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WELSH STATUTORY INSTRUMENTS

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**2021 No. 480 (W. 147)**

**ANIMALS, WALES**

**ANIMAL HEALTH, WALES**

**The Animal Diseases (Miscellaneous  
Amendments) (Wales) Order 2021**

*Made* - - - - - *19 April 2021*

*Coming into force* - - - - - *21 April 2021*

The Welsh Ministers make this Order in exercise of the powers conferred by sections 1, 7, 8(1), 15(4), 15(5), 17(1), 23, 25, 28, 29, 72, 83(2), 87(2), 87(3) and 88(2) of the Animal Health Act 1981<sup>(1)</sup>.

**Title, application and commencement**

1.—(1) The title of this Order is the Animal Diseases (Miscellaneous Amendments) (Wales) Order 2021.

(2) This Order applies in relation to Wales and comes into force on 21 April 2021.

**Amendment of the Zoonoses Order 1989**

2.—(1) The Zoonoses Order 1989<sup>(2)</sup> is amended as follows.

(2) In article 4—

(a) In paragraph (1) —

(i) at the end of sub-paragraph (b), omit “and”,

(ii) for sub-paragraph (c), substitute “(c) *Coxiella burnetii*; and”, and

(iii) after sub-paragraph (c), insert—

“(d) severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2).”;

(b) In paragraph (3)—

(i) for sub-paragraph (b), substitute “(b) in the case of the organism mentioned in paragraph (1)(c), any cattle, sheep, camelids and goats; and”, and

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(1) 1981 c. 22. Functions of “the Ministers” under the Animal Health Act 1981 (c. 22) (as defined in section 86(1) of that Act) are exercisable by the Welsh Ministers (in relation to Wales), by virtue of the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672), the National Assembly for Wales (Transfer of Functions) Order 2004 (S.I. 2004/3044) and section 162 of, and paragraph 30 of Schedule 11 to, the Government of Wales Act 2006 (c. 32).

(2) S.I. 1989/285, amended by S.I. 2011/2883 and S.I. 2021/192 (W. 43). There are other amendments not relevant to this Order.

(ii) after sub-paragraph (b), insert—

“(c) in the case of the organism mentioned in paragraph (1)(d), any mammal.”.

(3) In article 8—

(a) in paragraph (1), for “article 4(1)(a) or (b)” substitute “4(1)(a), (b) or (c)”,

(b) in paragraph 8(5)(a), for “or rabbit”, substitute “, camelid, rabbit or dog”.

(4) In article 8ZA—

(a) in the heading, for “article 4(1)(c)” substitute “article 4(1)(d)”,

(b) in paragraph (1), for article 4(1)(c), substitute “article 4(1)(d)”.

### **Amendment of the Specified Diseases (Notification) Order 1996**

**3.—**(1) The Specified Diseases (Notification) Order 1996(3) is amended as follows.

(2) In article 3—

(a) in paragraph 1(b), after “Schedule 1” insert “and Schedule 1A”; and

(b) in paragraph (4), after “Schedule 1” insert “or Schedule 1A”.

(3) After article 4 insert—

#### **“Notification of infection with *Batrachochytrium salamandrivorans*: Wales**

**4A.—**(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 extended to include amphibians of the group *Caudata*; and

(b) the definition of “disease” in section 88(1) is extended to include infection with *Batrachochytrium salamandrivorans*.

(2) A person who—

(a) has possession, or is in charge, of an amphibian, and

(b) knows or reasonably suspects the amphibian is infected with *Batrachochytrium salamandrivorans*,

must give notice of this knowledge or suspicion as soon as practicable in accordance with article 5(1).

(3) A veterinary surgeon, or other person, who in the course of that person’s duties—

(a) examines or inspects an amphibian, and

(b) knows or reasonably believes the amphibian to be infected with *Batrachochytrium salamandrivorans*,

must give notice of this knowledge or belief as soon as practicable in accordance with article 5(1).

(4) A person who—

(a) analyses a sample taken from an amphibian, and

(b) knows or reasonably suspects that the amphibian is infected with *Batrachochytrium salamandrivorans*,

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(3) S.I. 1996/2628, amended by S.I. 2003/326 (W. 47), S.I. 2006/2237 (W. 199), S.I. 2010/618 (W. 60) and S.I. 2013/1662 (W. 158). There are other amendments not relevant to this Order.

must give notice of this knowledge or suspicion as soon as practicable in accordance with article 5(1).

- (5) In paragraphs (2) to (4), “amphibian”—
  - (a) means an amphibian of the group specified in paragraph (1)(a), and
  - (b) includes the carcass, or part of a carcass, of an amphibian.

#### **Notification of infection with Ebola virus: Wales**

**4B.**—(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 extended to include primates other than man; and
- (b) the definition of “disease” in section 88(1) is extended to include infection with Ebola virus.

(2) A person who—

- (a) has possession, or is in charge, of a primate, and
- (b) knows or reasonably suspects that the primate is infected with Ebola virus,

must give notice of this knowledge or suspicion as soon as practicable in accordance with article 5(1).

(3) A veterinary surgeon, or other person, who in the course of that person’s duties—

- (a) examines or inspects a primate, and
- (b) knows or reasonably believes the primate to be infected with Ebola virus,

must give notice of this knowledge or belief as soon as practicable in accordance with article 5(1).

