

---

WELSH STATUTORY INSTRUMENTS

---

**2009 No. 2940**

**The Movement of Animals (Restrictions)  
(Wales) (Amendment) Order 2009**

**Title, application and commencement**

1. The title of this Order is the Movement of Animals (Restrictions) (Wales) (Amendment) Order 2009. It applies in relation to Wales and comes into force on 25 November 2009.

**Amendment**

- 2.—(1) The Movement of Animals (Restrictions) (Wales) Order 2003<sup>(1)</sup> is amended as follows.  
(2) For article 5, substitute—

**“Declaration of a temporary control area**

- 5.—(1) If the Welsh Ministers suspect that—  
(a) disease exists on any premises; or  
(b) animals on any premises may be or have been exposed to disease,  
they may declare in writing an area to be a temporary control area.  
(2) A temporary control area must be at least 1 kilometre in radius or larger if the Welsh Ministers consider it necessary in order to prevent the spread of disease.  
(3) Any premises which are partly inside and partly outside a temporary control area are deemed to be wholly within that area.  
(4) In a declaration under paragraph (1), the Welsh Ministers must—  
(a) specify the disease which the Welsh Ministers suspect to exist, or, if no specific disease is suspected, state that the Welsh Ministers suspect disease to exist; and  
(b) specify the species of animal to which the declaration applies.  
(5) The Welsh Ministers may specify in a declaration under paragraph (1)—  
(a) the biosecurity measures which must be taken on premises in a temporary control area or in any part of that area; and  
(b) such other measures which are to apply in the temporary control area, or in any part of that area, as the Welsh Ministers consider necessary in order to prevent the spread of disease.  
(6) The Welsh Ministers may prohibit in a declaration under paragraph (1) the movement of any animal or thing capable of spreading disease—  
(a) into or out of the temporary control area; and  
(b) onto or from any premises in the temporary control area.

(7) But a person may move any such animal or thing under the authority of a licence issued by a veterinary inspector or an inspector acting under the direction of a veterinary inspector.

(8) A person to whom a requirement or prohibition in a declaration under paragraph (1) applies must—

- (a) comply with the requirement or prohibition; and
- (b) comply with any reasonable request which a veterinary inspector or an inspector of the local authority may make to ensure that the requirement or prohibition is complied with.

(9) The Welsh Ministers may revoke or amend in writing a declaration under paragraph (1) at any time.

(10) Such an amendment or revocation must—

- (a) refer to the declaration; and
- (b) state the date and time the revocation or amendment is to take effect.”.

(3) Omit article 6.

(4) In article 10, after paragraph 1 insert—

“(1A) A licence under this Order may be general or specific.”.

3 November 2009

*Elin Jones*  
Minister for Rural Affairs, one of the Welsh  
Ministers