businesscompanion
trading standards law explained

Welfare of animals during transport

In the guide

Principal requirements
Fitness of animals for transport
Registered horses
Transport requirements for young animals
Means of transport
Space allowances
- Cattle
- Sheep and goats
- Horses
- Pigs

Planning obligations
Personnel
Handling
Extra requirements for horses
Trading Standards
In this update
Key legislation

Although the United Kingdom left the European Union (EU) in 2021, certain pieces of legislation (known as 'assimilated law') continue to apply until such time as they are replaced by new UK legislation, revoked or permitted to expire. This means that our guidance still contains references to legislation that originated from the EU.

In this guide, the words 'must' or 'must not' are used where there is a legal requirement to do (or not do) something. The word 'should' is used where there is established legal guidance or best practice that is likely to help you avoid breaking the law.

This guidance is for Scotland

Assimilated Regulation (EC) No 1/2005 *on the protection of animals during transport and related operations* (implemented in Scotland by the Welfare of Animals (Transport) (Scotland) Regulations 2006) applies to persons who transport live vertebrate animals, including farm livestock (cattle, sheep, pigs, goats, poultry, deer* and horses) in connection with an economic activity (in other words, a business or

trade).

[*For the purposes of this guidance, 'horse' includes pony, donkey, ass, mule and hinny.]

Animals must be fit for the intended journey and no person must transport or cause an animal to be transported in a way likely to cause injury or undue suffering.

The Regulation does not apply to the transport of animals when not in connection with an economic activity or to the transport of invertebrate animals. However, a general duty-of-care provision exists, protecting invertebrates and animals involved in non-commercial movements from injury or unnecessary suffering.

Further requirements for poultry are covered in 'Poultry at markets: handling and transport'.

Principal requirements

All persons who transport animals, however far, have a duty to ensure that the animals are transported in a way that is not likely to cause injury or unnecessary suffering. They must be transported in a means of transport and under conditions that are suitable for that animal.

Farmers transporting their own animals must ensure that:

- no person transports an animal or causes animals to be transported in a way that is likely to cause injury or undue suffering
- all necessary arrangements have been made in advance to minimise the length of the journey and meet the animals' needs during the journey
- the animals are fit for the journey
- the means of transport (including the means of loading and unloading) is designed, constructed, maintained and operated so as to avoid injury and suffering and ensure the safety of the animals (see 'Means of transport' below)
- the personnel handling the animals are trained or competent in the transport of animals
- the transport is carried out without delay and the welfare conditions of the animals can be checked during the journey
- sufficient floor area and height is provided for the animals
- the animals are watered / fed and rested at suitable intervals as necessary

Fitness of animals for transport

Animals must be fit for the intended journey before the journey starts and must remain sufficiently fit throughout the journey.

Animals that are injured, weak or diseased must not be considered fit for transport, particularly if they:

- are ill, injured, infirm or fatigued
- are unable to move without pain, or to walk unassisted
- have a severe open wound or prolapse
- are pregnant females for whom 90% or more of the expected gestation period has already passed, or they are females who have given birth in the previous week
- are newborn mammals in which the navel has not healed
- have been submitted to veterinary procedures in relation to farming practices such as dehorning or castration and the wounds have not completely healed

- are pigs of less than three weeks, lambs of less than one week and calves of less than ten days of age, unless they are transported less than 100 km
- are dogs and cats of less than eight weeks of age, unless they are accompanied by their mother
- are cervine animals in velvet

Sedatives must not be used on animals to be transported, unless under veterinary supervision.

If any animals do fall ill or become injured during transport they must be separated, given appropriate veterinary treatment and if necessary undergo emergency slaughter or killing in a way that does not cause them undue suffering.

Registered horses

All registered horses must be registered with a recognised breed society or company such as Weatherbys.

