to the place of destination.

8 Transporters shall make available to the <sup>F1</sup>... competent authority the certificate of approval as provided for in Article 18(2) or 19(2) of this Regulation or, where the certificate of approval was issued in Northern Ireland, Article 18(2) or 19(2) of the EU Council Regulation.

9 Transporters of domestic Equidae, except registered Equidae, and domestic animals of the bovine, ovine, caprine and porcine species over long road journeys shall use a navigation system as referred to in Annex I, Chapter VI, paragraph 4.2 <sup>F11</sup>... They shall keep the records obtained by such navigation system for at least three years and shall make them available to the <sup>F1</sup>... competent authority upon request, in particular when the checks referred to in Article 15(4) are carried out. [<sup>F12</sup>The appropriate authority may, by regulations, specify further details concerning this paragraph.]<sup>F13</sup>...

#### Textual Amendments

- F1** Word in Regulation omitted (E.W.S.) (20.7.2022) by virtue of [The Animal Welfare \(Miscellaneous Amendments\) Regulations 2022 \(S.I. 2022/846\)](#), regs. 1, **4(2)(b)**
- F5** Words in Art. 6(1) substituted (31.12.2020) by [The Animal Welfare \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/802\)](#), regs. 1, **3(7)(a)** (as amended by S.I. 2020/1590, regs. 1(1)(b)(i), **2(12)**); 2020 c. 1, **Sch. 5 para. 1(1)**
- F6** Words in Regulation substituted (20.7.2022) by [The Animal Welfare \(Miscellaneous Amendments\) Regulations 2022 \(S.I. 2022/846\)](#), regs. 1, **4(2)(a)**
- F7** Words in Art. 6(1) renumbered as Art. 6(1A) (31.12.2020) by [The Animal Welfare \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/802\)](#), regs. 1, **3(7)(b)**; 2020 c. 1, Sch. 5 para. 1(1)
- F8** Art. 6(4) substituted (31.12.2020) by [The Animal Welfare \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/802\)](#), regs. 1, **3(9)** (as substituted by S.I. 2020/1590, regs. 1(1)(b)(i), **2(13)**); 2020 c. 1, **Sch. 5 para. 1(1)**
- F9** Words in Art. 6(5) substituted (31.12.2020) by [The Animal Welfare \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/802\)](#), regs. 1, **3(10)(a)** (as amended by S.I. 2020/1590, regs. 1(1)(b)(i), **2(14)**); 2020 c. 1, **Sch. 5 para. 1(1)**
- F10** Words in Art. 6(5) renumbered as Art. 6(5A) (31.12.2020) by [The Animal Welfare \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/802\)](#), regs. 1, **3(10)(b)**; 2020 c. 1, Sch. 5 para. 1(1)
- F11** Words in Art. 6(9) omitted (31.12.2020) by virtue of [The Animal Welfare \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/802\)](#), regs. 1, **3(12)(a)**; 2020 c. 1, Sch. 5 para. 1(1)
- F12** Words in Art. 6(9) inserted (31.12.2020) by [The Animals \(Legislative Functions\) \(EU Exit\) Regulations 2019 \(S.I. 2019/588\)](#), regs. 1, **6(4)** (with reg. 12); 2020 c. 1, Sch. 5 para. 1(1)
- F13** Words in Art. 6(9) omitted (31.12.2020) by virtue of [The Animal Welfare \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/802\)](#), regs. 1, **3(12)(c)**; 2020 c. 1, Sch. 5 para. 1(1)

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*Changes to legislation: There are currently no known outstanding effects for the Council Regulation (EC) No 1/2005, CHAPTER II. (See end of Document for details)*

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## Article 7

### Prior inspection and approval of means of transport

1 No person shall transport animals by road for a long journey unless the means of transport has been inspected and approved under Article 18(1) <sup>[F14]</sup> of this Regulation or has been inspected and approved in Northern Ireland under Article 18(1) of the EU Council Regulation].

2 No person shall transport by sea, for more than 10 nautical miles, domestic Equidae and domestic animals of bovine, ovine, caprine or porcine species from a <sup>[F15]</sup> port in Great Britain] unless the livestock vessel has been inspected and approved under Article 19(1) <sup>[F16]</sup> of this Regulation or has been inspected and approved in Northern Ireland under Article 19(1) of the EU Council Regulation].

3 The provisions of paragraph 1 and paragraph 2 apply to containers used for the transport of domestic Equidae or domestic animals of bovine, ovine, caprine or porcine species by road and/or by water, for long journeys.

