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STATUTORY INSTRUMENTS

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**2000 No. 646**

**ANIMALS, ENGLAND**

ANIMAL HEALTH, ENGLAND

The Welfare of Animals (Transport) (Electronic  
Route Plans Pilot Schemes) (England) Order 2000

*Made* - - - - 7th March 2000

*Coming into force* - - 3rd April 2000

The Minister of Agriculture, Fisheries and Food, in exercise of the powers conferred by sections 1, 8(1), 37, 39, 83(2) and 87(2) of the Animal Health Act 1981 and vested in him<sup>(1)</sup> and all other powers enabling him in that behalf, makes the following Order:

**Title, Commencement and Extent**

1.—(1) This Order may be cited as the Welfare of Animals (Transport) (Electronic Route Plans Pilot Schemes) (England) Order 2000 and shall come into force on 3rd April 2000.

(2) This Order shall apply to England only.

**Interpretation**

2.—(1) In this Order—

“the 1997 Order” means the Welfare of Animals (Transport) Order 1997<sup>(2)</sup>;

“electronic route plan” means a route plan submitted electronically in accordance with the provisions of this Order;

“ERP pilot scheme” means a pilot scheme operated by or on behalf of the Minister in accordance with the provisions of this Order to test the operation of a system under which applications for route plans may be submitted electronically by transporters participating in the scheme;

“person appointed by the Minister” means a person appointed by the Minister under article 4(2) of this Order to deal with electronic route plans;

“route plan” means a route plan required for the purposes of article 13 of the 1997 Order; and

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(1) 1981 c. 22. See section 86(1)(c) for a definition of “the Ministers”. In relation to England, the powers of “the Ministers” were transferred to the Minister of Agriculture, Fisheries and Food by the Transfer of Functions (Agriculture and Food) Order 1999, S.I. 1999/3141.

(2) S.I. 1997/1480, to which there have been amendments not relevant to this Order.

“submitted electronically” means submitted to the person appointed by the Minister by means of the computer network system being tested in the ERP pilot scheme and related expressions shall be construed accordingly.

(2) Any word or phrase which is defined in the 1997 Order has the same meaning in this Order.

### **Electronic submission of route plans**

3. Notwithstanding the provisions of articles 13(3) and 13(4) of the 1997 Order, a transporter participating in an ERP pilot scheme may submit route plans electronically, provided that this is done in accordance with the provisions of this Order.

### **ERP pilot schemes**

4.—(1) The Minister may create an ERP pilot scheme.

(2) The Minister may appoint a person to deal with electronic route plans for the purposes of an ERP pilot scheme.

(3) The Minister may amend or terminate an ERP pilot scheme at any time.

(4) If the Minister creates an ERP pilot scheme, he shall publish notice of its commencement in such manner as he shall see fit.

(5) If the Minister amends or terminates an ERP pilot scheme, he shall—

- (a) publish notice of the amendment or termination in such manner as he shall see fit; and
- (b) give notice of the amendment or termination to all transporters participating in that scheme.

### **Permission to participate in ERP pilot schemes**

5.—(1) A transporter may participate in an ERP pilot scheme if granted permission to do so by the Minister in writing.

(2) When granting permission to a transporter under the preceding paragraph, the Minister—

(a) may do so—

- (i) in respect of all route plans submitted by the transporter or in respect of specified route plans or categories of route plans submitted by the transporter; and
- (ii) for the duration of the pilot scheme or for a specified period; and

(b) may specify requirements to be complied with by the transporter in relation to electronic route plans.

(3) The Minister may amend or revoke any permission granted under this article at any time by notice in writing.

(4) Any permission granted under an ERP pilot scheme shall automatically be revoked if the ERP pilot scheme is terminated by the Minister in accordance with article 4 of this Order.

### **Specific requirements applicable to electronic route plans**

6.—(1) Notwithstanding the requirements of article 13(4) of the 1997 Order, a transporter submitting a route plan electronically shall do so—

- (a) in accordance with the requirements set out in his permission to participate in the ERP pilot scheme; and
- (b) immediately after submitting his application for an export health certificate.

(2) Notwithstanding the requirements of article 13(5) of the 1997 Order, if the person appointed by the Minister is satisfied that the proposed journey described in the route plan is in compliance with the provisions of the 1997 Order and this Order, he shall—

- (a) produce a paper version of the route plan which—
  - (i) is in a form approved by the Minister;
  - (ii) contains the same information as the route plan submitted electronically by the transporter; and
  - (iii) identifies the reference number of the export health certificate for the animals;
- (b) stamp the paper version of the route plan; and
- (c) return it to the transporter together with the signed health certificate.

(3) A route plan produced and stamped in accordance with the provisions of paragraph (2) shall be valid as a route plan for the purposes of article 13, in particular, article 13(6), of the 1997 Order.

(4) Where a transporter's permission to participate in an ERP pilot scheme provides that he may return a series of electronic route plans submitted by him for a single journey as a single batch, it shall be sufficient for the purposes of articles 13(9) and 13(11) of the 1997 Order for the transporter to comply with the requirements set out in his permission.

(5) Notwithstanding article 13(14) of the 1997 Order, an electronic route plan shall be authenticated by the transporter or by a person nominated by the transporter to act on his behalf.

7th March 2000

*Elliot Morley*  
Parliamentary Secretary, Ministry of Agriculture,  
Fisheries and Food

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## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order provides for the creation of pilot schemes (referred to throughout this Order as “ERP pilot schemes”) in order to test modes of electronic submission for route plans required under article 13 of the Welfare of Animals (Transport) Order 1997 (S.I.1997/1480, which implements Council Directive 91/628/EC (OJNo. L 340, 11.12.1991, p. 17) as last amended by Council Directive 95/29/EC (OJ No. L 148, 30.6.1995, p.52)) (referred to throughout this Order as “the 1997 Order”).

The Order extends to England only (article 1(2)). This means that it will apply only to route plans for journeys starting in England which are submitted to Animal Health Divisional Offices of the Ministry of Agriculture, Fisheries and Food situated in England.

The Order provides that transporters who have been granted permission to participate in an ERP pilot scheme may submit route plans electronically rather than on paper, as currently required by article 13(4) of the 1997 Order (article 3).

Under the Order, the Minister of Agriculture, Fisheries and Food may create, amend or terminate ERP pilot schemes (article 4).

Transporters require permission from the Minister (who may specify the basis upon which such permission is granted) to participate in ERP pilot schemes (article 5).

Whilst article 13 of the 1997 Order continues to apply to all route plans, the Order makes provision for specific requirements which apply to electronic route plans only (article 6).

Under section 73 of the Animal Health Act 1981, any contravention of this Order constitutes an offence, for which the maximum penalty under section 75 of the Act is a fine at level 5 on the standard scale (currently, £5,000) or, where more than 10 animals are involved, a fine at level 3 on the standard scale (currently, £1,000) per animal.

A Regulatory Impact Assessment has not been prepared in relation to this Order.