

L.N. 267 of 2003

**ANIMAL WELFARE ACT
(ACT NO. XXV OF 2001)**

Animals Transport (Protection) Regulations, 2003

IN exercise of the power conferred by article 22 of the Animal Welfare Act, the Minister for Rural Affairs and the Environment made the following regulations:-

**CHAPTER I
General provisions**

Title, application and scope.

1. (1) The title of these regulations is the Animals Transport (Protection) Regulations, 2003.
- (2) These regulations apply to the transport of -
 - (a) domestic solipeds and domestic animals of the bovine, ovine, caprine and porcine species;
 - (b) poultry, domestic birds and domestic rabbits;
 - (c) domestic cats and domestic dogs;
 - (d) other mammals and birds;
 - (e) other vertebrate animals and cold-blooded animals.

These regulations do not apply –

- (a) to transport which is not of a commercial nature or to any individual animal accompanied by a natural person who has responsibility for the animal during transport;
- (b) to the transport of pet animals accompanying their owner on a private journey;

(c) without prejudice to further national provisions which may be laid down according to article 22 of the Animal Welfare Act, to the transport of a commercial nature of animals not intended for trading partners and carried out inside the Maltese islands and from the territory of Malta to the territory of Gozo.

(3) The scope of these regulations is to implement the provisions found under European Union Council Directive 91/628/EEC on the protection of animals during transport.

Definitions.

2. (1) For the purposes of these regulations, the definitions in article 2 of European Union Council Directives 89/662/EEC, 90/425/EEC, 97/78/EC and 91/496/EEC, shall apply as necessary.

(2) In addition, the following definitions shall apply -

- (a) “journey” means transport from place of departure to place of destination.
- (b) “means of transport” means those parts of road vehicles, ships and aircraft used for loading and carrying animals, as well as containers for land, sea or air transport;
- (c) “place of departure” means the place at which, without prejudice to the provisions of regulation 1(2)(b), the animal is first loaded on to a means of transport, or any place where the animals have been unloaded and accommodated for 24 hours, watered, fed and, if necessary, cared for, but excluding any staging or transfer point. In the case of approval of markets and assembly centres in the territory of Malta in accordance with the veterinary legislation, these markets and assembly centres may also be regarded as places of departure;
- (d) “place of destination” means the place at which an animal is finally unloaded from a means of transport, but excluding a staging point or a transfer point;
- (e) “rest period” means a continuous period in the course of a journey during which animals are not being moved by a means of transport;

- (f) “trading partner” shall have the same meaning as provided in article 2 of the Veterinary Services Act and shall include Member States of the European Union.
- (g) “transfer point” means a place where transport is interrupted to transfer animals from one means of transport to another;
- (h) “transport” means any movement of animals, effected by a means of transport, which includes loading and unloading the animals;
- (i) “transporter” means any natural or legal person transporting animals on his own account, or for the account of a third party, or by providing a third party with a means of transport of animals, where such transport is of a commercial nature and carried out for the purpose of gain;
- (j) “staging point” means a place where the journey is interrupted to rest, feed or water the animals;

CHAPTER II

Transfer and controls between the territory of Malta and trading partners’ territories

Transportation of animals to and from the territory of Malta.

3. (1) (a) The transport of animals to the territory of Malta from trading partners and from the territory of Malta to trading partners shall be effected in accordance with these regulations and, in respect of the animals referred to in regulation –

- (i) 1 (a), the provisions of Chapter I of the Schedule,
- (ii) 1 (b), the provisions of Chapter II of the Schedule,
- (iii) 1 (c), the provisions of Chapter III of the Schedule,
- (iv) 1 (d), the provisions of Chapter IV of the Schedule,
- (v) 1 (e), the provisions of Chapter V of the Schedule:

Provided that - space allowances (loading densities) for animals at least shall comply with the figures laid down in Chapter VI of the Schedule, in respect of the animals and the means of transport referred to in that Chapter:

Provided further that travelling times and rest periods and feeding and watering intervals for certain types of animals shall comply with those laid down in Chapter VII of the Schedule, in respect of the animals referred to in that Chapter.

(b) No animal shall be transported unless it is fit for the intended journey and unless suitable provisions have been made for its care during the journey and on arrival at the place of destination. Animals that are ill or injured shall not be considered fit for transport: Provided that, this provision shall not apply to –

(i) animals that are slightly injured or ill whose transport would not cause unnecessary suffering;

(ii) animals that are transported for scientific research purposes approved by the Veterinary Services.

(c) Animals that fall ill or are injured during transport shall receive first-aid treatment as soon as possible; they shall be given appropriate veterinary treatment and if necessary undergo emergency slaughter in a way which does not cause them any unnecessary suffering.

(2) Notwithstanding the provisions of sub-regulation (1)(b), the transport of animals may be permitted for emergency veterinary treatment or slaughter under conditions which do not meet the requirements of these regulations. Any such transport is permitted only where no unnecessary suffering or ill treatment is caused to the animals concerned. If necessary, specific rules for the application of this sub-regulation shall be adopted in accordance with European Community rules and as laid down under the procedure found in article 22 of the Animal Welfare Act.