Registered horses are exempt from the Regulation prohibiting the transport of pregnant females beyond 90% of their gestation period and transporting mares with their newly born foals, if the journey is to improve the health and welfare conditions of the birth, and if permanently accompanied throughout the journey by a dedicated attendant.

Transport requirements for young animals

Appropriate bedding must be provided for:

- piglets of less than 10 kg
- lambs of less than 20 kg
- calves less than six months old

The bedding material must provide comfort appropriate to the species and ensure adequate absorption of urine and faeces.

Means of transport

The means of transport must be designed, constructed, maintained and operated so as to :

- protect the animals from pain and injury
- protect the animals from extreme temperatures and adverse changes in climatic conditions
- allow each animal adequate ventilation
- permit access to allow the animals to be inspected

The means of transport should:

- provide anti-slip flooring
- have barriers to prevent animals falling and escaping from any upper floors and lifting platforms
- provide partitions strong enough to withstand the weight of the animal
- have fittings designed for quick and easy operation

Vehicles must carry suitable equipment for loading and unloading. The vehicles' surface, including the loading and unloading equipment, must enable cleansing and disinfection between journeys. For vehicle cleansing and disinfection requirements, please refer to 'Cleansing and disinfection of vehicles'.

Ramps must not be steeper than an angle of 20° (36.4% to the horizontal) for pigs, calves and horses; and

an angle of 26° 34 minutes (50% to the horizontal) for sheep and cattle other than calves.

Where the slope is steeper than 10° (17.6% to the horizontal) ramps must be fitted with a system such as that provided by foot battens, which ensure that the animals climb or go down without risks or difficulties.

Space allowances

The space allowances given below are for transport by road. They are taken from Chapter VII of Annex I to assimilated Regulation (EC) No 1/2005 (see link in 'Key legislation' below), which also includes information on space allowances for other methods of transport.

Cattle

Category	Approximate weight (kg)	Area (m^2 per animal)
Small calves	50	0.3 - 0.4
Medium-size calves	110	0.4 - 0.7
Heavy calves	200	0.7 - 0.95
Medium-size cattle	325	0.95 - 1.3
Heavy cattle	550	1.3 - 1.6
Very heavy cattle	More than 700	More than 1.6

Sheep and goats

Category	Weight (kg)	Area (m^2 per animal)
Shorn sheep and lambs of 26 kg and over	Less than 55	0.2 - 0.3
Shorn sheep and lambs of 26 kg and over	More than 55	More than 0.3
Unshorn sheep	Less than55	0.3 - 0.4
Unshorn sheep	More than 55	More than 0.4
Heavily pregnant ewes	Less than 55	0.4 - 0.5
Heavily pregnant ewes	More than 55	More than 0.5
Goats	Less than 35	0.2 - 0.3
Goats	35 - 55	0.3 - 0.4
Goats	More than 55	0.4 - 0.75
Heavily pregnant goats	Less than 55	0.4 - 0.5
Heavily pregnant goats	More than 55	More than 0.5

Horses

Age / type	Area (m^2 per animal)
Adult horses	1.75
Young horses (6-24 months) (for journeys of up to 48 hours)	1.2
Young horses (6-24 months) (for journeys over 48 hours)	2.4
Ponies (under 144 cm)	2.4
Foals (0-6 months)	1.4

Chapter VII of Annex I to assimilated Regulation (EC) No 1/2005 states: "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".

Registered horses

Registered horses that are not going to market or slaughter are exempt from the requirement for journey logs, watering and feeding intervals, journey times and rest periods, and animal transport certificates (ATCs).

Pigs

Pigs must be able to lie down and stand up in their natural position. In order to comply with the minimum requirements, the loading density for pigs of around 100 kg should not exceed 235 kg/m^2.

