

## WELSH STATUTORY INSTRUMENTS

### 2003 No. 326 (W.47)

### ANIMALS, WALES

#### ANIMAL HEALTH

### The Bluetongue (Wales) Order 2003

*Made* - - - - 17th February 2003

*Coming into force* - - 19th February 2003

The National Assembly for Wales and the Secretary of State for Environment, Food and Rural Affairs, acting jointly in exercise of their powers under sections 1, 7(1), 8(1), 15(4), 17(1), 23, 25, 32(2), 34(7), 35(1) and (3), 36(2) and (5), 83(2) and 88(2) of the Animal Health Act 1981 <sup>F1</sup>, make the following Order:

**F1** 1981 c. 22.

#### Title, commencement and application

<sup>F2</sup>1. ....

**F2** Order revoked (except art. 19) (2.11.2007 at 6.00 p.m.) by [The Bluetongue \(Wales\) Order 2007 \(S.I. 2007/3150\)](#), [regs. 1, 27\(a\)](#)

#### Interpretation

<sup>F2</sup>2. ....

**F2** Order revoked (except art. 19) (2.11.2007 at 6.00 p.m.) by [The Bluetongue \(Wales\) Order 2007 \(S.I. 2007/3150\)](#), [regs. 1, 27\(a\)](#)

#### Extension of definition of “disease”

<sup>F2</sup>3. ....

**F2** Order revoked (except art. 19) (2.11.2007 at 6.00 p.m.) by [The Bluetongue \(Wales\) Order 2007 \(S.I. 2007/3150\)](#), [regs. 1, 27\(a\)](#)

## Exemption for activities authorised under the Specified Animal Pathogens Order 1998

**F24.** .....

**F2** Order revoked (except art. 19) (2.11.2007 at 6.00 p.m.) by [The Bluetongue \(Wales\) Order 2007 \(S.I. 2007/3150\)](#), [regs. 1, 27\(a\)](#)

## Vaccination against the disease

**F25.** .....

**F2** Order revoked (except art. 19) (2.11.2007 at 6.00 p.m.) by [The Bluetongue \(Wales\) Order 2007 \(S.I. 2007/3150\)](#), [regs. 1, 27\(a\)](#)

## Initial requirements where disease is known or suspected to exist

**F26.** .....

**F2** Order revoked (except art. 19) (2.11.2007 at 6.00 p.m.) by [The Bluetongue \(Wales\) Order 2007 \(S.I. 2007/3150\)](#), [regs. 1, 27\(a\)](#)

## Isolation of animals

**F27.** .....

**F2** Order revoked (except art. 19) (2.11.2007 at 6.00 p.m.) by [The Bluetongue \(Wales\) Order 2007 \(S.I. 2007/3150\)](#), [regs. 1, 27\(a\)](#)

## Notification by inspectors

**F28.** .....

**F2** Order revoked (except art. 19) (2.11.2007 at 6.00 p.m.) by [The Bluetongue \(Wales\) Order 2007 \(S.I. 2007/3150\)](#), [regs. 1, 27\(a\)](#)

## Powers of veterinary inspectors and officers

**F29.** .....

**F2** Order revoked (except art. 19) (2.11.2007 at 6.00 p.m.) by [The Bluetongue \(Wales\) Order 2007 \(S.I. 2007/3150\)](#), [regs. 1, 27\(a\)](#)

## Measures when the disease is confirmed

**F210.** .....

**F2** Order revoked (except art. 19) (2.11.2007 at 6.00 p.m.) by [The Bluetongue \(Wales\) Order 2007 \(S.I. 2007/3150\)](#), [regs. 1, 27\(a\)](#)

## Restrictions in protection and surveillance zones

**F211.** . . . . .

**F2** Order revoked (except art. 19) (2.11.2007 at 6.00 p.m.) by [The Bluetongue \(Wales\) Order 2007 \(S.I. 2007/3150\)](#), [regs. 1, 27\(a\)](#)

## Powers of inspectors and officers in protection and surveillance zones

**F212.** . . . . .

**F2** Order revoked (except art. 19) (2.11.2007 at 6.00 p.m.) by [The Bluetongue \(Wales\) Order 2007 \(S.I. 2007/3150\)](#), [regs. 1, 27\(a\)](#)

## Disease in England, Scotland and Northern Ireland

**12A.** . . . . .

## Declarations of zones

**12B.** . . . . .

## Slaughter of animals

**F213.** . . . . .

**F2** Order revoked (except art. 19) (2.11.2007 at 6.00 p.m.) by [The Bluetongue \(Wales\) Order 2007 \(S.I. 2007/3150\)](#), [regs. 1, 27\(a\)](#)