(3) Without prejudice to the requirements laid down in sub-regulations (1)(a) and (b) and in the Schedule to these regulations, it may be laid down appropriate additional conditions for the transport of certain types of animal such as solipeds, wild birds and marine mammals in order to safeguard their welfare.

(4) Pending implementation of these provisions, Veterinary Services may, subject to bilateral agreements with trading partners, apply some additional rules.

Identification and registration of animals.

4. Animals must be identified and registered throughout their journey in accordance with article 7 of the Veterinary Services Act and are accompanied by the documentation required by veterinary legislation enabling the Veterinary Services to check -

- (a) their origin and their ownership;
- (b) their place of departure and place of destination;
- (c) the date and time of departure.

Requirements and duties of a transporter.

5. In the territory of Malta –

(1) Any transporter -

(a) must be -

(i) registered in a manner enabling the Veterinary Services to identify the person rapidly in the event of failure to comply with the requirements of these regulations;

(ii) covered by an authorisation valid for all transport of vertebrate animals carried out in territory of Malta or one of the territories of trading partners, granted by the Veterinary Services of Malta or the competent authority of the trading partners of establishment or, if an undertaking established in a third country is concerned, by the Veterinary Services of Malta or a competent authority of a trading partner, subject to a written undertaking by the person in charge of the transport undertaking to comply with the requirements of the veterinary legislation in force;

(iii) such written undertaking shall in particular state that –

- the transporter referred to in subparagraph (ii) above, has taken all the measures necessary to comply with the requirements of these regulations or the corresponding veterinary legislation in the trading partner countries as far as the place of destination and, more particularly where export to third countries is concerned, as far as the place of destination as defined by veterinary legislation,

- without prejudice to the provisions of Chapter 1 A(6)(b) of the Schedule, the staff referred to in sub-regulation (1)(a)(ii) above have received specific training, either within the undertaking or from a training body, or have equivalent practical experience qualifying them to handle and transport vertebrate animals and to administer, if necessary, appropriate care to the animals transported;

(b) must not transport any animal, or cause any animal to be transported, in a way which is likely to cause injury or undue suffering to that animal;

(c) must use, for the transport of animals referred to in these regulations, means of transport that will ensure compliance with veterinary requirements concerning welfare during transport, and in particular the requirements laid down in the Schedule and those to be laid down in accordance with regulation 13.

(2) The transporter –

(a) must entrust the transport of the live animals to staff who possess the necessary ability, professional competence and knowledge laid down in sub-regulation (1)(a) of this regulation;

(b) for the animals referred to in regulation 1(1)(a) which are to be traded between the territory of Malta and trading partners or exported to third countries, and in cases where the journey time exceeds eight hours, must draw up a route plan in accordance with the specimen in Chapter VIII of the Schedule, which will be attached to the health certificate during the journey, and also indicates any staging and transfer points. A single route plan will have to be drawn up in accordance with sub-regulation (2)(c) to cover the whole period of the journey;

(c) must submit the route plan referred to in sub-regulation (2)(b) to the Veterinary Services so that they can draw up the health certificate, after which, the number or numbers of such certificates must be marked on the route plan and it must be stamped by the Veterinary Services at the time of departure, which will also give notice of the existence of the route plan through the Animo system;

(d) must ensure -

- (i) that the original copy of the route plan referred to in sub-regulation (2)(b) –
 - is duly drawn up and completed by the appropriate persons at the appropriate time;
 - is attached to the health certificate accompanying the consignment throughout the journey;
- (ii) that the staff in charge of the transport –
 - state in the route plan the times and places at which the animals transported have been fed and watered during the journey;
 - where animals coming from trading partners are being exported to third countries and the spending time within the territory of Malta, exceeds eight hours, have the route plan certified, after checking, by the Veterinary Services (stamps and signature) at the border inspection post of exit, after the animals have been checked and judged by the official veterinarian to be fit to continue their journey. It may be specified that expenses incurred by the above-mentioned veterinary check shall be borne by the operator exporting the animals;
 - on their return, send back the route plan to the competent authority of the place of origin. However, where animals are being exported to third countries by sea and the travelling time exceeds eight hours, the same provisions shall apply;

(e) must keep, for a period fixed by the Veterinary Services, a second copy of the route plan referred to in sub-regulation (2)(b) which may, if required, be submitted on request to the Veterinary Services for verification;

(f) must demonstrate, according to the species transported and where the length of the journey entails compliance with Chapter VII 48(4) of the Schedule, that steps have been taken to meet the animals' needs for food and water during the journey, even where the route plan is

changed or where the journey is interrupted for reasons beyond his control;

(g) must ensure that the animals are transported without delay to their place of destination;

(h) without prejudice to compliance with the provisions in Chapter III of the Schedule, must ensure that animals of species not referred to in Chapter VII of the Schedule are suitably fed and watered at appropriate intervals during transport.

(3) The staging points, agreed upon in advance by the person in charge referred to in sub-regulation (2), shall be regularly checked by the Veterinary Services which must also satisfy itself that the animals are fit to continue their journey.

(4) The costs of meeting animals' feeding, watering and rest requirements shall be borne by the operators referred to in sub-regulation (1).

