
STATUTORY INSTRUMENTS

1997 No. 150

ANIMALS

ANIMAL HEALTH

The Diseases of Poultry (Amendment) Order 1997

Made - - - - 27th January 1997

Coming into force - - 28th January 1997

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, 8(1), 15(5), 23 and 25 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 Diseases of Poultry (Amendment) Order 1997 and shall come into force on 28 January 1997.

Amendment to the Diseases of Poultry Order 1994

2.—(1) The Diseases of Poultry Order 1994(2) shall be amended in accordance with the following provisions of this article.

(2) In article 3(2), after the reference “5(2)(a),” there shall be inserted the reference “5A(1),”.

(3) After article 5 there shall be inserted the following article—

“Suspected exposure of poultry to risk of disease

5A.—(1) If a veterinary inspector has reason to suspect that poultry as defined in article 3(2) above, or racing pigeons or other captive birds on any premises may have been exposed to the risk of disease, either directly or indirectly, as a result of the movement of persons, animals or vehicles or in any other way, he shall in the case of poultry and may in any other case, serve a notice on the occupier or person in charge of the premises in accordance with this article.

(2) Once a notice has been served under this article, the veterinary inspector shall use whatever means he thinks suitable to detect any suspicion of disease, shall count the birds, and shall monitor their movements.

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

(2) S.I. 1994/3141.

(3) Once a notice has been served under this article, no person shall move any birds from the premises other than for transport directly to a slaughterhouse except under the authority of a licence granted by a veterinary inspector; and before granting such a licence, the veterinary inspector shall carry out a clinical inspection of all the birds to exclude the presence of disease on the premises.

(4) Where he considers that conditions permit, a veterinary inspector may limit the measures provided for in this article to a part of the premises and to the birds contained there, provided that the birds there have been housed, kept and fed completely separately by separate staff.

(5) Where a person fails to comply with any restriction or requirement imposed by a notice served under this article, the provisions of article 5(4) and (5) above shall apply as if the notice had been a notice served under that article.”

27th January 1997

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

27th January 1997

James Douglas-Hamilton
Minister of State, Scottish Office

Signed by authority of the Secretary of State for Wales,

27th January 1997

Jonathan Evans
Parliamentary Under-Secretary of State, Welsh
Office

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

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Diseases of Poultry Order 1994 (S.I.[1994/3141](#)) to provide for restrictions to be placed on premises which have on them poultry, racing pigeons or other captive birds which may have been directly or indirectly exposed to the risk of disease.