



## Windsor Framework Democratic Scrutiny Committee

# OFFICIAL REPORT (Hansard)

COM/2023/770 Proposal for a Regulation on the Protection of  
Animals During Transport and Related Operations Amending  
Council Regulation (EC) No 1255/97 and Repealing Council  
Regulation (EC) No 1/2005:  
Department of Agriculture, Environment and Rural Affairs

15 May 2025

# NORTHERN IRELAND ASSEMBLY

## Windsor Framework Democratic Scrutiny Committee

COM/2023/770 Proposal for a Regulation on the Protection of Animals During Transport and Related Operations Amending Council Regulation (EC) No 1255/97 and Repealing Council Regulation (EC) No 1/2005:  
Department of Agriculture, Environment and Rural Affairs

15 May 2025

**Members present for all or part of the proceedings:**

Mrs Ciara Ferguson (Chairperson)  
Mr David Brooks (Deputy Chairperson)  
Dr Steve Aiken  
Mr Jonathan Buckley  
Mr Declan Kearney  
Mr Peter Martin  
Ms Emma Sheerin  
Mr Eóin Tennyson

**Witnesses:**

Mr Christopher Andrews	Department of Agriculture, Environment and Rural Affairs
Mr Neal Gartland	Department of Agriculture, Environment and Rural Affairs
Mr Chris Wade	Department of Agriculture, Environment and Rural Affairs

**The Chairperson (Ms Ferguson):** I welcome, from the Department of Agriculture, Environment and Rural Affairs, Neal Gartland, director of the animal health and welfare policy division; Christopher Andrews, the grade 6; and Chris Wade, the deputy principal. Thank you very much, gentlemen. I will pass it over to you for your briefing.

**Mr Neal Gartland (Department of Agriculture, Environment and Rural Affairs):** Thank you, Chair, for your welcome. As you noted, my name is Neal Gartland. I am joined by Chris Andrews and Chris Wade. As I understand it, members will have had sight of the initial impact assessment, which provides a broad outline of the draft proposal on the European regulation on the protection of animals during transport and related operations and repeals the current Council regulation (EC) No 1/2005 regulations. With your permission, we aim to use the opportunity to provide the Committee with some information and further detail on the draft proposal. However, as you will be aware, from the outset, neither the Department nor the UK Government have been involved in the formulation, drafting or current negotiations through the EU legislative process around the proposal and where it stands.

We are aware that, for the past number of years, the European Commission has been taking forward a significant programme of work to revise and update animal welfare legislation under the Farm to Fork strategy. The strategy is part of the European Union's green deal, which aims to make the EU's food system more sustainable and environmentally friendly. As part of the fitness check on current European animal welfare law, the Commission conducted a consultation with member states' citizens

that received 59,000 responses. Issues relating to support for limiting journey times, the prohibition of exports to third countries and vulnerable animals were raised as part of that consultation.

As it stands, the welfare of animals during transport is protected through EC No 1/2005. That regulation was published in December 2004 and applied from January 2007. It is enforced through the Welfare of Animals (Transport) Regulations (Northern Ireland) 2006. The EU regulation covers the transport of all vertebrate animals within the EU that takes place in connection with an economic activity. Those vertebrates include mammals, birds, reptiles, amphibians and fish. Economic activities include farming, livestock hauliers, commercial pet breeding or racing or those moving animals for use in films, zoos and leisure parks. The current regulation, which the new proposed regulation will replace, covers issues such as transport authorisations, competence certificates, vehicle approvals, journey logs and transport certificates.

Council regulation (EC) No 1255/97 will also be amended by the proposed regulation. It sets out the EU criteria for control posts, where animals rest for at least 12 hours during compulsory breaks in long-distance journeys within the EU. The Commission mandated the European Food Safety Authority (EFSA) to deliver scientific opinions on animal welfare with regard to transport. Those recommendations were used to build the new proposal that we are discussing today. Therefore, the Commission has outlined that its proposal is intended to address the concerns and points raised during its consultation exercise and the findings of the EFSA. I will start by giving a broad overview of the policy and then provide members with more detail on a chapter-by-chapter basis.

