
 STATUTORY INSTRUMENTS

1980 No. 890

ANIMALS

DISEASES OF ANIMALS

**The Brucellosis (England and Wales) (Amendment)
Order 1980**

Made - - - - - 27th June 1980
Coming into Operation 18th July 1980

The Minister of Agriculture, Fisheries and Food, as respects England, and the Secretary of State, as respects Wales, in exercise of powers conferred by sections 1, 5 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 now vested in them(c) and of all other powers enabling them in that behalf, hereby make the following order:—

Citation and commencement

1. This order, which may be cited as The Brucellosis (England and Wales) (Amendment) Order 1980, shall come into operation on 18th July 1980.

Amendment of principal order

2. The Brucellosis (England and Wales) Order 1978(d), as amended by the Brucellosis (England and Wales) (Amendment) Order 1979(e), (hereafter referred to as “the principal order”) shall be amended as follows:—

- (i) After article 8 of the principal order (Movement of bovine animals within an eradication area or attested area) there shall be inserted the following article:—

“Movement of bovine animals to specified premises

8A.—(1) Where he considers it to be necessary or desirable for the purpose of eradicating brucellosis, an appropriate officer may, by notice in writing served on the owner or person in charge of bovine animals or steers placed or kept on premises within an eradication area or attested area, require the animals to be moved from the premises to such premises in the occupation of the owner of the animals as are specified in the notice within such reasonable time and in accordance with such directions as may also be specified in the notice.

(a) 1950 c. 36; relevant amendments are made to section 5 by the Agriculture Act 1970 (c. 40) section 106(3).

(b) S.I. 1971/531.

(c) In the case of the Secretary of State by virtue of S.I. 1978/272.

(d) S.I. 1978/1480.

(e) S.I. 1979/1288.

(2) Where a notice served in accordance with the preceding paragraph is in force the owner or person in charge of the animals shall not move them from the premises specified in the notice except under the authority of a licence issued under this paragraph and in accordance with the terms and conditions (if any) of the licence.

(3) A notice served in accordance with the provisions of paragraph (1) above shall remain in force until withdrawn by a further notice in writing signed by an appropriate officer and served as aforesaid.”;

(ii) for Schedule 1 to the principal order there shall be substituted Schedule 1 to this order;

(iii) for Schedule 2 to the principal order there shall be substituted Schedule 2 to this order.

Revocation

3. The Brucellosis (England and Wales) (Amendment) Order 1979 and article 4(1) of the Brucellosis (England and Wales) Order 1978 are hereby revoked.

In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 25th June 1980.

(L.S.)

Peter Walker,
Minister of Agriculture, Fisheries
and Food.

27th June 1980.

Nicholas Edwards,
Secretary of State for Wales.

Article 2(ii)

SCHEDULE 1

SCHEDULE 1

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ERADICATION AREAS

IN ENGLAND

An area comprising the county of Northumberland; the metropolitan county of Tyne and Wear; the counties of Durham, Cleveland and North Yorkshire (excluding that part of the district of Craven which lies to the west of the river Ribble); in the county of Lancashire that part of the Borough of Ribble Valley which lies to the south and east of the river Ribble (but excluding the said river from the eradication area where it forms part of the boundary of the said part of the Borough), the Boroughs of Burnley, Rossendale, Blackburn, Chorley and South Ribble, the districts of West Lancashire, Hyndburn and Pendle; the metropolitan counties of Merseyside, Greater Manchester, West Yorkshire and South Yorkshire; the counties of Humberside (excluding the Boroughs of Scunthorpe, Glanford, Cleethorpes and Great Grimsby), Nottinghamshire, Derbyshire, Cheshire and Staffordshire; the metropolitan county of West Midlands; the counties of Warwickshire, Gloucestershire, Avon, Wiltshire, Dorset, Somerset, Devon and Cornwall.

IN WALES

An area comprising that part of the district of Alyn and Deeside in the county of Clwyd which lies to the north of the river Dee including the said river where it forms the boundary of the said part of the district.”

SCHEDULE 2

SCHEDULE 2

ATTESTED AREAS

IN ENGLAND

An area comprising in the county of Humberside, the Boroughs of Scunthorpe, Glanford, Cleethorpes and Great Grimsby; the counties of Lincolnshire, Leicestershire, Norfolk, Suffolk, Cambridgeshire, Northamptonshire, Bedfordshire, Hertfordshire, Essex, Buckinghamshire, Oxfordshire, Berkshire, Hampshire, Surrey, West Sussex, East Sussex, Kent and the City and Boroughs of Greater London.

An area comprising the county of the Isle of Wight.

An area comprising the Isles of Scilly.

An area comprising the counties of Hereford and Worcester and Shropshire.

An area comprising the county of Cumbria; in the county of Lancashire the Boroughs of Lancaster, Wyre, Blackpool, Fylde and Preston and so much of the Borough of Ribble Valley as lies north and west of the river Ribble; in the county of North Yorkshire that part of the district of Craven which lies to the west of the river Ribble (which said river is included in the attested area where it forms the boundary of the said part of the district).

IN WALES

The whole of Wales except in the county of Clwyd that part of the district of Alyn and Deeside, which lies to the north of the river Dee including the said river where it forms the boundary of the said part of the district."

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order amends the Brucellosis (England and Wales) Order 1978 as amended by the Brucellosis (England and Wales) (Amendment) Order 1979 (the principal order). The changes are as follows:—

- (1) Where an appropriate officer of the Ministry of Agriculture, Fisheries and Food or the Secretary of State for Wales considers it to be necessary or desirable for the purpose of eradicating brucellosis, he may serve a notice on the owner or person in charge of bovine animals or steers kept within an eradication or attested area requiring him to move the animals from the place where they are kept to such premises in the occupation of the owner of the animals as are specified in the notice. The animals must be moved in accordance with such directions as are specified in the notice. During the time the notice is in force the animals must not be removed from the premises to which they were moved under the requirements of the notice except under the authority of a licence issued by an appropriate officer. The notice remains in force until withdrawn by a further notice.
- (2) Schedules 1 and 2 of the principal order are replaced by two new Schedules. Schedule 1 to the principal order described a number of eradication areas for purposes connected with the control of brucellosis. The Schedule was divided into three parts and certain provisions

of the principal order did not apply to the areas described in Parts II and III until dates subsequent to the coming into operation of the principal order. As those dates have now passed the eradication areas described in Schedule 1 to the principal order (except such parts of those areas as are mentioned below and which are now included in attested areas) are amalgamated so as to form one eradication area in England and one in Wales. Schedule 2 to the principal order described a number of attested areas for purposes connected with the control of brucellosis. These areas remain unaltered except for the addition of the counties of Hereford and Worcester and Shropshire (formerly included in an eradication area).