(4) A person who—

- (a) analyses a sample taken from a primate, and
- (b) knows or reasonably suspects that the primate is infected with Ebola virus,

must give notice of this knowledge or suspicion as soon as practicable in accordance with article 5(1).

(5) In paragraphs (2) to (4), “primate”—

- (a) means any kind of primate except man, and
- (b) includes the carcass, or part of a carcass, of a primate.”

(4) After article 5(2), insert—

“(3) Sub-paragraphs (b) and (c) of paragraph (1) do not apply in the case of notice given under article 4A or 4B.”

(5) In article 6, for “article 3 or 4” substitute “article 3, 4, 4A or 4B”.

(6) In the list of specified diseases in Part I of Schedule 1, insert at the appropriate places in alphabetical order—

“Contagious caprine pleuropneumonia”

“Glanders (*Burkholderia mallei*)”

“Surra (*Trypanosoma evansi*)”

(7) After Schedule 1 insert—

## “SCHEDULE 1A

Article 3

## FURTHER SPECIFIED DISEASES

Bovine genital campylobacteriosis

Bovine Viral Diarrhoea

Infection with porcine reproductive and respiratory syndrome virus

Infection with bovine rhinotracheitis or infectious pustular vulvovaginitis

Paratuberculosis

Trichomonosis”.

**Amendment of the Diseases of Poultry (Wales) Order 2003**

4.—(1) The Diseases of Poultry (Wales) Order 2003(4) is amended as follows.

(2) In article 3(2) for “declaratory Order” substitute “declaration”.

(3) After article 4, insert—

**“Notification procedure where an infection with Avian Mycoplasmosis is known or suspected**

4A.—(1) A person who—

(a) analyses a sample taken from a bird or bird carcass, and

(b) knows or reasonably suspects that the bird or carcass is infected with Avian Mycoplasmosis (infection with *Mycoplasma gallisepticum* and *M. meleagridis*),

must give notice of this knowledge or suspicion as soon as practicable to the Welsh Ministers.

(2) This article applies only to domestic fowl and turkeys.

**Notification procedure where an infection with Avian Chlamydiosis is known or suspected**

4B.—(1) A person who—

(a) analyses a sample taken from a bird or bird carcass, and

(b) knows or reasonably suspects that the bird or carcass is infected with Avian Chlamydiosis,

must give notice of this knowledge or suspicion as soon as practicable to the Welsh Ministers.

(2) This article applies only to birds of the *psittacines* order.”

(4) In article 9—

(a) in paragraphs (1) and (2), omit “by declaratory Order.”;

(b) in paragraphs (3), (5) and (6), for “declaratory Order” substitute “declaration”;

(c) in paragraph (7), for “declaratory order” substitute “declaration”.

19 April 2021

*Lesley Griffiths*  
Minister for Environment, Energy and Rural  
Affairs, one of the Welsh Ministers

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

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## EXPLANATORY NOTE

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

This Order is made in exercise of powers conferred by the Animal Health Act 1981 (c. 22) (“the 1981 Act”).

Article 2 of this Order amends the Zoonoses Order 1989 (S.I. 1989/285) to add *Coxiella burnetii* to the organisms designated for the purposes of section 29 of the 1981 Act (organisms to which the specified provisions of the Act apply). The designation of *Coxiella burnetii* applies in relation to cases where that organism is carried in any cattle, sheep, camelids or goats. It also applies the requirement to report findings of organisms of the genus salmonella and brucella found in samples taken from animals to include samples taken from dogs.

Article 3 of this Order amends the Specified Diseases (Notification) Order 1996 (S.I. 1996/2628) (“the Specified Diseases Order”). It makes the following changes—

- (a) the definition of “disease” in section 88 of the 1981 Act, in its application to article 3 (notification of specified diseases) of the Specified Diseases Order, is extended to include the diseases listed in the new Schedule 1A;
- (b) article 3(4) of the Specified Diseases Order is amended to require notification by a person who, following analysis of a sample taken from an animal or carcass, reasonably suspects that an animal or carcass is infected with bovine genital campylobacteriosis, bovine viral diarrhoea, porcine reproductive and respiratory syndrome virus, bovine rhinotracheitis or infectious pustular vulvovaginitis, paratuberculosis or trichomonosis (listed in a new Schedule 1A);
- (c) new articles 4A and 4B are inserted into the Specified Diseases Order, requiring notification of an occurrence, or suspected occurrence, of *Batrachochytrium salamandrivorans* in an amphibian and Ebola virus in a primate; and
- (d) the list of specified diseases in Part I of Schedule 1 to the Specified Diseases Order is amended to include contagious caprine pleuropneumonia, glanders (*Burkholderia mallei*) and surra (*Trypanosoma evansi*).

Article 4 of this Order amends the Diseases of Poultry (Wales) Order 2003 (S.I. 2003/1079 (W. 148)) to add a new duty to notify the Welsh Ministers of known or suspected cases of Avian Mycoplasmosis and Avian Chlamydiosis in certain species of birds. It also removes the requirement for a declaratory Order to be made upon confirmation of a designated disease in poultry and replaces this with the requirement for a declaration to be made instead.

The Welsh Ministers’ Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to this Order. As a result, a regulatory impact assessment was not carried out as to the likely costs and benefits of complying with this Order.