The key objectives of the proposal include reducing journey times. The draft regulation proposes maximum journey times of nine hours for animals going to slaughter. Breeding and production animals can travel for a maximum of 21 hours but must have a minimum one-hour rest period after the first 10 hours. It is permissible to unload the animals for 24 hours' rest and then recommence the 21-hour journey. Following guidance from the EFSA, all species of animals will be afforded increased space. For the transport of vulnerable animals, there are maximum journey times of 19 hours for unweaned calves — nine hours' transport and a one-hour rest period, followed by nine hours — provided that an efficient feeding system exists for the means of transport. All calves must be a minimum age of five weeks and have a minimum weight of 50 kg. For transporting in extreme temperatures, the proposal suggests that, if the temperature forecast is between 25°C and 30°C, only short journeys will be allowed during the daytime, with access to water for the animals. If the weather forecast is higher than 30°C, animal transport will be permitted only at night, defined as between 9.00 pm and 10.00 am. As regards new technologies for monitoring, real-time positioning of vehicles will be required, monitored through a central database and a digital application, with data kept on the Trade Control and Expert System, known as "TRACES".

There are updated and more specific requirements for cats and dogs, with a minimum age of 12 weeks for transport and exports to third countries. Exports to third countries are likely to be permitted only where assurances are provided that the entire journey, including the element beyond the EU, will be conducted in line with the rules on journey times and space allowances, as I mentioned in the previous paragraphs.

The proposal was built off the recommendations published by the EFSA. An impact assessment was carried out to determine the preferences to be used for each of those key areas. The new regulation aims to provide rules and legislation on the transport of the 1.6 billion live animals transported in and from the EU each year and which are part of the agri-food chain, as well as providing clarity on the movement of animals not used for food production, fur animals, certain wild animals and animals moved for scientific purposes.

In terms of the detail in the draft regulation, Chapter I deals broadly with the scope of the proposal: that the regulation applies to the transport of animals within the union, from a third country to the union or from the union to a third country and from a border control entry to a border control exit. It also contains information on definitions for the proposal and establishes that animals should not be moved if it causes any harm. Chapter II deals with the organiser and transport authorisations and the rules that organisers can transport animals only if they have been granted authorisation through TRACES by a competent authority. Chapter III deals with transport vehicles and outlines that they must be inspected and approved for transporting terrestrial animals more than 10 miles. The rules for air and sea transport are contained here also, including the securing of vehicles for roll-on, roll-off vessels and the ventilation alarm systems that must be on livestock vessels.

Chapter IV states, among other things, that an organiser is responsible for a journey inside the union or through a third country and must comply with the regulations. Keepers at departure must ensure

that the animals are fit to travel. Loading and unloading of animals must be supervised by a veterinarian — that is an element that appears throughout the whole proposal. Chapter V states that transporters must follow the rules set out for both terrestrial and aquatic animals. They are responsible for the fitness for transport of the animals from departure to destination. Drivers also have a requirement to check on the animals' welfare and fitness every four to five hours. There are further requirements, such as animal welfare officers to be provided by transporters on vessel journeys, i.e. livestock vessels. Chapter VI is a key chapter of the proposed regulation. It states the journey times allowed for specific transports. A journey for terrestrial animals not for slaughter must consist of a maximum of two parts, each not exceeding 21 hours, with a minimum 24-rest period in between. Journey times for terrestrial animals must be completed in short journeys not exceeding nine hours; for domestic birds and rabbits for slaughter, a maximum journey time of 12 hours; and 24 hours for chicks or domestic birds.