(5). Any procedures for application which result from this Regulation shall be adopted in accordance with the procedure provided for in article 22 of the Animal Welfare Act.

Measures to prevent or reduce delay during transport and detention of animals.

6. (1) Veterinary Services shall take the necessary measures to prevent or reduce to a minimum any delay during transport or suffering by animals when strikes or other unforeseeable circumstances impede the application of these regulations. In particular, special arrangements shall be made at ports, airports, marshalling yards, and border inspection posts referred to in article 6 of European Union Council Directive 91/496/EEC to expedite the transport of animals under conditions in keeping with the requirements of these regulations.

(2) Without prejudice to veterinary animal health requirements laid down elsewhere, no consignment of animals shall be detained during transport unless it is strictly necessary for the welfare of the animals. If any consignment of animals has to be detained during transport for more than two hours, appropriate arrangements shall be made for the care of the animals and, where necessary, their unloading and accommodation.

Carrying out of inspections.

7. (1) In accordance with the principles and rules of control laid down in European Union Council Directive 90/425/EEC, the Veterinary Services check that the requirements of these regulations have been complied with, by carrying out non-discriminatory inspections of –

- (a) means of transport and animals during transport by road;
- (b) means of transport and animals arriving at their place of destination;
- (c) means of transport and animals at possible markets, at places of departure, at staging points and at transfer points;
- (d) the particulars on the accompanying documents.

(2) Such inspections must be carried out on an adequate sample of the animals transported each year, and may be carried out at the same time as checks for other purposes. The Veterinary Services shall submit an annual report stating the number of inspections carried out in the preceding calendar year in respect of each of (a), (b), (c) and (d) of sub-regulation (1) and including details of any reported infringements and the action taken as a result by the Veterinary Services. This report shall be forwarded to the European Commission.

(3) Furthermore, where the Veterinary Services has information leading it to suspect an infringement, checks may also be carried out during the transport of animals on its territory.

(4) This regulation shall not affect checks carried out as part of tasks conducted in a non-discriminatory manner by authorities responsible for the general application of laws in the territory of Malta.

Action taken by the Veterinary Services to safeguard the welfare of animals.

8. (1) If in the territory of Malta, it is found in the course of a transport that the provisions of these regulations are not being or have not been complied with, the Veterinary Services shall require the person in charge of the means of transport to take any action which the Veterinary Services considers necessary in order to safeguard the welfare of the animals concerned. Depending on the circumstances of each case, such action may include –

- (a) arranging for the journey to be completed or the animals to be returned to their place of departure by the most direct route, provided that this course of action would not cause unnecessary suffering to the animals;
- (b) arranging for the animals to be held in suitable accommodation with appropriate care until the problem is resolved;
- (c) arranging for the humane slaughter of the animals. The destination and use of the carcasses of these animals shall be governed by the provisions laid down in European Union Council Directive 64/433/EEC.

Any measure taken pursuant to sub-regulation (2) shall be notified by the Veterinary Services by the Animo network to the competent authorities of departure and, or of destination if those animals are coming and, or destined to a trading partner. These measures, including financial measures shall be notified according to the procedures established by the European Community legislation.

(2) If the person in charge of the means of transport fails to comply with the instructions of the Veterinary Services, the latter shall immediately have the measures in question carried out and shall recover the costs of such measures in the appropriate manner.

(3) Rights of appeal existing under the laws in force in Malta against decisions by the Veterinary Services shall not be affected by these regulations.

(4) Decisions taken by the Veterinary Services and the reasons for such decisions shall be notified to the consignor or his representative and to the competent authority of the trading partner of dispatch.

(5) If the consignor or his representative so requests, the said decisions and reasons shall be forwarded to him in writing by the Veterinary Services with details of the rights of appeal which are available to him under the law in force in Malta and of the procedure and time limits applicable.

(6) In the event of a dispute, the consignor or his representative concerned may, if they so agree by the Veterinary Services, within a maximum period of one month, submit the dispute for the assessment of an expert whose name appears on a list of European Community experts drawn up by the European Commission. Such experts shall issue their opinion within not more than 72

hours. The parties shall abide by the expert's opinion, with due regard for veterinary legislation.

On-the-spot checks by experts.

9. European Commission experts may, carry out on-the-spot checks. In so doing, they may carry out random, non-discriminatory checks in collaboration with the Veterinary Services which shall provide the experts with any assistance they require to accomplish their task. In particular, access on the same basis as officials of the competent authority shall be given to all concerned persons, information and documentation as well as access to places, establishments, installations and means of transport in order for the checks to be carried out.

CHAPTER III
Importation from third countries

Organisation of and follow-up to checks.

10. (1) The rules laid down by European Union Council Directive 91/496/EEC shall apply, in particular with regard to the organisation of and follow-up to checks.

(2) The importation, transit and transport into and through the territory of Malta of live animals covered by these regulations coming from third countries shall be authorised only if the transporter -

(a) gives a written undertaking to comply with the requirements of these regulations, in particular those referred to in regulation 5, and has made arrangements to comply with them;

(b) submits a route plan drawn up in accordance with regulation 5.

