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 S T A T U T O R Y   I N S T R U M E N T S
 

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1972 No. 1509

## ANIMALS

## DISEASES OF ANIMALS

**The Foot-and-Mouth Disease (Infected Areas) (Vaccination)  
Order 1972**

Made - - - - - 6th October 1972

Coming into operation 27th October 1972

The Minister of Agriculture, Fisheries and Food and the Secretary of State, acting jointly in exercise of powers conferred by sections 1 (as read with section 9) and 77 of the Diseases of Animals Act 1950(a), and now vested in them (b) and, as respects the said section 9, as amended by section 105 of the Agriculture Act 1970(c), and of all other powers enabling them in that behalf, hereby order as follows:—

*Citation, extent and commencement*

1. This order, which may be cited as the Foot-and-Mouth Disease (Infected Areas) (Vaccination) Order 1972, applies to Great Britain and shall come into operation on 27th October 1972.

*Interpretation*

2.—(1) In this order the following expressions have the meanings hereby respectively assigned to them, that is to say—

“the Act” means the Diseases of Animals Act 1950;

“authorised officer” means an officer duly authorised by the Ministers for the purposes of section 9 of the Act and of this order, and includes a veterinary inspector appointed by the Minister of Agriculture, Fisheries and Food;

“infected area” means an area declared to be an infected area under the Foot-and-Mouth Disease (Infected Areas Restrictions) Order of 1938(d) (as amended (e));

“land” includes buildings situate on land;

“the Ministers” means the Minister of Agriculture, Fisheries and Food and the Secretary of State, acting jointly;

“relevant animals” means cattle, sheep and goats, and all other ruminating animals and swine;

“vaccination” means the treatment of animals with vaccine against foot-and-mouth disease, and “vaccinate” has a corresponding meaning.

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(a) 1950 c. 36. For change of title of the Minister see S.I. 1955/554 (1955 I, p. 1200).

(b) By the Transfer of Functions (Animal Health) Order 1955 (S.I. 1955/958; 1955 I, p. 1184).

(c) 1970 c. 40.

(d) S.R. & O. 1938/1434 (Rev. II, p. 528; 1938 I, p. 155).

(e) The amending orders are not relevant to the subject matter of this order.

(2) For the purposes of this order a person is responsible for relevant animals if (whether or not jointly with any other person)—

- (a) he is the owner of such animals; or
- (b) he is for the time being in possession or in charge of such animals; or
- (c) he is the occupier of the land on which such animals are for the time being kept.

(3) References in this order to section 9 of the Act are to that section as amended by section 105 of the Agriculture Act 1970.

(4) The Interpretation Act 1889(a) applies to the interpretation of this order as it applies to the interpretation of an Act of Parliament.

*Facilitation of vaccination*

3.—(1) For the purpose of facilitating the exercise of the power vested in the Ministers under section 9 of the Act (which empowers them, among other things, to cause to be vaccinated any animal which is in an infected area), a person responsible for relevant animals at any place in an infected area, being relevant animals of a kind which the Ministers propose to cause to be vaccinated, shall on being informed of the Ministers' proposal—

- (a) inform an authorised officer (and if so required in writing) of the respective kinds and numbers of relevant animals for which he is responsible at that place;
- (b) submit all such animals (or such of them as an authorised officer may require to be submitted) for vaccination by an authorised officer, or any person acting under such officer's authority, in accordance with such officer's requirements at the time and place so required; and
- (c) render such assistance to the authorised officer as may be reasonably required of him by such officer, and in particular comply with any requirements such officer may make as to the collection, penning and securing of the animals in order to enable vaccination to be duly carried out.

(2) Nothing in this article shall require an authorised officer to vaccinate or cause to be vaccinated any animal submitted for vaccination under paragraph (1) above if in his opinion it would be inexpedient to do so by reason of its age or for any other veterinary reason.

*Notices giving and requiring information*

4.—(1) Where vaccination is carried out pursuant to section 9 of the Act and to article 3 above the authorised officer shall before quitting the premises on which relevant animals have been vaccinated serve a notice on the person responsible for those animals, being the person upon whom requirements were imposed under that article, containing particulars of the relevant animals which have been vaccinated.