Any one that would have an impact — one that would have more of an impact specifically in Northern Ireland — is the maximum 10 hours for transport of end-of-lay hens to slaughter. The specific context is that Northern Ireland has no facility to deal with such birds, so they are taken to a facility in England for processing. We understand that achieving that journey within the 10-hour window could be problematic. Times for the movement of unweaned calves will not exceed eight hours, unless an approved feeding system is installed, which can extend journeys to nine hours plus a one-hour rest and a further nine hours of travel. Journey times at sea are suspended once the animal is loaded onto a vessel and restart when unloading begins. The chapter also deals with the lengths of time for which animals can be transported in extreme weather conditions, with limitations on journeys, if they are above or below set thresholds.

Chapter VII deals with transport to and from third countries, including the requirements for organisers who are transporting animals out of the European Union to a third country. All animals leaving the European Union must leave through designated exit points. Chapter VIII is similar to the existing legislation, which means that competent authorities must provide training courses for drivers, attendants and animal welfare officers and must provide certificates of competence. The current legislation has one article on penalties, and Chapter IX in the proposed regulation expands further on the penalties and sanctions that will be available to member states. It also highlights investigations that must be carried out on infringements, which can include injuries to animals, movement of animals that are too young, space allowances and journey time misdemeanours.

Chapter X deals with procedural provisions, and chapter XI deals with data protection, time frames for keeping data and the development of the new app, TRACES. Finally, Chapter XII deals with transitional and final provisions. The final chapter confirms that the proposal repeals the current legislation, specifically that the regulations will apply from two years after publication, with some articles allowing a three-year transition. Crucially, for journey times, space allowance and movement of vulnerable animals, where more investment may be needed, a five-year transition period will apply.

We have had informal conversations with colleagues in the Department of Agriculture, Food and the Marine (DAFM) to better understand some of the detail and intent of the potential regulation, and we continue to engage with our Department for Environment, Food & Rural Affairs (DEFRA) counterparts.

I hope that we have given Committee members a useful short overview of the proposed regulation. We will endeavour to answer any questions about the proposal, but, as members will appreciate, we are not party to the development of the draft and where it sits in the EU negotiating process.

I am happy to hand over, Chair.

**The Chairperson (Ms Ferguson):** Thank you, Neal. Two members wish to ask questions.

**Mr Brooks:** Thanks for your presentation. Do you have any idea of the value of live exports and imports to the EU and GB for the local agrisector?

**Mr Gartland:** I do not have the specific figures.

**Mr Christopher Andrews (Department of Agriculture, Environment and Rural Affairs):** We do not have specific figures on the value. There is significant movement of animals for end-of-life slaughter, which Neal touched on in his presentation. They go from the Northern Ireland poultry industry to Bradford. There is also movement of end-of-life cull sows to a facility in Cheale in Essex. Those are the main movements. We also have routine movements between Northern Ireland and the Republic of

Ireland for slaughter. We have significant movements of lambs and reasonable movements of cattle from the North to the South. If the Chair is content, it would be more appropriate for us to write to you with the detail.

**The Chairperson (Ms Ferguson):** Yes, we would appreciate that.

**Mr Brooks:** That would be useful. Thank you very much.

We have concern, as you might imagine, around the forthcoming legislation on dogs, cats and ferrets and the divergence that that may bring. How do the new EU rules on live exports of those animals compare with recent legislation introduced in GB?

**Mr Andrews:** They are two different pieces of legislation. The UK Government are introducing legislation to modify the existing pet travel regulations that deal with the import of cats, dogs and ferrets from beyond the UK into the UK. That relates to non-commercial movements of cats and dogs, so basically everyday people bringing in cats and dogs. They are cutting what is defined as a "non-commercial" movement from five animals to three animals. Anything above three animals will now be classified as a commercial import. This legislation deals only with commercial transport, so it is not a like-for-like comparison. Also, this legislation concentrates solely on the welfare conditions of the animals moving rather than the movement itself. The proposals in this legislation are very much about protecting and securing the welfare of animals when they are on a journey within the EU. It looks at things such as the age of an animal and making sure they have appropriate vaccinations when the cats, dogs and ferrets are moving.