(3) In addition, when checking that the requirements of sub-regulation (2) have been complied with, the official veterinarian of the border inspection post shall verify compliance with animal welfare requirements. If he establishes that requirements for the feeding and watering of animals have not been complied with, he shall take, at the operator's expense, the measures provided for in regulation 9.

(4) The certificate or documents provided for in Article 4(1)(c) of European Union Council Directive 91/496/EEC shall be supplemented in order to take account of the requirements of these regulations.

CHAPTER IV

Final provisions

Application of European Union Council Directive 89/608/EEC.

11. The rules and information procedures set out in European Union Council Directive 89/608/EEC shall apply *mutatis mutandis* for the purposes of these regulations.

Criteria to be met by staging points.

12. According to European Community rules and in accordance with the procedure laid down in article 22 of the Animal Welfare Act, criteria are to be met by staging points with regard to the reception structure, feeding, watering, loading, unloading and where necessary housing of certain types of animal as well as the health requirements applicable to such staging points shall be laid down.

Schedule amendments.

13. The Schedules to these regulations shall be amended in accordance with European Community rules and according to the procedure laid down in Article 22 of the Animal Welfare Act, such amendments shall also take place upon any amendments made to the annexes of European Union Council Directive 91/628/EEC made by the European Council acting by a qualified majority on a proposal from the Commission, with a view in particular to their adaptation to technological and scientific progress.

Attestation supplementing certificates or accompanying the documents.

14. In accordance with European Commission rules and in accordance with the procedure laid down in article 22 of the Animal Welfare Act, the certificates or accompanying documents provided for by veterinary regulations for the transport of the animals referred to in regulation 1 of these regulations, may be supplemented by an attestation from the competent authority within the meaning of article 2(6) of European Union Council Directive 90/425/EEC certifying that the requirements of these regulations or corresponding legislation in a trading partner have been complied with.

Infringements.

15. (1) Under the procedure laid down in article 45(2) of the Animal Welfare Act, the appropriate specific measures to penalise any infringement of these regulations by natural or legal persons shall be taken.

(2) In the case of repeated infringements of these regulations or an infringement which involves serious suffering for the animals, Veterinary Services shall, without prejudice to any other penalties provided for, take the measures necessary to remedy the shortcomings noted, up to and including suspension or even withdrawal of the authorisation referred to in regulation 5 (1)(a)(ii).

(3) Where it is established during transit or at destination by Veterinary Services that a transport undertaking is not observing the provisions of these regulations or corresponding veterinary legislation of trading partners, they shall contact the competent authority of the trading partner which granted the authorisation without delay.

(4) The Veterinary Services shall, acting in accordance with the provisions laid down in article 21 of the Veterinary Services Act, provide trading partners with mutual assistance in order, in particular, to ensure compliance with the provisions of this regulation.

(5) Where it has been established that serious or repeated infringements have taken place, provided that all the possibilities afforded by mutual assistance have been exhausted and after contacts between the parties Veterinary Services may temporarily prohibit the transporter who is implicated from transporting animals.

(6) This regulation shall not affect national rules applicable to penal sanctions.

Non observation of provisions by a transport undertaking.

16. Where it is established in the trading partner of transit or destination by the competent authority of one of those trading partners, that a transport undertaking, the authorisation of whom has been granted in Malta is not observing the provisions of these regulations, they shall contact the Veterinary Services without delay. The latter shall take all the necessary measures in particular those laid down in regulation 15(2). They shall communicate the decision taken and the reasons therefor to the competent authority of the trading partner in which the infringement was established and to the European Commission.

Penalties for non-fulfilment of obligations.

17. (1) Subject to the provisions of these regulations and of the Animal Welfare Act, a person who infringes any of the provisions arising from these regulations, shall, on conviction, be liable to a fine (*multa*) of not less than five thousand Malta Liri and not exceeding fifteen thousand Malta Liri.

(2) Without prejudice to the provisions of sub-regulation (1) of this regulation, the Court may also order any person who is found guilty of committing an offence under these regulations, to pay for the expenses incurred by the Veterinary Services as a result of the said offence, the revocation of the permit issued under these regulations and the confiscation, retention and disposal of the *corpus delicti*.

SCHEDULE

CHAPTER I

Domestic solipeds and domestic animals of the bovine, ovine, caprine and porcine species

A. General provisions.

1. Pregnant animals likely to give birth during carriage or animals having given birth during the preceding 48 hours, and newborn animals in which the navel has not completely healed, shall not be considered fit for transportation.

2.

(a) Animals shall be provided with adequate space to stand in their natural position and, when necessary, partitions to protect the animals from motion of the means of transport. Unless special conditions for the protection of animals require otherwise, room to lie down shall be provided.

(b) The means of transport and containers shall be constructed and operated so as to protect animals against inclement weather and marked differences in climatic conditions. Ventilation and air space shall be in keeping with the conditions of transport and appropriate for the species of animals carried.

Sufficient space should be provided inside the animals' compartment and at each of its levels to ensure that there is adequate ventilation above the animals when they are in a naturally standing position without on any account hindering their natural movement.