(2) Where under article 3 above relevant animals are required to be submitted at any place in an infected area for vaccination, then whether or not the animals are thereupon vaccinated, the authorised officer may serve on the person upon whom requirements were imposed under that article, a notice requiring such

person within 24 hours to inform the authorised officer (or such other person or authority as may be specified in the notice) in writing for what other relevant animals (if any) he is responsible within 10 miles of that place.

(3) A notice under this article shall be in the form specified in the Schedule to this order, but may be adapted to meet the circumstances of the case.

*Offences*

5. Failure by any person,—

- (a) upon whom a requirement is imposed under article 3 above, to comply with such requirement, or
- (b) on whom a notice is served under article 4(2) above, without reasonable cause to comply with the requirement contained in such notice,

shall be an offence against the Act.

*Service of notices*

6. Without prejudice to section 77(4) of the Act (which relates to the service of notices) a notice intended to be served under article 4 above on the occupier of land, being the person on whom requirements were imposed under article 3 above, may be addressed to the occupier of such land without naming him.

In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 4th October 1972.

(L.S.)

*J. M. L. Prior,*  
Minister of Agriculture, Fisheries and Food.

*Gordon Campbell,*  
Secretary of State for Scotland.

6th October 1972.

SCHEDULE  
(Form of notice under Article 4 (3))  
DISEASES OF ANIMALS ACT 1950

FOOT-AND-MOUTH DISEASE (INFECTED AREAS)  
(VACCINATION) ORDER 1972

PART 1

TAKE NOTICE that I, the undersigned, being an authorised officer under the above-mentioned Order have for the purposes of that Order to-day attended at..... being in an area declared to be an infected area for the purpose of preventing the spread of foot-and-mouth disease, and have there vaccinated against foot-and-mouth disease the animals specified in Part 3 of this notice. And take notice that you are required within 24 hours to inform..... in writing of the number and location of other cattle, sheep, goats and other ruminating animals or swine, on any premises within 10 miles of the premises described above, for which you are responsible, whether as owner of such animals, the person in possession of such animals, or the occupier of land on which such animals are kept.

Dated..... 19 Signed .....  
Authorised Officer

## PART 2

(A) I certify that the total stock of the following kinds on the above premises consist of

..... cattle  
 ..... sheep  
 ..... goats  
 ..... other ruminants  
 ..... swine

## PART 3

I have today inspected the number of animals entered against 2(A) opposite and have vaccinated

..... cattle  
 ..... sheep  
 ..... goats  
 ..... other ruminants  
 ..... swine

(B) I also have stock on the following premises

Name of Farm .....

Parish .....

STOCK cattle..... sheep.....

goats..... other ruminants.....

swine.....

Signature of person responsible

Signature of authorised officer

.....

Date..... 19... Date ..... 19...

## EXPLANATORY NOTE

*(This Note is not part of the Order.)*

Under section 9 of the Diseases of Animals Act 1950 (as amended by section 105 of the Agriculture Act 1970) the Minister of Agriculture, Fisheries and Food and the Secretary of State for Scotland have power to vaccinate any animal which is in an infected area for the purposes of that Act.

This Order, to facilitate the exercise of such power in relation to foot-and-mouth disease, requires a person responsible for "relevant animals"—that is to say cattle, sheep, goats and all other ruminating animals and swine—in an area which is in an infected area under the Foot-and-Mouth Disease (Infected Areas Restrictions) Order of 1938, on being informed of the Ministers' proposal to vaccinate such animals, to submit them for vaccination against foot-and-mouth disease in accordance with the requirements of an authorised officer; and generally to render the latter such assistance as he may require to enable vaccination to be duly carried out.

A person on whom such a requirement is imposed must comply with the terms of any notice served on him at the time requiring him within 24 hours to state in writing for what other relevant animals within a radius of 10 miles he is also responsible.



SI 1972/1509  
ISBN 0-11-021509-5



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