



Animal Health and Welfare Act 1984

1984 CHAPTER 40

Animal Health Act 1981

1 Seizure and disposal of things likely to spread disease

(1) In section 35(1) of the Animal Health Act 1981 (power of Ministers to provide for seizure, disposal etc. to prevent spread of disease)—

(a) for paragraph (a) (seizure of carcasses and other specified things) there is substituted—

“(a) for the seizure of anything, whether animate or inanimate, by or by means of which it appears to them that any disease to which this subsection applies might be carried or transmitted, and”; and

(b) for the words from " disease " to the end there is substituted " such disease ".

(2) After that subsection there is inserted—

“(1A) Subsection (1) above does not authorise provision for the seizure of any animal; but such an order may provide for the seizure of carcasses and of anything obtained from or produced by an animal.

In this subsection, 'animal' includes anything that may, by virtue of an order under section 87 below, be included for any of the purposes of this Act in the definition of animals or of poultry contained in that section, and "carcasses " is to be construed accordingly.”

(3) In section 36 of that Act (compensation)—

(a) in subsection (1)(b) (duty to pay compensation for things seized under section 35(1), except carcasses of animals or birds affected with disease) after the words " carcase of" there is inserted " or anything obtained from or produced by " , and

(b) in subsection (2) (power to pay compensation for such carcasses) for the words "seized as mentioned above of " there is substituted " of, or things obtained from or produced by " and, at the end of that subsection, there is inserted "

being carcasses or things seized under an order made by virtue of section 35(1) above ".

2 Power of entry

- (1) In section 63(9) of that Act (power of entry of Ministry inspectors in respect of pleuro-pneumonia, foot-and-mouth disease or swine fever), for the words from "for the purpose of ascertaining " to the end there is substituted " enter any land, building or other place, on or in which he has reasonable grounds for supposing that animals are or have been kept, for the purpose of ascertaining whether any disease exists there or has within 56 days existed there.

This subsection does not have effect in relation to poultry. "

- (2) In section 87(4) of that Act (application of Act to poultry), in the second sentence (provisions not so applied) for the words from " 7(2)" to the end there is substituted " 15(5), 32(4) and 63(9) ".

3 Exercise of certain powers in territorial zone

Where, apart from this section, any power to make provision by an order under the Animal Health Act 1981 does not include power to provide for its operation in or over territorial waters of the United Kingdom adjacent to Great Britain, it shall be treated as including such a power unless the context otherwise requires.

4 Removal of restriction on powers as to infected places

Section 17(4) of the Animal Health Act 1981 (power to declare defined part of port or aerodrome an infected place restricted to the Ministers) shall cease to have effect.