(c) Means of transport and containers shall be easy to clean, escape proof and shall be so constructed and operated as to avoid injury and unnecessary suffering to animals and to ensure their safety during transport. Containers in which animals are transported shall be marked with a symbol indicating the presence of live animals and a sign indicating the animals' upright position. They shall allow for the inspection and care of the animals and shall be stowed in a way which does not interfere with ventilation. During transport and handling, containers shall always be kept upright and shall not be exposed to severe jolts or shaking.

(d) During transport the animals must receive water and appropriate food at the intervals laid down for this purpose in Chapter VII.

(e) Solipeds shall wear halters during transport. This provision need not apply to unbroken foals or to animals transported in individual boxes.

(f) When animals are tied, the ropes or other attachments used shall be strong enough not to break during normal transport conditions, and long enough to allow the animals, if necessary, to lie down and to eat and drink, and shall be designed in such a way as to eliminate any danger of strangulation or injury. Animals shall not be tied by the horns, or by nose rings.

(g) Solipeds shall be transported in individual stalls or boxes which are designed to protect the animals against jolts. However, such animals may be transported in groups; in that case, care must be taken to ensure that animals which are hostile to one another are not transported together or where they are transported together, that they have their hind hoofs unshod.

(h) Solipeds shall not be transported in vehicles with more than one deck.

3.

(a) When animals of different species travel in the same means of transport they shall be segregated according to species, except in the case of companion animals where separation would cause distress. Furthermore, special measures shall be taken to avoid adverse reactions which might result from the transport in the same consignment of animals naturally hostile to each other. When animals of different ages are carried in the same means of transport, adults and young animals shall be kept separate; this restriction shall not, however, apply to females travelling with their young which they suckle. Uncastrated adult males shall be kept separate from females. Adult breeding boars shall be separated from each other. This shall also apply to stallions. These provisions shall apply only insofar as the animals have not been raised in compatible groups or are not accustomed to one another.

(b) In compartments in which animals are transported, goods shall not be loaded which could prejudice the welfare of the animals.

4. Suitable equipment for loading and unloading of animals such as bridges, ramps or gangways shall be used. The flooring of this equipment shall be constructed so as to prevent slipping, and the equipment shall be provided with lateral protection if necessary. During transport, animals shall not be suspended by mechanical means, nor lifted or dragged by the head, horns, legs, tail or fleece. In addition, the use of electric prods should be avoided as far as possible.

5. The floor of the means of transport or container shall be sufficiently strong to bear the weight of the animals being transported: it shall be of non-slip design; if it has any spaces or perforations these shall be completely smooth to prevent injury to the animals. The floor shall be covered with sufficient litter to absorb droppings unless this can be dealt with in a different way presenting at least the same advantages or unless droppings are regularly removed.

6. In order to ensure the necessary care of the animals during transport, consignments of livestock shall be accompanied by an attendant, except in the following cases –

(a) where animals are transported in containers which are secured, adequately ventilated and, where necessary, containing enough food and water, in dispensers which cannot be tipped over, for a journey of twice the anticipated time;

(b) where the transporter performs the functions of attendant;

(c) where the consignor has appointed an agent to care for the animals at appropriate staging points.

7.

(a) The attendant or consignor's agent shall look after the animals, feed and water them and, if necessary, milk them.

(b) Cows in milk shall be milked at intervals of about 12 hours but not exceeding 15 hours.

(c) To enable the attendant to provide this care, he shall, if necessary, have available a suitable means of lighting.

8. Animals shall be loaded only into means of transport which have been thoroughly cleaned and where appropriate, disinfected. Dead animals, litter and droppings shall be removed as soon as possible.

B. Special provisions for transport by road.

14. Vehicles shall be escape-proof and so constructed as to ensure the safety of the animals and shall also be equipped with a roof that ensures effective protection against the weather.

15. Tying facilities shall be provided in vehicles used in the transport of large animals which are normally required to be tied. When vehicles are required to be subdivided, the partitions shall be of rigid construction.

16. Vehicles shall carry suitable equipment complying with the requirements of part A point 4.

C. Special provisions for transport by water.

17. The fittings of vessels shall be such that animals can be transported without injury or unnecessary suffering.

18. Animals shall not be transported on open decks unless in adequately secured containers or other structures, approved by the Veterinary Services and giving adequate protection against sea and weather.

19. Animals shall be tied or properly accommodated in pens or containers.

20. There shall be adequate passageways having access to all pens, containers or vehicles accommodating animals. Adequate lighting facilities shall be available.

21. A sufficient number of attendants shall be provided taking into account the number of animals transported and the duration of the voyage.

22. All parts of the vessel where animals are accommodated shall be provided with drainage and shall be kept in a sanitary condition.

23. A type of instrument approved by the Veterinary Services shall be carried for slaughtering animals if necessary.

24. Vessels used in the transport of animals shall, before sailing, be provided with sufficient supplies of drinking water where they are not equipped with a suitable system allowing its production and appropriate foodstuffs, having regard to the species and number of animals being transported as well as to the duration of the voyage.

25. Provisions shall be made for isolating ill or injured animals during the voyage and for first-aid treatment to be given, when necessary.