Chris, is there anything beyond that for cats, dogs and ferrets?

**Mr Chris Wade (Department of Agriculture, Environment and Rural Affairs):** No. Nothing else for cats and dogs, just economic movements.

**Mr Brooks:** I will turn to TRACES. What concerns have been raised with you by farmers and hauliers here about the cost of the potential requirement for real-time vehicle positioning systems?

**Mr Gartland:** No concerns have been raised by hauliers. The Ulster Farmers' Union (UFG) raised concerns with us about the recommendation in the proposals. Data from the European Commission outlines that 77% of vehicles are already compliant, so there would be an additional cost for hauliers and industry when it is implemented. Progress in the EU legislative time frame is slow at the moment. It will be two years after that before it is implemented, and there will then be a three- to five-year transitional period for many of the recommendations. Therefore, there is a substantial period for those who are not compliant to become compliant, but it is acknowledged that there will be an additional cost for transporters to update.

**Mr Brooks:** Has there been proactive engagement with hauliers on the issue up to now?

**Mr Gartland:** Not at the moment but there has been engagement with the Ulster Farmers' Union and the British Poultry Council on it. Hauliers have not highlighted that as a major concern.

**Mr Brooks:** I just wanted to establish whether they had. They may well come forward with concerns but not at the moment.

**Mr Andrews:** To add a little more context, my understanding is that the real-time movement systems are for long-distance journeys only. Hauliers in Northern Ireland have not had a significant number of long-distance journeys, and by "long-distance journeys" I am talking about movements from Northern Ireland to, say, Spain or Italy. We just do not have that level of exports any more. It should also be borne in mind that vehicles going on long-distance journeys at the moment have data-logging-type devices on them. That is already a requirement under existing legislation. It is just that they do not operate in real time. At the minute, all vehicles approved for long-distance journeys — for example, if they were moving from Northern Ireland — have those recording systems. They monitor when the vehicle is moving, when it is stopped and even when the tailboard is lowered to let animals off and on. When DAERA was approving long journeys, that type of information would have been provided routinely for scrutiny. What this does is harness the technology that we have at present and move it to a real-time situation.

**Mr Brooks:** As I say, I will lean on the expertise. This is certainly not my area of expertise. Thank you for your answers. Given that concerns have been raised, I propose that the UFU gives a presentation to the Committee so that we can fully understand its concerns around this.

**The Chairperson (Ms Ferguson):** If you are happy, I will take that proposal at the end.

**Dr Aiken:** Thank you very much, team, for your evidence and for the information that came through.

I have a couple of questions just on what the Deputy Chair said. You have already engaged with the Ulster Farmers' Union. What response did they come back to you with? Secondly, some of the briefing materials that we have had have indicated potential additional costs for training in other areas. Have we done anything to quantify what the overall costs are likely to be and whether they will be significant? Third, you have obviously been talking closely with DEFRA. The rest of GB regulation is changing. Are we expecting it to move at pace with EU regulations so that there will be no significant difference, or are you expecting divergence over the next three to five years if and when it is adopted? Just those three questions, please.

**Mr Gartland:** I will take questions 1 and 2. Chris, can you come in on the third?

**Mr Andrews:** Just to clarify, was the second question about training or trade?

**Dr Aiken:** Sorry, it is probably the bad link. Training.

**Mr Andrews:** Training. OK.

**Mr Gartland:** Steve, thanks very much. The UFU provided, in a number of conversations, an overview of the concerns that it has with the draft proposals as they stand. We understand that it has submitted a response to the Commission outlining its key areas of concern around the sharing and borrowing of vehicles, distances and journey times and the veterinary supervision aspect of unloading and offloading animals. My understanding is also that the UFU is working with partners in Brussels through the Committee of Professional Agricultural Organisations-General Confederation of Agricultural Cooperatives (COPA-COGECA) to highlight the concerns that have been raised. We have obviously put across UFU concerns and those of other stakeholders to DAFM and DEFRA from our engagement. That is where we are with the UFU's engagement. We are fully aware of it.

