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SCOTTISH STATUTORY INSTRUMENTS

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**2006 No. 606**

**The Welfare of Animals (Transport)  
(Scotland) Regulations 2006**

**PART 2**

Transport of Animals

**Transport**

**3.**—(1) A person who fails to comply with the following provisions of Council Regulation (EC) No. 1/2005 is guilty of an offence under the Act—

- (a) Article 3 (general conditions for the transport of animals);
- (b) Article 4(1) (Article 4 relates to transport documentation);
- (c) Article 5(1) (Article 5 relates to planning obligations for the transport of animals);
- (d) Article 6(1) [<sup>F1</sup>and (1A)] (transporters);
- (e) from 5 January 2008, Article 6(5) [<sup>F2</sup>and (5A)];
- (f) Article 7 (prior inspection and approval of means of transport);
- (g) Points 1.8, 1.9 and 1.11 of Chapter III of Annex I to that Regulation.

(2) Copies of the documentation referred to in Article 4 of Council Regulation (EC) No. 1/2005 must be kept for 6 months from the date of completion of the journey.

**Textual Amendments**

- F1** Words in reg. 3(1)(d) inserted (31.12.2020) by The Animal Welfare (EU Exit) (Scotland) (Amendment) Regulations 2019 (S.S.I. 2019/34), regs. 1, **4(2)(a)**; 2020 c. 1, Sch. 5 para. 1(1)
- F2** Words in reg. 3(1)(e) inserted (31.12.2020) by The Animal Welfare (EU Exit) (Scotland) (Amendment) Regulations 2019 (S.S.I. 2019/34), regs. 1, **4(2)(b)**; 2020 c. 1, Sch. 5 para. 1(1)

**Transporters**

**4.** A transporter who fails to comply with the following provisions of Council Regulation (EC) No 1/2005 is guilty of an offence under the Act—

- (a) Article 4(2) (transport documentation);
- (b) Article 5(2) and (4) (planning obligations for the transport of animals);
- (c) Article 6(2), (3), (4), (6) and (8) (transporters);
- [<sup>F3</sup>(d) Article 6(9) (transporters);]
- (e) Article 12 (limitation on applications for authorisation).

### Textual Amendments

- F3** Reg. 4(d) substituted (31.12.2020) by [The Animal Welfare \(EU Exit\) \(Scotland\) \(Amendment\) Regulations 2019 \(S.S.I. 2019/34\)](#), regs. 1, **4(3)**; 2020 c. 1, Sch. 5 para. 1(1)

### Roll-on-roll-off vessels

**5.—(1)** A master of a roll-on-roll-off vessel who fails to comply with point 3.1 of Chapter II of Annex I to Council Regulation [\(EC\) No. 1/2005](#) is guilty of an offence under the Act.

(2) No transporter shall transport animals on a roll-on-roll-off vessel unless the master of the vessel has first verified the matters referred to in point 3.1 of Chapter II of Annex I to Council Regulation [\(EC\) No. 1/2005](#) (additional provisions for transport on roll-on-roll-off vessels).

### Organisers

**6.** An organiser who fails to comply with Article 5(3) and (4) of Council Regulation [\(EC\) No. 1/2005](#) (planning obligations for the transport of animals) is guilty of an offence under the Act.

### Keepers

**7.** A keeper who fails to comply with Article 8 of Council Regulation [\(EC\) No. 1/2005](#) (keepers at places of departure, transfer or destination) is guilty of an offence under the Act.

### Assembly centres

**8.** An operator of an assembly centre who fails to comply with Article 9 of Council Regulation [\(EC\) No. 1/2005](#) (assembly centres) is guilty of an offence under the Act.

### Control posts

**9.—**<sup>F4</sup>(1) It is an offence under the Act for any person to operate a control post <sup>F5</sup>as referred to in Council Regulation [\(EC\) No. 1255/97](#) of 25 June 1997 concerning Community criteria for staging points and amending the route plan referred to in the Annex to [Directive 91/628/EEC](#) unless that post is approved by the Scottish Ministers for that purpose.]

(2) An operator of a control post who fails to comply with the following provisions of Council Regulation [\(EC\) No. 1255/97](#) is guilty of an offence under the Act—

- (a) Article 4 (use of control posts);
- (b) Article 5 (the operation of control posts); or
- (c) Article 6(1) (confirmation an animal is fit to continue its journey).

### Textual Amendments

- F4** Reg. 9(1) substituted (13.11.2009) by [The Welfare of Animals \(Transport\) \(Scotland\) Amendment Regulations 2009 \(S.S.I. 2009/339\)](#), regs. 1, **2(3)**
- F5** Words in reg. 9(1) inserted (31.12.2020) by [The Animal Welfare \(EU Exit\) \(Scotland\) \(Amendment\) Regulations 2019 \(S.S.I. 2019/34\)](#), regs. 1, **4(4)**; 2020 c. 1, Sch. 5 para. 1(1)

**Changes to legislation:**

There are currently no known outstanding effects for the The Welfare of Animals (Transport) (Scotland) Regulations 2006, PART 2.