

2023 No. 867

ANIMALS, ENGLAND

ANIMAL HEALTH

**The Tuberculosis in Animals (England) (Amendment) Order
2023**

Made - - - - *25th July 2023*

Coming into force - - *1st August 2023*

The Secretary of State makes this Order in exercise of the powers conferred by sections 1, 8(1), 15(4) and 25 of the Animal Health Act 1981(a) and now vested in the Secretary of State(b).

Citation, commencement and extent

1.—(1) This Order may be cited as the Tuberculosis in Animals (England) (Amendment) Order 2023 and comes into force on 1st August 2023.

(2) This Order extends to England and Wales.

Amendment of the Tuberculosis in Animals (England) Order 2021

2.—(1) The Tuberculosis in Animals (England) Order 2021(c) is amended as follows.

(2) In article 2 (interpretation), in paragraph (1)—

(a) for the definition of “post-movement test” substitute—

““post-movement skin test” means a skin test carried out in accordance with article 20;”
;

(b) in the appropriate place, insert—

““specified area” means any of the counties or civil parishes listed in Schedule 3;”.

(3) In article 5 (notification of suspected disease)—

(a) after paragraph (1) insert—

“(1A) A person, other than the keeper, who is making a notification under paragraph (1) must also notify the keeper of their suspicion.”;

(b) in paragraph (2)—

(i) after “has” insert “either”;

(a) 1981 c. 22.

(b) Section 86(1) contains a definition of “the Ministers”. Functions conferred under the Act were transferred, so far as exercisable by the Secretaries of State for Scotland and Wales, to the Minister of Agriculture, Fisheries and Food by S.I. 1999/3141. Functions of the Minister of Agriculture, Fisheries and Food were then transferred to the Secretary of State by S.I. 2002/794.

(c) S.I. 2021/1001.

- (ii) after “paragraph (1)” insert “or received a notification under paragraph (1A)”.
- (4) In article 20 (post-movement testing)—
- (a) for the heading to article 20, substitute “Post-movement skin testing”;
 - (b) for paragraph (1) substitute—
 - “(1) When a bovine animal is moved into either—
 - (a) the low-risk area from another part of England or from Wales; or
 - (b) the specified area from—
 - (i) another part of England, apart from the low-risk area, or
 - (ii) Wales,

the keeper who receives the animal must arrange and pay for a post-movement skin test to be applied to that animal by an approved veterinary surgeon no fewer than 60 days, but no more than 120 days, after the date of arrival at the receiving premises.”;
 - (c) in paragraph (2)—
 - (i) in sub-paragraph (b), for “inside the low-risk area, or are returning to the low-risk area” substitute “into the low-risk area or the specified area or returned to those areas”;
 - (ii) for sub-paragraphs (c) and (d) substitute—
 - “(c) moved to a show in the low-risk area or the specified area or returned to those areas from a show elsewhere provided—
 - (i) immediately after the show they are returned directly to their premises of origin, or are killed or go directly to slaughter; and
 - (ii) they were not housed on the showground, and were not otherwise on the showground for more than 24 hours;”;
 - (iii) in sub-paragraph (e), after paragraph (iv) insert—
 - “(v) an approved finishing unit; or
 - (vi) an exempt finishing unit.”;
 - (d) in paragraph (4), for sub-paragraphs (b) and (c) substitute—
 - “(b) directly to a licensed finishing unit;
 - (c) directly (or via an exempt market) to an approved finishing unit or an exempt finishing unit; or
 - (d) made under the authority of a licence issued by an inspector.”;
 - (e) in paragraph (5)(b), for “post-movement test” substitute “post-movement skin test”.
- (5) In article 21(7) (exempt markets), for “exempt or approved finishing unit” substitute “exempt finishing unit or approved finishing unit”.
- (6) After Schedule 2 insert the Schedule set out in the Schedule to this Order.

25th July 2023

Benyon
Minister of State
Department for Environment, Food and Rural Affairs

SCHEDULE

Article 2(6)

Insertion of Schedule in the Tuberculosis in Animals (England) Order 2021

“SCHEDULE 3

Article 2(1)

Specified Area

The specified area is comprised of the following counties and civil parishes—

PART 1

Counties

Buckinghamshire

East Sussex

Leicestershire

Northamptonshire

Nottinghamshire

PART 2

Civil parishes in the county of Berkshire

Bisham

Bray

Cookham

Hurley

Maidenhead

Remenham

Shottesbrooke

White Waltham

Winkfield

Reading

Shinfield

Grazeley

Christchurch

Windsor

Old Windsor

Sunningdale

Sunninghill
Arborfield and Newland
Barkham
Binfield
Crowthorne
Earley
Finchampstead
Winnersh
Ruscombe
St Nicholas Hurst
Sandhurst
Sonning
Twyford
Waltham St. Lawrence
Warfield
Wargrave
Wokingham
Wokingham Without
Woodley
Bracknell
Charvil
Britwell
Datchet
Eton
Horton
Slough
Wraysbury
Cox Green
Wexham Court
Colnbrook with Poyle

Civil parishes in the county of Derbyshire

Pilsley
Blackwell
Morton

Pinxton
South Normanton
Tibshelf
Abney & Abney Grange
Baslow & Bubnell
Calver
Curbar
Eyam
Froggatt
Grindlow
Hathersage
Hazlebadge
Highlow
Little Hucklow
Offerton
Outseats
Pilsley
Stoney Middleton
Aston
Bamford
Bradwell
Brough and Shatton
Castleton
Chinley, Buxworth and Brownside
Derwent
Edale
Whaley Bridge
Hayfield
Hope
Hope Woodlands
New Mills
Thornhill
Old Bolsover
Brimington
Staveley