As it stands, we have not done a cost assessment on the potential implications of the current regulation in Northern Ireland. It is incredibly difficult to do that, in the sense that the proposal that we are discussing was published in December 2023. It will have moved on from that point as a result of the live negotiations that are taking place in the European Parliament and in the working groups. We will be able to do a full cost assessment of what the impact may be on Northern Ireland only when we know the final draft and the final version. To do that at the minute would not give us anything additional from what we already know, and the Commission has already identified some of the key costs for industry in its impact assessment when it published the proposal.

Do you want to come in on DEFRA?

**Mr Andrews:** Yes, on the trading point, it is an integral part of the existing legislation that people have to undertake what are called "certificates of competence". That is underpinned by qualifications in the national qualifications framework, so there is a training element already in place. As Neal says, we will need to see whether the training needs or the qualification needs under the new regulation shift significantly, but it is really important to say that, at the moment, where people such as livestock hauliers and transporters undertake those journeys, they must be qualified and must have those certificates of competence. There is a training element in there, and it would be around identifying whether there will be a need for a different training offer or different qualifications.

On your final point about what is happening with welfare during transport in GB, GB is still using the assimilated version of 1/2005. We understand that they are going to their Ministers with a revised welfare offer for the current Westminster mandate. They have not outlined or provided any detail around that. We know that work was done under the previous Administration to look at welfare during transport, and all the evidence points in the same direction. Any research that has been undertaken by previous UK Administrations does not look massively different from the evidence and the science brought forward by EFSA on behalf of the European Commission.

The general direction of travel is trying to minimise journey times, trying to reduce stressors on animals during transport when they are unloaded or offloaded and trying to increase space allowance. Also, as Neal touched on, there is much more awareness of heat stress and the impact of climate on animals during transport. As I said, we are not entirely sure what direction transport legislation led by DEFRA will take, but the scientific evidence and the veterinary evidence all suggests that it will arrive in the same place or will have the same sort of feel to it.

**Dr Aiken:** Chair, with your indulgence, I have two quick follow-ups. First, you mentioned the IT systems and said that those are fairly similar to a lot of the data that we used to use when we were transporting animals over longer distances. Does that mean that we will not have to spend a huge fortune getting a new IT system up and running, and will that IT system be compatible with all of the other information systems that we are having to build in for the Irish Sea border? Secondly, have we talked to the shipping companies? One of the issues in the Mediterranean has been that some of the shipping is not suitable because it is older. For one of the shipping companies, that will not be a problem, but one of the other shipping companies that, I think, does most of the live animal exports has quite old ships. Has anybody been talking to the shipping companies about the potential that, in two or three years' time, they will have to either replace the ships or do some significant maintenance?

**Mr Andrews:** The vast majority of the IT costs, we expect, will be borne by the European Commission, because the idea will be that it will enhance the current TRACES system and that will become the focal point for everything. It is talking about that app, so I cannot say that there will be no IT impacts on DAERA. It would be wrong of me to suggest that. We have access to TRACES. I am hopeful that, if TRACES is enhanced, that will deal with that aspect of it and there will be minimal cost to the Department. Again, TRACES will be made forward-facing to livestock hauliers at no cost to them. Hopefully, that deals with that element.

As to Mediterranean shipping, I am aware of the issues that you refer to. For the benefit of all the members in the room, there have historically been concerns about animals being exported from the UK and Ireland, going to continental Europe and subsequently being re-exported to the Middle East and North Africa. As Dr Aiken implied, the standards on some of those boats have been absolutely horrendous. That is why the current proposal put forward by the EU looks at exit requirements and tries to build into its proposal securities or safeguards for animals going beyond the European Union, so that that journey cannot progress unless it can be demonstrated that standards on those transports are at a similar level to those in the EU. I stress that there has been a significant drop-off in the number of long-distance transports going from Northern Ireland to continental Europe. That has subsided since 2021. We do not have that level of exports any more.

