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STATUTORY INSTRUMENTS

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**1996 No. 2628**

**ANIMALS**

**ANIMAL HEALTH**

**The Specified Diseases (Notification) Order 1996**

*Made - - - - 15th October 1996*

*Coming into force - - 21st October 1996*

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, 8(1), 15(4), 72, 87(2) and (5) and 88(2) and (4) of the Animal Health Act 1981(1), 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 1996 and shall come into force on 21st October 1996.

**Interpretation**

2. In this Order—

“Divisional Veterinary Manager” 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 situated;

“veterinary surgeon” means a veterinary surgeon (or veterinary practitioner) registered under the Veterinary Surgeons Act 1966(2).

**Notification of specified diseases**

3.—(1) For the purposes of the Animal Health Act 1981 in its application to this article—

- (a) the definition of “animals” in section 87(1) is hereby extended to comprise ungulates; and
- (b) the definition of “disease” in section 88(1) is hereby extended to comprise the diseases listed in Part 1 of Schedule 1 to this Order.

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(1) 1981 c. 22. See section 86(1) for a definition of “the Ministers” and “the Minister”.  
(2) 1966 c. 36.

(2) A person who has in his possession or under his charge an animal or carcase which he knows or reasonably suspects is infected with a disease listed in Schedule 1 to this Order shall give notice of that fact as soon as practicable in accordance with article 5(1) below.

(3) A veterinary surgeon or other person who, in the course of his duties, examines or inspects an animal or carcase which he reasonably believes is infected with a disease listed in Schedule 1 to this Order shall give notice of that fact as soon as practicable in accordance with article 5(1) below.

(4) A person who, following analysis by him of a sample taken from an animal or carcase, reasonably suspects that the animal or carcase is infected with any of the diseases listed in Schedule 1 to this Order shall give notice of that fact as soon as practicable in accordance with article 5(1) below.

### **Notification of spongiform encephalopathy**

4.—(1) For the purposes of the Animal Health Act 1981 in its application to this article—

- (a) the definition of “animals” in section 87(1) is hereby extended to comprise—
  - (i) any kind of mammal except man, and
  - (ii) any kind of four-footed beast which is not a mammal;
- (b) the definition of “poultry” in section 87(4) is hereby extended to comprise birds of all species; and
- (c) the definition of “disease” in section 88(1) is hereby extended to comprise any form of spongiform encephalopathy.

(2) A person who, in the course of a laboratory examination of the carcase of any poultry, or of any animal other than a sheep, goat or animal of the bovine species, reasonably suspects the presence of spongiform encephalopathy, shall—

- (a) give notice of that fact as soon as practicable in accordance with article 5(1) below;
- (b) retain the sample examined and the remainder of the carcase until its disposal is authorised in writing by a veterinary inspector; and
- (c) if required in writing to do so by a veterinary inspector, surrender any samples in whatever form they are to a veterinary inspector.

(3) This article shall not apply in relation to any spongiform encephalopathy which has been deliberately introduced into an animal, a carcase or a sample in a laboratory.

### **Notice**

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

- (a) the Divisional Veterinary Manager;
- (b) an inspector; or
- (c) a constable of 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.

### **Offences**

6. Any person who, without lawful authority or excuse, contravenes or fails to comply with article 3 or 4 of this Order shall be guilty of an offence against the Animal Health Act 1981.

### **Enforcement**

7. This Order shall be enforced by the local authority.

## Revocations

8. The instruments in Schedule 2 of this Order are hereby revoked to the extent set out in Column 3 of that Schedule.

7th October 1996

*Angela Browning*  
Parliamentary Secretary, Ministry of Agriculture,  
Fisheries and Food

Scottish Office  
15th October 1996

*Lindsay*  
Parliamentary Under Secretary of State,

Signed by authority of the Secretary of State for Wales

Welsh Office  
7th October 1996

*Jonathan Evans*  
Parliamentary Under Secretary of State,

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

## SCHEDULE 1

Article 3

## SPECIFIED DISEASES

## Part I

African horse sickness  
 Bluetongue  
 Brucellosis caused by *Brucella melitensis*  
 Contagious agalactia  
 Contagious epididymitis  
 Epizootic haemorrhagic virus disease  
 Goat pox  
 Lumpy skin disease  
 Peste des petits ruminants  
 Rift Valley Fever  
 Scrapie  
 Teschen Disease  
 Vesicular Stomatitis

## Part II

Sheep pox

## SCHEDULE 2

Article 8

## REVOCATIONS

<i>Title</i>	<i>Reference</i>	<i>Extent</i>
The Specified Diseases (Notification) Order 1991	S.I. <a href="#">1991/1155</a>	The whole instrument.
The Specified Diseases (Notification and Slaughter) Order 1992	S.I. <a href="#">1992/3159</a>	Article 3 and Schedule 1.
The Spongiform Encephalopathy (Miscellaneous Amendments) Order 1994	S.I. <a href="#">1994/2627</a>	Article 3.
The Animal Health Orders (Divisional Veterinary Manager Amendment) Order 1995	S.I. <a href="#">1995/2922</a>	The reference to the Specified Diseases (Notification) Order 1991 at Paragraph 10 of Schedule 1, Part 1.

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## EXPLANATORY NOTE

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

This Order replaces the Specified Diseases (Notification) Order 1991, as amended—“the 1991 Order”. It extends the definition of “disease” in the Animal Health Act 1981 so as to comprise the diseases set out in Part I of Schedule 1 to the Order; sheep pox, which is in Part II of that Schedule, is already a disease for the purposes of that Act by virtue of section 88(1) of that Act (article 3(1)(b)).

The Order requires notification to be given of an occurrence or suspected occurrence of a disease specified in Schedule 1 to the Order to the Divisional Veterinary Manager, an inspector or a constable (articles 3 and 5).

Viral Haemorrhagic Disease, affecting rabbits, was a specified disease requiring notification under the 1991 Order. This Order omits that disease from the list of specified diseases.

Article 4 provides for the notification of spongiform encephalopathy in certain cases. A breach of articles 3 or 4 of the Order is an offence under the Animal Health Act 1981 (article 6).

The Order is enforced by the local authority (article 7).

The 1991 Order and amendments to it, are revoked to the extent set out in Schedule 2 to the Order (article 8).

A Cost Compliance Assessment in relation to this Order has been placed in the libraries of both Houses of Parliament and copies can be obtained from the Animal Health (Disease Control) Division of the Ministry of Agriculture, Fisheries and Food, Government Buildings, Hook Rise South, Tolworth, Surbiton, Surrey KT6 7NF.