## General duties of occupiers and keepers

**F214.** . . . . .

**F2** Order revoked (except art. 19) (2.11.2007 at 6.00 p.m.) by [The Bluetongue \(Wales\) Order 2007 \(S.I. 2007/3150\)](#), [regs. 1, 27\(a\)](#)

## Powers of inspectors in case of default

**F215.** . . . . .

**F2** Order revoked (except art. 19) (2.11.2007 at 6.00 p.m.) by [The Bluetongue \(Wales\) Order 2007 \(S.I. 2007/3150\)](#), [regs. 1, 27\(a\)](#)

## General powers of inspectors

**F216.** . . . . .

**F2** Order revoked (except art. 19) (2.11.2007 at 6.00 p.m.) by [The Bluetongue \(Wales\) Order 2007 \(S.I. 2007/3150\)](#), [regs. 1, 27\(a\)](#)

## Licences, notices and directions

<sup>F2</sup>17. ....

**F2** Order revoked (except art. 19) (2.11.2007 at 6.00 p.m.) by [The Bluetongue \(Wales\) Order 2007 \(S.I. 2007/3150\)](#), **regs. 1, 27(a)**

## Enforcement

<sup>F2</sup>18. ....

**F2** Order revoked (except art. 19) (2.11.2007 at 6.00 p.m.) by [The Bluetongue \(Wales\) Order 2007 \(S.I. 2007/3150\)](#), **regs. 1, 27(a)**

## Revocations

**19.** The Specified Diseases (Notification and Slaughter) Order 1992 <sup>F3</sup> and the Specified Diseases (Notification) Order 1996 <sup>F4</sup> are revoked insofar as they apply in relation to bluetongue.

**F3** [S.I. 1992/3159.](#)  
**F4** [S.I. 1996/2628.](#)

Signed on behalf of the National Assembly for Wales

*D.Elis-Thomas*  
 Presiding Officer

Department for Environment, Food and Rural  
 Affairs

*E.A. Morley*  
 Parliamentary Under Secretary of State

---

## EXPLANATORY NOTE

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

This Order implements Council Directive [2000/75/EC](#) laying down specific provisions for the control and eradication of bluetongue (OJ No.L327, 22.12.2000, p.74). It applies in relation to Wales only.

Articles 1, 2 and 3 contain introductory provisions, including definitions of certain terms used in the Order. Article 4 provides that certain activities authorised under the Specified Animal Pathogens Order 1998 (S.I. 1998/463) are not covered by the Order. Article 5 prohibits unlicensed vaccination against the disease.

Articles 6 to 9 concern measures when bluetongue is known or suspected to exist on premises. Articles 6 and 7 provide for notification to be given to the Divisional Veterinary Manager and for the isolation of animals when disease is known to exist or is suspected. Article 8 provides for the service of notices by inspectors requiring compliance with certain restrictions. The general powers of inspectors are set out in sections 63 and 64A of the Animal Health Act 1981. Article 9 specifies the powers of veterinary inspectors, officers of the Secretary of State and the National Assembly for Wales to carry out certain tasks on premises after exercising powers of entry.

Articles 10 to 13 concern measures when an outbreak of bluetongue has been confirmed. Article 10 provides for the service of notices. Articles 11 and 12 set out the restrictions which apply in areas declared to be infected areas by the Secretary of State under the Animal Health Act 1981. Article 13 applies provisions in that Act relating to the slaughter of animals. Article 14 sets out the general duties of occupiers and keepers under the Order. Article 15 sets out the powers of inspectors when the requirements in notices are not complied with. Article 16 sets out their general powers. General requirements in respect of licences, notices and directions are specified in article 17. Article 18 provides that the Order shall be executed and enforced by the local authority. Article 19 revokes the Special Diseases (Notification and Slaughter) Order 1992 (S.I. 1992/3159) and the Specified Diseases (Notification) Order 1996 (S.I. 1996 2628) insofar as they apply to bluetongue.

Failure to comply with the Order is an offence under section 73 of the Animal Health Act 1981. A Regulatory Appraisal has been prepared and published on the National Assembly for Wales web-site ([www.wales.gov.uk](http://www.wales.gov.uk)). Copies are available from the Welsh Assembly Government, Animal Health Division, Cathays Park, Cardiff, CF10 3NQ.

**Changes to legislation:**

There are currently no known outstanding effects for the The Bluetongue (Wales) Order 2003.