**The Chairperson (Ms Ferguson):** Thank you. Declan Kearney has some questions.

**Mr Kearney:** Thanks for your presentation. I have three quick questions. From your presentation and the material provided, it sounds like this is very much a work in progress: is that the case? There seems to be a shared intent focused on arriving at consensus on how all the issues can be best addressed in setting maximum standards and ensuring that animal welfare is enhanced in every respect.

**Mr Andrews:** We absolutely agree. Go ahead, Neal.

**Mr Gartland:** I think so. The current legislation is 20 years old. This proposal is going through a process of co-decision in Brussels, so it has to go a long way before it is agreed, both in respect of compromise, probably from the Commission, and from the parties that will want to amend it. We talked about that beforehand, and Chris highlighted that there are something like 3,000 amendments to the proposal at the minute as it goes through the Parliament. That is at the same time as member states are working through the working group structures to negotiate and come to a final agreed position. Therefore, we expect this to go a good bit further before it can even go into the triologue engagement between the Parliament and the Council. That goes back to the previous question from Dr Aiken around why we have not yet carried out the cost assessment. We do not know what the final proposal will look like because, obviously, we are not in the room and privy to that information.

**Mr Kearney:** There are a large number of stakeholders. This is a pan-European issue, extending also into the British jurisdiction. To that extent, it sounds as though there is a high level of engagement. Even though concerns have been raised by stakeholders such as the UFU, nevertheless they are making their representations and they are being heard.

**Mr Gartland:** Yes, I think so. From our perspective, the UFU engaged directly with the Commission and the Parliament through the consultation processes. It gave its information in, and its key concerns were outlined. We have made DEFRA and DAFM aware that some of our stakeholders have key concerns around this. From our understanding, the UFU concerns in particular align with some others in the farming industry, particularly in the Republic of Ireland, and what, they feel, are issues with the proposal as well. Collectively, the stakeholders are working with other member states and their sister organisations in those areas to advance what, they feel, are the amendments required.

**Mr Kearney:** That is apparent. They are shared concerns, and it makes sense that a consensus will be found to deal with as many of the issues as possible.

**Mr Gartland:** One of the key areas that the UFU outlined to us and that I reiterated in the speech was around the end-of-life laying hens going to England and the 10-hour maximum for journeys for slaughter in that respect. That is exactly the same as Republic of Ireland DAFM colleagues, who also use that facility in Bradford. Those concerns are shared and have alignment there.

**Mr Kearney:** I have a final point, Neal. For the record, clearly all the issues are to some degree wrapped up with the prospect of negotiating a sanitary and phytosanitary (SPS) agreement.

**Mr Gartland:** That depends on what an SPS agreement would look like in its finality. I could not comment on that. From our perspective, where we currently sit —

**Mr Kearney:** It would impinge directly on that kind of negotiation.

**Mr Gartland:** I imagine that it would, in the sense that, as Chris has outlined, much of the proposal is about ensuring the welfare of animals as they move beyond competent country authorities that have to apply EU rules into third countries. We know that NI-to-GB movements would be impacted by anything that is agreed in this proposal and, subsequently, in the SPS agreement, were that to come into force. There is that interplay. We are, obviously, not involved in those conversations and negotiations, but I imagine that that would be acknowledged because it is quite similar and it is within the SPS and welfare realm.

**Mr Kearney:** Thanks a million.

**The Chairperson (Ms Ferguson):** Thank you. No other members are seeking to ask any questions.

On behalf of the Committee, I thank Neil Gartland, Christopher Andrews and Chris Wade for your detailed presentations. I commend you for your work and for sharing your information and knowledge with the Committee.