Planning obligations

Before commencing a journey, transporters must ensure they have the following in place:

- necessary arrangements have been made in advance to minimise the length of the journey and meet the animals' needs during the journey (as provided in the information above)
- transport authorisations. Anyone transporting animals over 65 km (approximately 40 miles) must hold a transporter authorisation. A certificate of competence for the species being transported is required for anyone either driving or attending to the animals during transport. For more information, please refer to 'Transporting animals by road'
- anyone transporting cattle over 50 km (approximately 31 miles) must carry an animal transport certificate. The animal transport certificate for pigs, goats and sheep is incorporated within the movement licence. More information can be found in 'Transporting animals by road'
- businesses transporting livestock over eight hours must have their vehicle approved and keep a journey log
- arrangements have been made to ensure specified legal journey time limits can be met. For more information, please refer to 'Farm animal transport journey times'

Personnel

An attendant must accompany the animals, except where the driver performs the functions of an attendant. All attendants must hold a certificate of competence for the species of animals transported. More information can be found in 'Transporting animals by road'; this guide also includes information on transporting livestock to (or through) the EU.

Handling

When handling the animals, attendants must not:

- strike or kick the animals
- apply pressure to a particular sensitive part of the body in such a way as to cause animals unnecessary pain or suffering
- suspend the animals by mechanical means (unless under the supervision and in the presence of a veterinary surgeon who is arranging for it to be transported with all practicable speed to a place for veterinary treatment)
- use prods or other implements with pointed ends
- knowingly obstruct any animal that is being driven or led through any part where animals are handled
- push, lift or drag animals by the head, ears, horns, legs, tails or fleece, or handle them in such a way as to cause unnecessary pain or suffering

Extra requirements for horses

During transport, horses must be accompanied by a competent person.

Horses older than eight months, except unbroken horses, must wear halters during transport. For animals that need to be tied, the rope, tethers or other means used must:

- be strong enough not to break during normal transport conditions
- allow the animals to lie down, if necessary, and to eat and drink
- be designed in such a way as to eliminate any danger of strangulation or injury
- allow animals to be quickly released

Unbroken horses must not be transported in groups larger than four.

Horses must not be transported in a vehicle with more than one deck in operation. Minimum internal height must be 75 cm higher than the height of the withers of the highest animal.

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

When transported in groups, horses older than eight months must wear halters (unless they are unbroken).

Halters and ropes must:

- be strong enough not to break during normal transport conditions
- permit the animal, as necessary, to lie down, eat and drink
- be designed in such a way as to eliminate any danger of strangulation or injury, and so as to allow animals to be quickly released

Tied animals must be transported separately from untied animals.

Unbroken horses must not be transported in groups of more than four individual horses.

Horses must be handled and transported separately in the following cases:

- horses and ponies of significant different sizes
- horses that are hostile towards each other

- sexually mature males from females
- adult breeding stallions from each other

A stallion or a mare with a foal at foot may not be transported in the same undivided vehicle as any other horse (unless the horses were raised in compatible groups, are accustomed to each other or where separation will cause distress).

Protective boots, bandages, poll and tail guards, and rugs may be useful to protect those areas of the horse that are most likely to suffer bruising or rubbing during transport, or in the case of rugs, to keep the horse warm or to prevent chilling due to sweating. All equipment must fit correctly, be suitable for the purpose for which it is intended, and be securely fastened to prevent slipping or risk of injury.

Trading Standards

For more information on the work of Trading Standards services - and the possible consequences of not abiding by the law - please see 'Trading Standards: powers, enforcement and penalties'.

In this update

Information added from 'Transporting horses by road', which has been deleted.

Last reviewed / updated: September 2024

Key legislation

- Animal Health Act 1981
- assimilated Regulation (EC) No 1/2005 *on the protection of animals during transport and related operations*
- Welfare of Animals (Transport) (Scotland) Regulations 2006

Please note

This information is intended for guidance; only the courts can give an authoritative interpretation of the law.

The guide's 'Key legislation' links go to the legislation.gov.uk website. The site usually updates the legislation to include any amendments made to it. However, this is not always the case. Information on all changes made to legislation can be found by following the above links and clicking on the 'More Resources' tab.

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