Ault Hucknall
Barlow
Brampton
Calow
Chesterfield
Glapwell
Grassmoor, Hasland and Winswick
Heath and Holmewood
North Wingfield
Pleasley
Scarcliffe
Shirebrook
Sutton cum Duckmanton
Temple Normanton
Tupton
Holymoorside and Walton
Breaston
Draycott and Church Wilne
Hopwell
Long Eaton
Ockbrook
Risley
Shardlow and Great Wilne
Barlborough
Clowne
Dronfield
Eckington
Elmton
Holmesfield
Killamarsh
Unstone
Whitwell
Charlesworth
Chisworth
Glossop

Ilkeston
Sandiacre
Stanton by Dale
Coton In The Elms
Lullington
Netherseal
Overseal
Chatsworth
Chapel En Le Frith
Tintwistle
Grindleford
Aldercar and Langley Mill
Ironville

Civil parishes in the county of Hampshire

Wield
Alton
Bentley
Bentworth
Binsted
Chawton
East Tisted
Farringdon
Froyle
Grayshott
Headley
Kingsley
Lasham
Medstead
Newton Valence
Selborne
Shalden
Worldham
Barton Stacey
Bullington

Chilbolton
Goodworth Clatford
Leckford
Longstock
Nether Wallop
Stockbridge
Upper Clatford
Wherwell
Old Basing
Cliddesden
Dummer
Ellisfield
Farleigh Wallop
Herriard
Mapledurwell and Up Nately
Newnham
Tunworth
Upton Grey
Weston Corbett
Winslade
Bradley
Popham
Preston Candover
Bishops Waltham
Corhampton and Meonstoke
Curdrige
Droxford
Durley
Exton
Hambleton
Shedfield
Soberton
Swanmore
Upham
Warnford

West Meon
Botley
Fair Oak and Horton Heath
Hedge End
Otterbourne
Bursledon
Chilworth
Eastleigh
Hamble-Le-Rice
Hound
West End
Gosport District
Boarhunt
Fareham
Havant District
City Of Portsmouth
Southwick and Widley
Wickham
Boldre
Brockenhurst
East Boldre
Lymington and Pennington
Sway
Beaulieu
Bramshaw
Copythorne
Denny Lodge
Hythe and Dibden
Totton and Eling
Exbury and Lepe
Fawley
Lyndhurst
Marchwood
Minstead
Netley Marsh

Rushmoor District
Bramshill
Crandall
Dogmersfield
Eversley
Fleet
Greywell
Hartley Wintney
Blackwater and Hawley
Heckfield
Long Sutton
Mattingley
Odiham
Rotherwick
South Warnborough
Winchfield
Yateley
Bramshott and Liphook
Buriton
Clanfield
Colemore and Priors Dean
Eastmeon
Froxfield
Greatham
Hawkley
Langrish
Liss
Petersfield
Steep
Breamore
West Tisted
Burley
Bransgore
Damerham
Ellingham Harbridge and Ibsley

Fordingbridge
Hale
Martin
Ringwood
Rockbourne
Sopley
Whitsbury
Woodgreen
Ampfield
Bossington
Broughton
Buckholt
East Dean
East Tytherley
Houghton
Kings Somborne
Lockerley
Michelmersh
Mottisfont
North Baddesley
Nursling and Rownhams
Melchet Park and Plaitford
Romsey Extra
Romsey
Sherfield English
West Tytherley
Wellow
City Of Southampton
Ashley
Beauworth
Bighton
Bishops Sutton
Bramdean
Candovers
Cheriton

Chilcomb
Compton and Shawford
Crawley
Headbourne Worthy
Hursley
Itchen Stoke and Ovington
Kilmiston
Kings Worthy
Little Somborne
Littleton and Harestock
Micheldever
New Alresford
Northington
Old Alresford
Owslebury
Ropley
Sparsholt
Tichborne
Twyford
West Tisted
Winchester
Wonston
Colden Common
Four Marks
Itchen Valley
Denmead
Horndean
Rowlands Castle
Hook
Weston Patrick
Whitehill
Frenchmoor
Braishfield
Crookham Village
Olivers Battery

Lindford
Awbridge
South Wonston
Ashurst and Colbury
Badger Farm
Hyde
Hordle
Milford-On-Sea
Nutley
Sandleheath
New Milton
Stroud”

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Tuberculosis in Animals (England) Order 2021 (S.I. 2021/1001) (“the Principal Order”) to—

- (a) impose an obligation on a person who makes a notification of the suspicion of tuberculosis under article 5(1) of the Principal Order, if that person is not the keeper of the animal, to notify the keeper of their suspicion (*article 2(3)*);
- (b) impose an obligation on the keeper who receives a bovine animal in a specified area (as defined) to arrange a post-movement skin test (*article 2(2), (4) and (6)*);
- (c) provide that a post-movement skin test is not required where a bovine animal moves directly to an approved finishing unit or an exempt finishing unit (*article 2(4)*);
- (d) provide that a bovine animal can be moved to an exempt finishing unit in addition to the movements already permitted under article 20(4) of the Principal Order, pending the results of a post-skin movement test being available (*article 2(5)*).

A full impact assessment of the effect that this instrument will have on the costs of business, the voluntary sector and the public sector is available online at <https://consult.defra.gov.uk/bovine-tb-2020/eradication-of-btb-england> and is also available from the Department for Environment, Food and Rural Affairs at Seacole Building, 2 Marsham Street, London SW1P 4DF.

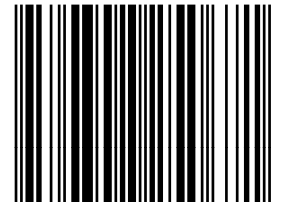
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