

WHICH ARE THE SOCIAL LAW THAT THE VETERINARIAN HAS TO KNOW

REGULATION (EC) No 561/2006 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 15 March 2006 “*on the harmonisation of certain social legislation relating to road transport and amending Council Regulations (EEC) No 3821/85 and (EC) No 2135/98 and repealing Council Regulation (EEC) No 3820/85*”

Article 1

This Regulation lays down rules on driving times, breaks and rest periods for drivers engaged in the carriage of goods in order to harmonise the conditions of competition between modes of inland transport, especially with regard to the road sector, and **to improve working conditions and road safety.**

Article 2

1. This Regulation **shall apply to the carriage by road:**
 - a) of goods where the maximum permissible mass of the vehicle, including any trailer, or semi-trailer, **exceeds 3,5 tonnes**,.....

Article 4

For the purposes of this Regulation the following **definitions** shall apply: **(b)** “vehicle” - **(c)** ‘driver’ - **(d)** ‘break’ - **(f)** ‘rest’ - **(g)** ‘daily rest period’ – **(j)** ‘driving time’ - **(k)** ‘daily driving time’ - **(m)** ‘maximum permissible mass’ - **(q)** ‘driving period’

Article 6

1. **The daily driving time shall not exceed nine hours.**
However, the daily driving time may be extended to at most **10 hours not more than twice during the week.**

Article 7

After a driving period of **four and a half hours** a driver shall take **an uninterrupted break of not less than 45 minutes**, unless he takes a rest period.

Article 7

1. A driver shall take daily and weekly rest periods:

SIMPLIFICATION

“The daily rest for the driver is **11 hours**”

“The daily rest for a driver engaged in multi-manning is **9 hours**”

COUNCIL REGULATION (EEC) No 881/92 of 26 March 1992 “*on access to the market in the carriage of goods by road within the Community to or from the territory of a Member State or passing across the territory of one or more Member State*”

Article 1

1. This Regulation shall apply to the international **carriage of goods by road for hire** or reward for journeys carried out within the territory of the Community.

Article 2

Definitions: *international carriage* -

Article 3

1. International carriage shall be carried out subject to **Community authorisation** in conjunction with a **driver attestation** if the driver is a national of a non-member country.

Article 5

3. The Community authorization **shall correspond to the model set out in of Annex I**, which also lays down the conditions governing its use.

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ANNEX I

ANNEX

EUROPEAN ECONOMIC COMMUNITY

(a)

(Blue card — DIN A4)

(First page of the authorization)

(Text in (one of) the official language(s) of the Member State issuing the authorization)

State issuing the authorization
Distinguishing sign (*)

Name of the competent authority or body

AUTHORIZATION No

for the international carriage of goods by road for hire or reward

This authorization entitles (*)

to engage in the international carriage of goods by road for hire or reward by any route, for journeys or parts of journeys effected for hire or reward within the territory of the Community, as laid down in Council Regulation (EEC) No 881/92 of 26 March 1992 and subject to the general provisions of this authorization.

Particular remarks :

This authorization shall be valid from to

Issued in ON

(*)

ANNEX III

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EUROPEAN COMMUNITY

(a)

(Colour pink — DIN A4)

(First page of the attestation)

(Text in (one of) the official language(s) of the Member State issuing the attestation)

Distinguishing sign of the Member State (*) issuing the attestation

Name of the competent authority or body

DRIVER ATTESTATION No ...

for the carriage of goods by road for hire or reward under a Community authorisation

(Regulation (EEC) No 881/92 as amended by Regulation (EC) No 484/2002 of 1 March 2002)

This attestation certifies that on the basis of the documents presented by:

(*)

the following driver:

Name and forename

Date and place of birth Nationality

Type and reference number of identity paper

Date of issue Place of issue

Driving licence number

Date of issue Place of issue

Social security number

is employed, in accordance with the laws, regulations or administrative provisions and, as appropriate, the collective agreements, in accordance with the rules applicable in the following Member State, on the conditions of employment and of vocational training of drivers applicable in that Member State to carry out road transport operations in that State:

..... (*)

Particular remarks:

This attestation shall be valid from to

Issued in ON

(*)

COUNCIL DIRECTIVE 96/53/EC of 25 July 1996 “*laying down for certain road vehicles circulating within the Community the maximum authorized dimensions in national and international traffic and the maximum authorized weights in international traffic*”

Article 1

1. This Directive applies to:

.....
(b) the weights and certain other characteristics of the vehicles defined in (a) and specified in Annex I (2) to this Directive.

Article 2

DEFINITIONS:

‘motor vehicle’ - ‘trailer’ - ‘semi-trailer’ - ‘vehicle combination’

Annex 1

2. Maximum authorized vehicle weight (in tonnes)

2.2	<i>Vehicle combinations</i>	
2.2.1	Road trains with five or six axles	
	(a) two-axle motor vehicle with three-axle trailer	40 tonnes
	(b) three-axle motor vehicle with two or three-axle trailer	40 tonnes
2.2.2	Articulated vehicles with five or six axles	
	(a) two-axle motor vehicle with three-axle semi-trailer	40 tonnes
	(b) three-axle motor vehicle with two or three-axle semi-trailer	40 tonnes

the event

20/03/2010
check of the police
at a motorway gate

no compliance with
Reg. CE 881/92

sequestration of
the vehicle

confiscation of
the horses

**the police called the veterinarian and said:
“*doctor we have detained 10 horses
arriving from Belgium,
please come to look after their welfare*”**

**the 10 animals were been unloaded
in an emergency control post**



Identification of the animals

5 adult breeding horses:
3 stallions and 2 mares

-

*the horses were loaded
all together with a
female pregnant of pony
in the same stall*



1 pony
a pregnant female



4 unbroken horses
for slaughter



Outcome of the control

JOURNAL LOG:

- 1) the stamp and signature of organiser was indicated only in the section 1
- 2) it was not identified with a distinguishing number;
- 3) it was not compiled the section 1 at points 4.2, 4.3, 5.4, 5.5, 6.1;
- 4) the sections 2 and 4 were not compiled;
- 5) the 5 pages were not fastened together.

Transporter authorisation: The transporter was not authorized for long journeys.

Health certificate: the certificate was only for 8 animals, but the animals were 10. Two foals were without the passport.

Animal Welfare:

Equines with evident shipping stress;

- ▶ The little pregnant pony was together with the adult horses;
- ▶ The broken horses were not divided in single stalls;
- ▶ The unbroken horses were transported in a long journey for more than 20 hours;
- ▶ In the same box there were 3 hostile stallions, not separated;
- ▶ 2 adult females were together with 3 stallions;

FINE - Euro 12 744.00 – all animals unload in the emergency control point