
STATUTORY INSTRUMENTS

1977 No. 1751

ANIMALS

DISEASES OF ANIMALS

**The Brucellosis (England and Wales) (Amendment)
Order 1977**

Made - - - - - 27th October 1977

Coming into Operation 1st November 1977

The Minister of Agriculture, Fisheries and Food, in exercise of the powers conferred on him by sections 1, 5, 17(2), 19(7) and 85(1) of the Diseases of Animals Act 1950(a), as read with the Diseases of Animals (Extension of Definitions) Order 1971(b), and as extended by section 106(3) of the Agriculture Act 1970(c), and of all his other enabling powers, hereby orders as follows:—

Citation and commencement

1. This order, which may be cited as the Brucellosis (England and Wales) (Amendment) Order 1977, shall come into operation on 1st November 1977.

Interpretation

2.—(1) This order shall be construed as one with the Brucellosis (England and Wales) Order 1977(d), hereinafter referred to as “the principal order”.

(2) The Interpretation Act 1889(e) applies for the interpretation of this order as it applies for the interpretation of an Act of Parliament.

Amendment of principal order

3. For paragraph (1) of Article 4 of the principal order there shall be substituted the following paragraph:—

“(1) The provisions of Articles 6 to 27 shall not apply to or have effect in—

(a) the eradication areas described in Part II of Schedule 1 hereto until 1st November 1977;

(b) the eradication areas described in Part III of that Schedule until 1st March 1978.”.

(a) 1950 c. 36.

(b) S.I. 1971/531 (1971 I, p. 1530).

(c) 1970 c. 40.

(d) S.I. 1977/1284 (1977 II, p. 3627).

(e) 1889 c. 63.

4. Article 6 of the principal order shall be amended as follows:—

- (a) in sub-paragraph (c) of paragraph (2) there shall be inserted after the words “eradication area” in the first line thereof the words “or attested area”;
- (b) paragraph (3) shall be deleted;
- (c) paragraph (4) shall be re-numbered paragraph (3).

5. For paragraph (2) of Article 8 of the principal order there shall be substituted the following paragraph:—

“(2) A notice served in accordance with the provisions of the preceding sub-paragraph shall remain in force until withdrawn by a further notice in writing signed by a veterinary inspector or other officer of the Ministry, and served as aforesaid.”.

6. In paragraph (4) of Article 12, in the second line thereof, for the word “eradicated” there shall be substituted the word “eradication”.

Amendment to Schedule 1

7. Schedule 1 to the principal order shall be amended as follows:—

- (a) in Part II for the description of the County of Oxford eradication area there shall be substituted the following description:—

“In the county of Oxfordshire

The remainder of the county not described in Eradication Area No. 1 in Part I of this Schedule but excluding fields OS Nos. 8400 and 9200 in the parish of Banbury and so much of the said parish as lies to the east of the railway line from Oxford to Banbury and to the south of the road A422 from Middleton Cheney to its intersection with the said railway line.

All the said road is included in the eradication area where it forms part of its boundary.”;

- (b) at the end thereof there shall be added the following Part:—

“PART III (Articles 3(1) and 4(1))

The county of Northamptonshire

The county of Wiltshire *excluding*

In the district of Salisbury

The parishes of Whiteparish, Redlynch and Landford.

So much of the parish of Downton as lies to the east of the River Avon.

All the said river is included in the eradication area where it forms part of its boundary.

In the county of Oxfordshire

In the district of Cherwell

Fields OS Nos. 8400 and 9200 in the parish of Banbury.”.

In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 27th October 1977.

(L.S.)

John Silkin,
Minister of Agriculture, Fisheries
and Food.

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order amends the Brucellosis (England and Wales) Order 1977. The principal amendments are:—

- (a) to add certain areas of England to the brucellosis eradication areas described in the 1977 Order. The areas concerned are—
- (1) a part of Oxfordshire to which the restrictions and controls imposed by the principal order will apply from 1st November 1977, and
 - (2) the counties of Northamptonshire and Wiltshire (except for a small part of South-East Wiltshire which is already in an eradication area) and two fields in Oxfordshire to which those restrictions and controls will apply from 1st March 1978;
- (b) to permit the unlicensed movement, otherwise than on foot, of bovine animals other than reactors into an attested area direct to a market licensed under the Order of 1977 for the purposes of unloading and sale for immediate slaughter.