

WELSH STATUTORY INSTRUMENTS

**2007 No. 3309 (W.294)**

**ANIMALS, WALES**

**ANIMAL HEALTH**

**The Bluetongue (No. 2) (Wales) Order 2007**

|                          |         |  |
|--------------------------|---------|--|
| <i>Made</i>              | - - - - | <i>2.07 p.m. on 23<br/>November 2007</i> |
| <i>Coming into force</i> | - -     | <i>2.25 p.m. on 23<br/>November 2007</i> |

This Order makes provision for a purpose mentioned in section 2(2) of the European Communities Act 1972<sup>M1</sup> and it appears to the Welsh Ministers that it is expedient for the reference to Commission Regulation (EC) No. 1266/2007 (on implementing rules for Council Directive 2000/75/EC as regards the control, monitoring, surveillance and restrictions on movements of certain species of susceptible animals in relation to bluetongue<sup>M2</sup>) to be construed as a reference to that Regulation as amended from time to time.

The Welsh Ministers make the following Order in exercise of the powers conferred by paragraph 1A of Schedule 2 to the European Communities Act 1972<sup>M3</sup> and sections 1, 7(1), 8(1), 15(4), 17(1), 23, 25, 28, 32(2), 34, 35, 36, 83(2) and 88(2) of the Animal Health Act 1981<sup>M4</sup>:

**Marginal Citations**

- M1** 1972 c. 68.
- M2** OJ No. L 283, 27.10.2007, p. 37.
- M3** Paragraph 1A was inserted by section 28 of the [Legislative and Regulatory Reform Act 2006 \(c. 51\)](#).
- M4** 1981 c. 22. Powers conferred on “the Ministers” and the Secretary of State under the Act were transferred to the National Assembly for Wales by [S.I. 1999/672](#) and [S.I. 2004/3044](#). By virtue of [paragraph 30](#) of Schedule 11 to the Government of Wales 2006, these functions are now exercisable by the Welsh Ministers.

**PART 1**

Introduction

**Title, application and commencement**

<sup>F1</sup>1. ....

*Changes to legislation:* There are currently no known outstanding effects for the  
*The Bluetongue (No. 2) (Wales) Order 2007. (See end of Document for details)*

**F1** Order revoked (except for art. 17) (26.4.2008) by [The Bluetongue \(Wales\) Regulations 2008 \(S.I. 2008/1090\)](#), regs. 1, **29**

### Interpretation

**F1**2. ....

**F1** Order revoked (except for art. 17) (26.4.2008) by [The Bluetongue \(Wales\) Regulations 2008 \(S.I. 2008/1090\)](#), regs. 1, **29**

### Extension of the definition of “disease”

**F1**3. ....

**F1** Order revoked (except for art. 17) (26.4.2008) by [The Bluetongue \(Wales\) Regulations 2008 \(S.I. 2008/1090\)](#), regs. 1, **29**

### Exemptions

**F1**4. ....

**F1** Order revoked (except for art. 17) (26.4.2008) by [The Bluetongue \(Wales\) Regulations 2008 \(S.I. 2008/1090\)](#), regs. 1, **29**

## PART 2

### Suspected and confirmed bluetongue

#### Initial requirements where bluetongue is known or suspected

**F1**5. ....

**F1** Order revoked (except for art. 17) (26.4.2008) by [The Bluetongue \(Wales\) Regulations 2008 \(S.I. 2008/1090\)](#), regs. 1, **29**

#### Suspected or infected premises

**F1**6. ....

**F1** Order revoked (except for art. 17) (26.4.2008) by [The Bluetongue \(Wales\) Regulations 2008 \(S.I. 2008/1090\)](#), regs. 1, **29**

#### Confirmation of bluetongue on premises

**F1**7. ....

**F1** Order revoked (except for art. 17) (26.4.2008) by [The Bluetongue \(Wales\) Regulations 2008 \(S.I. 2008/1090\)](#), regs. 1, **29**

### **Powers of veterinary inspectors and officers**

**F18.** .....

**F1** Order revoked (except for art. 17) (26.4.2008) by [The Bluetongue \(Wales\) Regulations 2008 \(S.I. 2008/1090\)](#), regs. 1, **29**

### **Temporary control zones**

**F19.** .....

**F1** Order revoked (except for art. 17) (26.4.2008) by [The Bluetongue \(Wales\) Regulations 2008 \(S.I. 2008/1090\)](#), regs. 1, **29**

### **Measures on confirmation of the bluetongue virus**

**F110.** .....

**F1** Order revoked (except for art. 17) (26.4.2008) by [The Bluetongue \(Wales\) Regulations 2008 \(S.I. 2008/1090\)](#), regs. 1, **29**

### **Restrictions in protection and surveillance zones**

**F111.** .....

**F1** Order revoked (except for art. 17) (26.4.2008) by [The Bluetongue \(Wales\) Regulations 2008 \(S.I. 2008/1090\)](#), regs. 1, **29**

### **Premises straddling zones**

**F112.** .....

**F1** Order revoked (except for art. 17) (26.4.2008) by [The Bluetongue \(Wales\) Regulations 2008 \(S.I. 2008/1090\)](#), regs. 1, **29**

### **Powers of inspectors and officers in control or restricted zones**

**F113.** .....

**F1** Order revoked (except for art. 17) (26.4.2008) by [The Bluetongue \(Wales\) Regulations 2008 \(S.I. 2008/1090\)](#), regs. 1, **29**

### Slaughter of animals

<sup>F1</sup>14. ....