#### Textual Amendments

- F14** Words in Art. 7(1) inserted (31.12.2020) by [The Animal Welfare \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/802\)](#), regs. 1, **3(13)(a)** (as amended by [S.I. 2020/1590](#), regs. 1(1)(b)(i), **2(16)(a)**); 2020 c. 1, **Sch. 5 para. 1(1)**
- F15** Words in Art. 7(2) substituted (31.12.2020) by [The Animal Welfare \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/802\)](#), regs. 1, **3(13)(b)(i)** (as substituted by [S.I. 2020/1590](#), regs. 1(1)(b)(i), **2(16)(b)**); 2020 c. 1, **Sch. 5 para. 1(1)**
- F16** Words in Art. 7(2) inserted (31.12.2020) by [The Animal Welfare \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/802\)](#), regs. 1, **3(13)(b)(ii)** (as substituted by [S.I. 2020/1590](#)), regs. 1(1)(b)(i), **2(16)(b)**); 2020 c. 1, **Sch. 5 para. 1(1)**

## Article 8

### Keepers

1 Keepers of animals at the place of departure, transfer or destination shall ensure that the technical rules set out in Chapters I and III, section 1, of Annex I in respect of the animals being transported are met.

2 Keepers shall check all animals arriving at a place of transit or a place of destination and determine if the animals are or have been subject to a long journey between <sup>[F17]</sup> Great Britain and a third country]. In the case of long journeys <sup>[F18]</sup> between Great Britain and third countries] for domestic Equidae, other than registered Equidae, and domestic animals of bovine, ovine, caprine and porcine species, keepers shall comply with the provisions on the journey log set out <sup>[F19]</sup> in Annex 2].

#### Textual Amendments

- F17** Words in Art. 8(2) substituted (31.12.2020) by [The Animal Welfare \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/802\)](#), regs. 1, **3(14)(a)(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(17)(a)**); 2020 c. 1, **Sch. 5 para. 1(1)**

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- F18** Words in Art. 8(2) inserted (31.12.2020) by [The Animal Welfare \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/802\)](#), regs. 1, **3(14)(a)(ii)(aa)** (as substituted by S.I. 2020/1590, regs. 1(1)(b)(i), **2(17)(b)**); 2020 c. 1, **Sch. 5 para. 1(1)**
- F19** Words in Art. 8(2) substituted (13.12.2022) by [The Animals and Animal Health, Feed and Food, Plants and Plant Health \(Amendment\) Regulations 2022 \(S.I. 2022/1315\)](#), regs. 1(1), **15(3)**

### Article 9

#### Assembly centres

- 1 Operators of assembly centres shall ensure that animals are treated in accordance with the technical rules set out in Chapters I and III, section 1, of Annex I.
- 2 Operators of assembly centres that are approved in accordance with [F20retained EU] veterinary legislation shall in addition:
- a entrust the handling of animals only to personnel who have followed training courses on the relevant technical rules set out in Annex I [F21or have followed training courses in Northern Ireland on the relevant technical rules set out in Annex I of the EU Regulation];
  - b regularly inform people admitted to the assembly centre of their duties and obligations under this Regulation and of the penalties for any infringement;
  - c make permanently available to people admitted to the assembly centre the details of [F6the competent authority] to whom any possible infringement of the requirements of this Regulation are to be notified;
  - d in case of non-compliance with this Regulation by any person present at the assembly centre, and without prejudice to any action taken by [F6the competent authority], take the necessary measures to remedy the non-compliance observed and to prevent its recurrence;
  - e adopt, monitor and enforce the necessary internal rules in order to ensure compliance with points (a) to (d).

#### Textual Amendments

- F6** Words in Regulation substituted (20.7.2022) by [The Animal Welfare \(Miscellaneous Amendments\) Regulations 2022 \(S.I. 2022/846\)](#), regs. 1, **4(2)(a)**
- F20** Words in Art. 9(2) substituted (31.12.2020) by [The Animal Welfare \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/802\)](#), regs. 1, **3(15)(a)**; 2020 c. 1, Sch. 5 para. 1(1)
- F21** Words in Art. 9(2)(a) inserted (31.12.2020) by [The Animal Welfare \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/802\)](#), regs. 1, **3(15)(aa)** (as inserted by S.I. 2020/1590, regs. 1(1)(b)(i), **2(18)**); 2020 c. 1, **Sch. 5 para. 1(1)**

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