

1976 No. 776

ANIMALS

DISEASES OF ANIMALS

The Animals (Landing from Channel Islands, Isle of Man, Northern Ireland, and Republic of Ireland) (Amendment) Order 1976

<i>Made</i>	- - -	19th May 1976
<i>Laid before Parliament</i>		27th May 1976
<i>Coming into Operation</i>		1st June 1976

The Minister of Agriculture, Fisheries and Food and the Secretary of State, acting jointly, in exercise of the powers conferred by sections 1 and 85(1) of the Diseases of Animals Act 1950(a), as read with Article 18 of the Tuberculosis Order 1964(b), and now vested in them(c), and of the power conferred on them by section 24 of the said Act, as that Act is amended by the Diseases of Animals Act 1975(d), and of all their other enabling powers, hereby order as follows:—

Citation, extent and commencement

1. This order, which may be cited as the Animals (Landing from Channel Islands, Isle of Man, Northern Ireland, and Republic of Ireland) (Amendment) Order 1976, shall apply throughout Great Britain, and shall come into operation on 1st June 1976.

Interpretation

2.—(1) This order shall be construed as one with the Animals (Landing from Channel Islands, Isle of Man, Northern Ireland, and Republic of Ireland) Order 1955(e), as amended(f), hereinafter referred to as “the principal order”.

(2) The Interpretation Act 1889(g) applies for the interpretation of this order as it applies for the interpretation of an Act of Parliament.

Amendment of principal order

3. Article 6 of the principal order (importation by sea from Northern Ireland and the Republic of Ireland) shall be amended by the insertion after paragraph (1) thereof of the following paragraphs:—

“(1A) Without prejudice to paragraph (1) above, no person shall land or permit or cause to be landed in Great Britain any cattle brought by sea from the Republic of Ireland unless the cattle are accompanied by a

(a) 1950 c. 36. (b) 1964/1151 (1964 II, p. 2634). (c) S.I. 1955/958 (1955 I, p. 1184).

(d) 1975 c. 40.

(e) S.I. 1955/1310 (1955 I, p. 190).

(f) S.I. 1962/757; 1963/736; 1967/171 (1962 I, p. 752; 1963 I, p. 892; 1967 I, p. 281).

(g) 1889 c. 63.

certificate of a veterinary officer appointed by the Government of the Republic, issued at the time of shipment, certifying that—

- (a) the cattle all originate from herds in the Republic of Ireland which are recognised by the Government of the Republic as being free from bovine tuberculosis; and
- (b) in the case of cattle other than castrated males and cattle intended to be moved direct from the landing place to a slaughterhouse for immediate slaughter thereat, the animals have all, within the 30 days immediately preceding shipment, been subjected to a comparative tuberculin test, and have passed that test in accordance with a standard which has been previously determined by the Minister and the Secretary of State.

(1B) Where—

- (a) any cattle brought by sea to Great Britain from the Republic of Ireland are not accompanied by such a certificate as is referred to in paragraph (1A) above, or
- (b) the certificate accompanying any such cattle fails to certify any matter required by that paragraph to be so certified,

a veterinary inspector may serve on the owner or other person in charge of the cattle a notice in writing requiring him at his own expense and within such period as may be specified in the notice—

- (i) to export the cattle from Great Britain, or
- (ii) to take the cattle, or cause them to be taken, direct to a slaughterhouse for immediate slaughter thereat.

(1C) Where any person on whom a notice is served under paragraph (1B) above fails to comply with the requirements thereof, a veterinary inspector may seize or cause to be seized the cattle to which the notice relates, and arrange for the requirements of the notice to be complied with; and any expenses reasonably incurred by a veterinary inspector in the exercise of the powers conferred on him by the foregoing provisions of this paragraph shall, without prejudice to any proceedings arising out of an offence against the Act of 1950, be recoverable on demand by the Minister or the Secretary of State as a civil debt from the owner of the cattle, or from the person on whom the notice under paragraph (1B) above was served.”.

In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 19th May 1976.

(L.S.)

Frederick Peart,
Minister of Agriculture,
Fisheries and Food.

19th May 1976.

Bruce Millan,
Secretary of State for Scotland.

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order, which amends the Animals (Landing from Channel Islands, Isle of Man, Northern Ireland, and Republic of Ireland) Order 1955, requires cattle brought to Great Britain from the Republic of Ireland to be accompanied by a certificate signed by a veterinary officer of the Irish Government certifying that the animals have come from tuberculosis free herds. In the case of cattle other than steers or animals intended for immediate slaughter, the certificate must also certify that they have been subjected to a test for bovine tuberculosis within the 30 days before shipment, and have passed the test. The Order confers on veterinary inspectors powers for dealing with cattle from the Republic of Ireland in respect of which there has been a failure to comply with any of the new requirements.

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