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STATUTORY INSTRUMENTS

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**1991 No. 1155**

**ANIMALS**

**ANIMAL HEALTH**

**The Specified Diseases (Notification) Order 1991**

*Made* - - - - *7th May 1991*

*Coming into force* - - *1st June 1991*

The Minister of Agriculture, Fisheries and Food, the Secretary of State for Scotland and the Secretary of State for Wales, acting jointly, in exercise of the powers conferred on them by sections 1, 7(1), 8(1), 15(4), 28, 72, 83(2), 87(2) and 88(2) of the Animal Health Act 1981<sup>(1)</sup>, and of all other powers enabling them in that behalf, hereby make the following Order:

**title and commencement**

1. This Order may be cited as the Specified Diseases (Notification) Order 1991 and shall come into force on 1st June 1991.

**Extension of definitions of “animals” and “disease”**

2. For the purposes of the Act in its application to this Order—
- (a) the definition of “animals” in section 87(1) of the Act is hereby extended to comprise ungulates and rabbits ; and
  - (b) the definition of “disease” in section 88(1) of the Act is hereby extended to comprise the diseases listed in column 1 of the Schedule to this Order.

**Interpretation**

3. In this Order—
- “the Act” means the Animal Health Act 1981 ;
  - “diseased” means affected with a specified disease ;
  - “Divisional Veterinary Officer” means the veterinary inspector appointed for the time being by the Minister to receive information about diseased or suspected animals, or the carcasses of such animals, for the area in which such animals or carcasses are ;
  - “premises” includes land with or without buildings ;

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(1) 1981 c. 22 ; see section 86(1)(c) for the definition of “the Ministers”.

“specified disease” means a disease specified in column 1 of the Schedule to this Order when it affects an animal specified in column 2 of that Schedule opposite the reference to such a disease ;

“suspected” means suspected of being diseased ;

“veterinary surgeon” means a person registered in the register of veterinary surgeons kept under section 2 of the Veterinary Surgeons Act 1966(2) or the supplementary veterinary register kept under section 8 of that Act.

#### **Notice of specified disease**

4.—(1) A person who has in his possession or under his charge a diseased or suspected animal or carcase shall give notice of that fact as soon as practicable in accordance with article 5(1) below.

(2) A veterinary surgeon or other person who, in the course of his duties, examines or inspects a diseased or suspected animal or carcase shall give notice of that fact as soon as practicable in accordance with article 5(1) below.

(3) A person who, following analysis by him of a sample taken from an animal or carcase, reasonably suspects that the animal or carcase is diseased shall give notice of that fact as soon as practicable in accordance with article 5(1) below.

#### **Notice**

5.—(1) A notice under this Order shall be given to—

- (a) the Divisional Veterinary Officer, or
- (b) an inspector, or
- (c) a constable of the police force for the police area in which the animal or carcase is situated.

(2) An inspector (other than a veterinary inspector) or a constable who receives notice under this Order shall immediately inform a veterinary inspector of the facts notified.

#### **Offence**

6. Any person who, without lawful authority or excuse, fails to comply with article 4 of this Order shall be guilty of an offence against the Act.

#### **Amendment of the Movement of Animals (Restrictions) Order 1990**

7. The Movement of Animals (Restrictions) Order 1990(3) shall be amended as follows—

- (a) for paragraph (3) of article 3 there shall be substituted the following—

“(3) This Order applies to any disease specified in the Specified Diseases (Notification) Order 1991 but does not apply to any other disease the existence of which may be ascertained by a veterinary inspector in pursuance of the provisions of any other Order made under the Act or any Order which has effect as if so made.” ;

- (b) for paragraph (2) of article 7 there shall be substituted the following—

“(2) Any person who moves any animal , carcase or other thing under the authority of a licence under this Order shall—

- (a) ensure that the licence accompanies the animal, carcase or other thing ; and

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(2) 1966 c. 36. Section 2 was amended by S.I.1980/1951.

(3) S.I. 1990/760.

- (b) on demand made by an inspector or other officer of the Ministry or by an inspector of the local authority or by a member of a police force, produce the licence, allow a copy or extract to be taken, and give his name and address.”.

**Local authority to enforce order**

8. The provisions of article 4 of this Order shall be enforced by the local authority.

In witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 7th May 1991.

L.S.

*John Selwyn Gummer*  
Minister of Agriculture, Fisheries and Food

7th May 1991

*Ian Lang*  
Secretary of State for Scotland

3rd May 1991

*David Hunt*  
Secretary of State for Wales

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

## SCHEDULE

Articles 2(b) and 3

## SPECIFIED DISEASES

| Column 1<br>Disease        | Column 2<br>Animal           |
|----------------------------|------------------------------|
| Blue Tongue                | Sheep, cattle                |
| Vesicular stomatitis       | Horses, zebras, cattle, pigs |
| Peste des petits ruminants | Ungulates                    |
| Rift valley fever          | Cattle, sheep                |
| Lumpy skin disease         | Cattle                       |
| Goat pox                   | Goats                        |
| Viral haemorrhagic disease | Rabbits                      |

**EXPLANATORY NOTE**

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

This Order requires certain persons to give notice of the specified diseases to the Divisional Veterinary Officer, an inspector or a constable (articles 4 and 5).

It also amends the Movement of Animals (Restrictions) Order 1990 in relation to diseases specified in this Order.

The Order also provides an offence for which the penalty on summary conviction is a fine or in the case of a second or subsequent offence, at the court's discretion, imprisonment for a term not exceeding one month (sections 72 and 75(1) and (4) of the Animal Health Act 1981).

This Order makes provision for the implementation of Council Directive [82/894/EEC](#) (OJNo. L378, 31.12.82, p.58) as supplemented by Commission Decision [89/162/EEC](#) (OJ No. 61, 4.3.89, p.48) which requires Member States to notify the Commission and other Member States of outbreaks of the first six diseases mentioned in the Schedule (and also various diseases already notifiable under animal health orders). This Order also applies to Viral Haemorrhagic Disease where it affects rabbits.