F1 Order revoked (except for art. 17) (26.4.2008) by [The Bluetongue \(Wales\) Regulations 2008 \(S.I. 2008/1090\)](#), regs. 1, **29**

### Subsequent movement of animals

<sup>F1</sup>15. ....

F1 Order revoked (except for art. 17) (26.4.2008) by [The Bluetongue \(Wales\) Regulations 2008 \(S.I. 2008/1090\)](#), regs. 1, **29**

### Bluetongue outside Wales

<sup>F1</sup>16. ....

F1 Order revoked (except for art. 17) (26.4.2008) by [The Bluetongue \(Wales\) Regulations 2008 \(S.I. 2008/1090\)](#), regs. 1, **29**

### Slaughter of animals

17. Section 32 of the Animal Health Act 1981 (which relates to slaughter and compensation) applies to bluetongue.

### Declarations of zones

<sup>F1</sup>18. ....

F1 Order revoked (except for art. 17) (26.4.2008) by [The Bluetongue \(Wales\) Regulations 2008 \(S.I. 2008/1090\)](#), regs. 1, **29**

## PART 3

### Miscellaneous

### Surveillance

<sup>F1</sup>19. ....

F1 Order revoked (except for art. 17) (26.4.2008) by [The Bluetongue \(Wales\) Regulations 2008 \(S.I. 2008/1090\)](#), regs. 1, **29**

### Vaccination against bluetongue

<sup>F1</sup>20. ....

**F1** Order revoked (except for art. 17) (26.4.2008) by [The Bluetongue \(Wales\) Regulations 2008 \(S.I. 2008/1090\)](#), regs. 1, **29**

### **Powers of inspectors in case of default**

**F1**21. ....

**F1** Order revoked (except for art. 17) (26.4.2008) by [The Bluetongue \(Wales\) Regulations 2008 \(S.I. 2008/1090\)](#), regs. 1, **29**

### **General powers of inspectors**

**F1**22. ....

**F1** Order revoked (except for art. 17) (26.4.2008) by [The Bluetongue \(Wales\) Regulations 2008 \(S.I. 2008/1090\)](#), regs. 1, **29**

### **Damage**

**F1**23. ....

**F1** Order revoked (except for art. 17) (26.4.2008) by [The Bluetongue \(Wales\) Regulations 2008 \(S.I. 2008/1090\)](#), regs. 1, **29**

### **Licences**

**F1**24. ....

**F1** Order revoked (except for art. 17) (26.4.2008) by [The Bluetongue \(Wales\) Regulations 2008 \(S.I. 2008/1090\)](#), regs. 1, **29**

### **Licences granted outside Wales**

**F1**25. ....

**F1** Order revoked (except for art. 17) (26.4.2008) by [The Bluetongue \(Wales\) Regulations 2008 \(S.I. 2008/1090\)](#), regs. 1, **29**

### **Provision of assistance**

**F1**26. ....

**F1** Order revoked (except for art. 17) (26.4.2008) by [The Bluetongue \(Wales\) Regulations 2008 \(S.I. 2008/1090\)](#), regs. 1, **29**

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**Changes to legislation:** There are currently no known outstanding effects for the  
The Bluetongue (No. 2) (Wales) Order 2007. (See end of Document for details)

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## Offences by bodies corporate

<sup>F1</sup>27. ....

**F1** Order revoked (except for art. 17) (26.4.2008) by [The Bluetongue \(Wales\) Regulations 2008 \(S.I. 2008/1090\)](#), regs. 1, **29**

## Enforcement

<sup>F1</sup>28. ....

**F1** Order revoked (except for art. 17) (26.4.2008) by [The Bluetongue \(Wales\) Regulations 2008 \(S.I. 2008/1090\)](#), regs. 1, **29**

## Revocation

<sup>F1</sup>29. ....

**F1** Order revoked (except for art. 17) (26.4.2008) by [The Bluetongue \(Wales\) Regulations 2008 \(S.I. 2008/1090\)](#), regs. 1, **29**

*Rhodri Morgan*  
First Minister for Wales, one of the Welsh  
Ministers

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## EXPLANATORY NOTE

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

This Order continues to implement Council Directive [2000/75/EC](#) laying down specific provisions for the control and eradication of bluetongue. It revokes and remakes with changes the Bluetongue Order (Wales) 2007 in order to enforce Commission Regulation [\(EC\) No. 1266/2007](#).

The changes are that, following confirmation of bluetongue on any premises, a veterinary inspector may serve a notice removing the requirement for notification of further cases, and removing some or all of the restrictions on those premises (article 7). It also corrects an error in the previous Order concerning premises in one or more zones (article 12).

The Order provides that references to the Commission Regulation are references to it as amended from time to time.

Part 2 of the Order provides for the reporting of symptoms of bluetongue and for the establishment of control zones and restricted zones. Unlike in the previous Order, these zones can now be of a size appropriate for the control of bluetongue. It controls the movement of animals from those zones. It also provides for the separation of a restricted zone into a protection zone and a surveillance zone, and controls movement between these zones.

It provides for surveillance for bluetongue (article 19) and prohibits vaccination against bluetongue without the consent of the Welsh Ministers (article 20).

Part 3 makes provision for enforcement.

It is enforced by the local authority.

Failure to comply with this Order is an offence under section 73 of the Animal Health Act 1981.

A regulatory impact assessment has not been prepared for this Order.

**Changes to legislation:**

There are currently no known outstanding effects for the The Bluetongue (No. 2) (Wales) Order 2007.