26. Where animals are transported in road vehicles on board ships, the following measures shall apply:

- (i) the animals' compartment shall be properly fixed to the vehicle; the vehicle and the animals' compartment shall be equipped with adequate tying facilities enabling them to be secured fast to the ship. On a covered deck of a roll-on/ roll-off vessel, sufficient ventilation for the number of vehicles transported must be maintained. Where possible, a vehicle for the transport of animals should be placed near a fresh air inlet;

(ii) the animals' compartment shall have a sufficient number of vents or other means of ensuring that it is adequately ventilated, bearing in mind that the air flow is restricted in the confined space of ship's vehicle hold. There must be sufficient room inside the animals' compartment and at each of its levels to ensure that there is adequate ventilation above the animals where they are in a naturally standing position;

(iii) direct access must be provided to each part of the animals' compartment so that the animals can, if necessary, be cared for, fed and watered during the voyage.

D. Special provisions for transport by air.

27. Animals shall be transported in containers, pens or stalls appropriate for the species, complying at least with the most recent IATA live animals regulations.

28. Precautions shall be taken to avoid extremely high or low temperatures on board, having regard to the species of animals. In addition, severe fluctuations of air pressure shall be avoided.

29. In freight aircraft a type of instrument approved by the Veterinary Services shall be carried for slaughtering animals if necessary.

CHAPTER II

Poultry, domestic birds and domestic rabbits

30. The following provisions of Chapter I of this schedule shall apply *mutatis mutandis* to the transport of poultry, domestic birds and domestic rabbits: points 2 (a), (b) and (c), 3, 5, 6, 8, 17 to 22 inclusive, 24 and 26 to 29 inclusive.

31. Suitable food and water shall be available in adequate quantities, save in the case of:

(i) a journey lasting less than 12 hours, disregarding loading and unloading time;

(ii) a journey lasting less than 24 hours for chicks of all species, provided that it is completed within 72 hours after hatching.

CHAPTER III

Domestic dogs and domestic cats

32. Without prejudice to Regulation 1(2)(a), the following provisions of Chapter I of this schedule shall apply *mutatis mutandis* to the transport of domestic dogs and domestic cats: point 1, point 2 (a), (b) and (c), point 3, 5, 6, point 7 (a) and (c), points 8, 15 and 17 to 29 inclusive.

33. Animals being transported shall be fed at intervals of not more than 24 hours and given water at intervals of not more than 12 hours. There shall be clear written instructions about feeding and watering. Females in oestrus shall be separated from males.

CHAPTER IV

Other mammals and birds

34.

(a) The provisions of this chapter shall apply to the transport of those mammals and birds which are not already covered by the provisions of the preceding chapters.

(b) The following provisions of Chapter I of this schedule shall apply *mutatis mutandis* to the transport of the species concerned in this Chapter: point 1, point 2(a), (b) and (c), points 3(b), 4, 5, 6, point 7(a) and (c), points 8, to 29 inclusive.

35. Without prejudice to regulation 3(1)(b), only animals suitable for transportation and in good health shall be transported. Animals obviously in advanced stages of pregnancy or animals that have recently given birth, as well as infant animals incapable of feeding themselves and which are not accompanied by the mother, shall not be considered fit for transportation. These provisions may be exempted in exceptional circumstances if it is necessary in the animals' interest for them to travel to a location where the appropriate treatment can be given.

36. Sedation shall not be administered unless in exceptional circumstances and then only under the direct supervision of a veterinarian. Details of any sedation shall accompany the animal to its destination.

37. Animals shall be transported only in suitably constructed means of transport, on which, if necessary, a notice shall be placed indicating that the animals in them are wild, timid or dangerous. Moreover, clear written instructions about feeding and watering and any special care required shall accompany the animals.

Animals covered by the CITES shall be transported in accordance with the most recent provisions of the CITES' guidelines for transport and preparation for shipment of live wild animals and plants. In the case of air transport, they shall be transported at least in accordance with the most recent IATA rules governing the transport of live animals. They shall be conveyed to their destination as soon as possible.

38. Animals covered by this Chapter shall be cared for in accordance with the instructions and guidelines referred to in point 37.

39. There shall be an appropriate period for the holding and conditioning of animals prior to shipment during which they shall, if necessary, be moved into their containers gradually.

40. Animals of different species shall not be placed in the same container. Moreover, animals of the same species shall not be placed in the same container unless it is known that they are compatible with one another.

41. Cervine animals shall not be transported while in velvet.

42. Birds shall be kept in semi-darkness.

43. Without prejudice to special measures to be taken in accordance with regulation 3(3) of these regulations, marine mammals shall have the constant attention of a qualified attendant. Containers shall not be stacked.

44.

(a) There shall be additional ventilation by means of holes of a suitable size in all walls of the container to ensure an adequate flow of air at all times. These holes shall be of a

size which prevents the animals from coming into contact with persons handling the container or from injuring themselves.

(b) Spacer bars of adequate size shall be fitted to all walls, roofs and bases of containers to ensure that there is a free flow of air to the animals in the event of stacking or close storing of cargo.

