WELSH STATUTORY INSTRUMENTS

2002 No. 2304

The Disease Control (Interim Measures) (Wales) (No. 2) Order 2002

Licences, authorities, permits and notices

6.—(1) Subject to paragraph (8), any licence, authority, permit or notice issued or served under this Order shall be in writing, may be general or specific, shall be subject to such conditions as are specified in it and may be varied, suspended or revoked at any time by notice in writing issued—

(a) by the the National Assembly for Wales or the Secretary of State, in the case of a licence, authority, permit or notice issued by the National Assembly for Wales, the Secretary of State or an inspector of any kind;

(b) by a veterinary inspector, in the case of a licence, authority, permit or notice issued by a veterinary inspector or any other inspector of the Secretary of State;

(c) by an inspector of the Secretary of State (other than a veterinary inspector), in the case of a licence, authority or notice issued by any such inspector; or

(d) by an inspector of a local authority, in the case of a licence, authority or notice issued by an inspector of that local authority.

(2) A notice issued under paragraph (1) above shall—

(a) be served, if the licence, authority, permit or notice to be varied, suspended or revoked is specific, on the person to or on whom that licence, authority, permit or notice was issued or served; or

(b) be served or published, if the licence, authority, permit or notice to be varied, suspended or revoked is general, in such manner as the National Assembly for Wales, the Secretary of State or, as the case may be, the veterinary inspector or other inspector may reasonably consider most appropriate to bring it to the attention of those affected by it.

(3) In deciding whether to issue a licence under article 3(1)(a), a notice under article 3(2)(b)(xi), 3(7) or 3(10) or a permit under article 3(2)(c) or 5(2)(b), an inspector, or as the case may be, a veterinary inspector, shall comply with any instructions which may have been issued by the National Assembly for Wales or the Secretary of State in relation to any such licences, notices or permits.

(4) A licence issued under article 3(1)(a), an authority issued for the purpose of making two or more premises a sole occupancy group under article 3(2)(b)(vi), or a permit issued under article 3(2)(c) may specify requirements for the cleansing and disinfection of any vehicle used for moving animals additional to the requirements in relation thereto set out in the Transport of Animals (Cleansing and Disinfection) (Wales) Order 2001(**1**) and the person responsible for moving the animals shall ensure, except where the licence, authority, or permit provides otherwise, that all such requirements are met as soon as possible after the animals have been unloaded and, in any case, before the vehicle is moved from the premises to which the animals have been moved.

(5) Subject to paragraph (6), where a general licence has been issued under article 3(1)(a) above, the National Assembly for Wales or the Secretary of State may issue a notice prohibiting—

(**1**) S.I.2001/2662.

(a) the movement under the authority of that licence of any animal from any premises specified in the notice; or

(b) any person from moving animals under the authority of that licence either generally or to or from any premises specified in the notice.

(6) No notice may be issued under paragraph (5) other than on the advice of an inspector who shall be of the opinion that—

(a) the provisions of this Order or of the aforesaid general licence are not or have not been complied with in relation to animals moved to or from the premises in question or in relation to the movement of any other animals of which the person on whom the notice is to be served is or has at any time been the keeper; and

(b) the service of a notice is necessary to prevent a possible spread of disease.

(7) A notice issued under paragraph (5)(a) shall be served on the occupiers of each of the premises specified in the notice and a notice issued under paragraph (5)(b) shall be served on the person prohibited from moving animals thereunder and on the occupiers of any premises individually named on the notice.

(8) Paragraph (1) shall not apply in the case of a notice issued under article 3(10).