45. Animals should not be housed near foodstuffs or in places to which unauthorised persons have access.

CHAPTER V

Other vertebrate animals and cold-blooded animals

46. Other vertebrate animals and cold-blooded animals must be transported in such containers, under such conditions, in particular with regard to space, ventilation, temperature and security, and with such supply of water and oxygen appropriate for the species concerned. Animals which are covered by CITES must be transported in accordance with the CITES' guidelines for transport and preparation for shipment of live wild animals and plants. In the case of air transport, they must be transported at least in accordance with the most recent IATA rules governing the transport of live animals. They must be conveyed to their destination as soon as possible.

CHAPTER VI

Loading densities

47. A. DOMESTIC SOLIPEDS

Transport by road

Adult horses	1.75m ² (0.7 x 2.5m) (*)
Young horses (6-24 months) (for journeys of up to 48 hours)	1.2m ² (0.6 x 2m)
Young horses (6-24 months) (for journeys over 48 hours)	2.4m ² (1.2 x 2m)
Ponies (under 144cm)	1m ² (0.6 x 1.8m)
Foals (0-6 months)	1.4m ² (1 x 4m)

[NB. During long journeys, foals and young horses must be able to lie down]

These figures may vary by a maximum of 10 % for adult horses and ponies and by a maximum of 20 % for young horses and foals, depending not only on the horses' weight and size but also on their physical condition, the meteorological conditions and the likely journey time.

Transport by air

Loading density of horses in relation to surface area

0-100kg	0.42m ²
100-200kg	0.66m ²
200-300kg	0.87m ²
300-400kg	1.04m ²
400-500kg	1.19m ²
500-600kg	1.34m ²
600-700kg	1.51m ²
700-800kg	1.73m ²

Transport by sea

Live weight in kg	m ² /animal
200-300	0.90-1.175
300-400	1.175-1.45
400-500	1.45-1.725
500-600	1.725-2
600-700	2-2.25

B. BOVINE ANIMALS

Transport by road

Category	Approximate weight (in kg)	Area in m ² /animal
Small calves	55	0.30 to 0.40
Medium sized calves	110	0.40 to 0.70
Heavy calves	200	0.70 to 0.95
Medium sized cattle	325	0.95 to 1.30
Heavy cattle	550	1.30 to 1.60
Very heavy cattle	>700	[>1.60]

These figures may vary, depending not only on the animals' weight and size but also on their physical condition, the meteorological conditions and the likely journey time.

Category	Approximate weight (in kg)	Area in m ² /animal
Calves	50	0.23
	70	0.28
Cattle	300	0.84
	500	1.27

Transport by sea

Live weight in kg	m ² /animal
200-300	0.81-1.0575
300-400	1.0575-1.305
400-500	1.305-1.5525
500-600	1.5525-1.8
600-700	1.8-2.025

Pregnant animals must be allowed 10 % more space.

C. SHEEP/GOATS

Transport by road

Category	Weight in kg	Area in m ² /animal
Shorn sheep	<55	0.20 to 0.30
	>55	>0.30
Unshorn sheep	<55	0.30 to 0.40
	>55	>0.40
Heavily pregnant ewes	<55	0.40 to 0.50
	>55	>0.50
Goats	<35	0.20 to 0.30
	35 to 55	0.30 to 0.40

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	>55	0.40 to 0.75
Heavily pregnant goats	<55	0.40 to 0.50
	>55	>0.50

The surface area indicated above may vary depending on the breed, the size, the physical condition and the length of fleece of the animals, as well as on the meteorological conditions and the journey time. As an indication: for small lambs, an area of under 0, 2 m² per animal may be provided.

Transport by air

Loading density for sheep and goats in relation to surface area

Average weight (in kg)	Surface area per sheep/goat (in m ²)
25	0.2
50	0.3
75	0.4

Transport by sea

Live weight in kg	m ² /animal
20-30	0.24-0.265
30-40	0.265-0.290
40-50	0.290-0.315
50-60	0.315-0.34
60-70	0.34-0.39

D. PIGS

Transport by road :

All pigs must at least be able to lie down and stand up in their natural position.

In order to comply with these minimum requirements, the loading density for pigs of around 100 kg should not exceed 235 kg/m²

The breed, size and physical condition of the pigs may mean that the minimum required surface area given above has to be increased; a maximum increase of 20 % may also be required depending on the meteorological conditions and the journey time.

Transport by air :

The loading density should be relatively high to preclude injury on takeoff or landing or in the event of turbulence, although all animals must still be able to lie down. The climate, total journey time and hour of arrival should be taken into account in deciding on the loading density.

Average weight	Surface area per pig
15kg	0.13m ²
25kg	0.15m ²
50kg	0.35m ²
100kg	0.51m ²

Transport by sea

Live weight in kg	m ² /animal
10 or less	0.20
20	0.28
45	0.37

70	0.60
100	0.85
140	0.95
180	1.10
270	1.50

E. POULTRY

Densities applicable to the transport of poultry in containers

Category	Space
Day-old chicks	21-25cm ² per chick
Poultry weighing <1.6kg	180 to 200cm ² /kg
Poultry weighing 1.6kg and over but <3kg	160cm ² /kg
Poultry weighing 3kg and over but <5kg	115cm ² /kg
Poultry weighing 5kg and over	105cm ² /kg

These figures may vary depending not only on the weight and size of the birds but also on their physical condition, the meteorological conditions and the likely journey time.

CHAPTER VII

48. Watering and feeding interval, journey times and resting periods.

(1) The requirements laid down in this Chapter apply to the movement of the animal species listed in regulation 1 (1) (a), except in the case of air transport, the requirements for which are laid down in Chapter I (D), points 27 to 29.

(2) Journey times for animals belonging to the species referred to in point 1 shall not exceed eight hours.

(3) The maximum journey time in point 2 of this regulation may be extended where the transporting vehicle meets the following additional requirements:

- (i) there is sufficient bedding on the floor of the vehicle,
- (ii) the transporting vehicle carries appropriate feed for the animal species transported and for the journey time,
- (iii) there is direct access to the animals,
- (iv) adequate ventilation is possible which may be adjusted depending on the temperature (inside and outside),
- (v) there are moveable panels for creating separate compartments,
- (vi) vehicles are equipped for connection to a water supply during stops,
- (vii) in the case of vehicles for transporting pigs, sufficient water is carried for watering during the journey.

(4) The watering and feeding intervals, journey times and rest periods when using road vehicles which meet the requirements in point 3 are defined as follows:

- (a) Unweaned calves, lambs, kids and foals which are still on a milk diet and unweaned piglets must, after nine hours of travel, be given a rest period of at least one hour sufficient in particular for them to be given liquid and if necessary fed. After this rest period, they may be transported for a further nine hours.
 - (b) Pigs may be transported for a maximum period of 24 hours. During the journey, they must have continuous access to water.
 - (c) Domestic solidungulates (except registered equidae within the meaning of European Union Council Directive 90/426/EEC may be transported for a maximum period of 24 hours. During the journey they must be given liquid and if necessary fed every eight hours.
 - (d) All other animals of the species referred to in point (1) of this provision must, after 14 hours of travel, be given a rest period of at least one hour sufficient for them in particular to be given liquid and if necessary fed. After this rest period, they may be transported for a further 14 hours.
- (5) After the journey time laid down, animals must be unloaded, fed and watered and be rested for at least 24 hours.
- (6)
- (a) Animals must not be transported by sea if the maximum journey time exceeds that laid down in point 2, unless the conditions laid down in points 3 and 4, apart from journey times and rest periods, are met.
 - (b) In the case of transport by sea on a regular and direct link between Malta and trading partners territories by means of vehicles loaded on to vessels without unloading of the animals, the latter must be rested for 12 hours after unloading at the port of destination or in its immediate vicinity unless the journey time at sea is such that the voyage can be included in the general scheme of points 2 to 4.
- (7) In the interests of the animals, the journey times in points 3, 4 and 6 (b) may be extended by two hours, taking account in particular of proximity to the place of destination.

CHAPTER VIII

ROUTE PLAN

<p>(1) TRANSPORTER (name, address, business name):</p> <p>SIGNATURE OF TRANSPORTER:</p>	<p>(2) MEANS OF TRANSPORT:</p> <p>No OF REGISTRATION OR IDENTIFICATION</p>
<p>(3) ANIMAL SPECIES:</p> <p>NUMBER:</p> <p>PLACE OF DEPARTURE:</p> <p>PLACE AND COUNTRY OF DESTINATION:</p>	<p>(4) ITINERARY:</p> <p>ESTIMATED JOURNEY TIME:</p>
<p>(5) NUMBER OF HEALTH OR CERTIFICATE(S) OR ACCOMPANYING DOCUMENT(S):</p>	<p>(6) STAMP OF VETERINARIAN AT PLACE OF DEPARTURE</p> <p>(7) STAMP OF VETERINARIAN AT STAGING POINT(S)</p>
<p>(8) DATE AND TIME OF DEPARTURE:</p>	<p>(9) NAME OF PERSON IN CHARGE OF TRANSPORT DURING JOURNEY:</p> <p>(10) STAMP OF COMPETENT AUTHORITY AT POINT OF EXIT OR AUTHORIZED CROSSING POINT</p>

(11) PLANNED STAGING OR TRANSFER POINTS:		(12) ACTUAL STAGING OR TRANSFER POINTS:			
(a)		(d)			
(13) PLACE AND ADDRESS	(14) DATE AND TIME	(15) LENGTH OF STOP	(16) REASON	(17) PLACE AND ADDRESS	(18) DATE AND TIME
i)					
ii)					
iii)					
iv)					
v)					
vi)					
(19)	(20) SIGNATURE OF PERSON IN CHARGE DURING JOURNEY	(21) DATE AND TIME OF ARRIVAL AT PLACE OF DESTINATION:			
(a) To be completed by the transporter before departure.	(e)				
(b) To be completed by the appropriate veterinarian.					
(c) To be completed by the transporter during the journey.					
(d) To be completed by the competent authority at the point of exit or authorised crossing point					
(e) To be completed by the transporter after the journey.					
(22) OBSERVATIONS:		(e)			
		(b or e)			