CYNULLIAD CENEDLAETHOL CYMRU

OFFERYNNAU STATUDOL

2006 Rhif 2981 (Cy.272)

ANIFEILIAID, CYMRU

IECHYD ANIFEILIAID

Gorchymyn Pathogenau Anifeiliaid Penodedig (Diwygio) (Cymru) 2006

NODYN ESBONIADOL

(Nid yw'r nodyn hwn yn rhan o'r Gorchymyn)

Mae'r Gorchymyn hwn yn diwygio Gorchymyn Pathogenau Anifeiliaid Penodedig 1998 (O.S. 1998/463) ("Gorchymyn 1998") i'r graddau y mae'n gymwys o ran Cymru.

Mae'r Gorchymyn hwn-

(a) yn ychwanegu firws clefyd Nipah, firws Nîl y Gorllewin a firws enseffalomyelitis ceffylaidd St Louis at Ran 1 o'r Atodlen;

(b) yn diweddaru termau penodol yn yr Atodlen gan roi yn eu lle y rhai a ddefnyddir yn fwy cyffredin bellach gan y gymuned wyddonol;

(c) yn diweddaru cyfeiriadau penodol at ddeddfwriaeth meddyginiaethau milfeddygol; ac

(ch) yn egluro erthygl 4 o'r Gorchymyn o ran pa reolaethau sy'n gymwys i bathogenau ym mhob Rhan o'r Atodlen.

Cafodd drafft o'r Gorchymyn hwn ei ddwyn i sylw'r Comisiwn Ewropeaidd yn unol â Chyfarwyddeb 98/34/EC (OJ Rhif L204 21/07/98 t.37), fel y'i diwygiwyd gan Gyfarwyddeb 98/48/EC (OJ Rhif L217 05/08/98 t.18).

Mae arfarniad rheoliadol wedi'i wneud o ran y Gorchymyn hwn ac mae ar gael i'w archwilio yn swyddfeydd Cynulliad Cenedlaethol Cymru, Adran yr Amgylchedd, Cynllunio a Chefn Gwlad, Adeiladau'r Goron, Parc Cathays, Caerdydd.

NATIONAL ASSEMBLY FOR WALES

STATUTORY INSTRUMENTS

2006 No. 2981 (W.272)

ANIMALS, WALES

ANIMAL HEALTH

The Specified Animal Pathogens (Amendment) (Wales) Order 2006

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Specified Animal Pathogens Order 1998 (S.I. 1998/463) ("the 1998 Order") in so far as it applies in relation to Wales.

This Order-

(a) adds Nipah disease virus, West Nile virus and St. Louis equine encephalomyelitis virus to Part 1 of the Schedule;

(b) updates certain terms in the Schedule with those now more commonly used by the scientific community;

(c) updates certain references to veterinary medicines legislation; and

(d) clarifies article 4 of the Order as to which controls apply to pathogens in each Part of the Schedule.

A draft of this Order was notified to the European Commission in accordance with Directive 98/34/EC (OJ No L 204 21/07/98 p.37), as amended by Directive 98/48/EC (OJ No L217 05/08/98 p.18).

A regulatory appraisal has been undertaken in respect of this Order and is available for inspection at the offices of the National Assembly for Wales, Department of Environment, Planning and Countryside, Crown Buildings, Cathays Park, Cardiff.

OFFERYNNAU STATUDOL

2006 Rhif 2981 (Cy.272)

ANIFEILIAID, CYMRU

IECHYD ANIFEILIAID

Gorchymyn Pathogenau Anifeiliaid Penodedig (Diwygio) (Cymru) 2006

Wedi'i wneud	*14 Tachwedd 2006*
Yn dod i rym	*24 Tachwedd 2006*

Mae Cynulliad Cenedlaethol Cymru, drwy arfer y pwerau a roddwyd gan adrannau 1, 88(2) a (4) o Ddeddf Iechyd Anifeiliaid 1981(**1**) ac sydd bellach wedi'u breinio ynddo, drwy hyn yn gwneud y Gorchymyn a ganlyn:

Enwi, cychwyn a chymhwyso

1. Enw'r Gorchymyn hwn yw Gorchymyn Pathogenau Anifeiliaid Penodedig (Diwygio) (Cymru) 2006, daw i rym ar 24 Tachwedd 2006 ac mae'n gymwys o ran Cymru.

Diwygio Gorchymyn Pathogenau Anifeiliaid Penodedig 1998

2.-(1) Diwygir Gorchymyn Pathogenau Anifeiliaid Penodedig 1998(**2**) yn unol â pharagraffau (2) i (5).

(2) Yn lle erthygl 4, rhodder-

"**Prohibition in relation to specified animal pathogens**

4.-(1) No person is permitted to have in his or her possession-

(a) any animal pathogen specified in Part 1 of the Schedule to this Order ("the Schedule"); or

(**1**) 1981 p. 22. *Gweler* adran 86(1) i gael y diffiniad o "the Ministers". Trosglwyddwyd swyddogaethau "the Ministers", i'r graddau y maent yn arferadwy o ran Cymru, i Gynulliad Cenedlaethol Cymru yn rhinwedd O.S. 1999/672 ac O.S. 2004/3044.

(**2**) O.S. 1998 / 463.

STATUTORY INSTRUMENTS

2006 No. 2981 (W.272)

ANIMALS, WALES

ANIMAL HEALTH

The Specified Animal Pathogens (Amendment) (Wales) Order 2006

Made	*14 November 2006*
Coming into force	*24 November 2006*

The National Assembly for Wales, in exercise of the powers conferred by sections 1, 88(2) and (4) of the Animal Health Act 1981(**1**) and now vested in it, hereby makes the following Order:

Title, commencement and application

1. The title of this Order is the Specified Animal Pathogens (Amendment) (Wales) Order 2006, it comes into force on 24 November 2006 and applies in relation to Wales.

Amendments to the Specified Animal Pathogens Order 1998

2.-(1) The Specified Animal Pathogens Order 1998(**2**) is amended in accordance with paragraphs (2) to (5)

(2) For article 4, substitute-

"**Prohibition in relation to specified animal pathogens**

4.-(1) No person is permitted to have in his or her possession-

(a) any animal pathogen specified in Part 1 of the Schedule to this Order ("the Schedule"); or

(**1**) 1981 c. 22. *See* section 86(1) for a definition of "the Ministers". The functions of "the Ministers", in so far as they are exercisable in relation to Wales, were transferred to the National Assembly for Wales by virtue of S.I. 1999/672 and S.I. 2004/3044.

(**2**) S.I. 1998 / 463.

(b) any carrier in which he or she knows such a pathogen is present,

except under the authority of a licence issued by the National Assembly for Wales ("the National Assembly").

(2) No person is permitted to deliberately introduce into any animal any animal pathogen specified in either Part 1 or Part 2 of the Schedule, except under the authority of a licence issued by the National Assembly.

(3) Paragraphs (1) and (2) apply subject to article 5.

(4) If any person has in his or her possession any thing in respect of which he or she has reasonable grounds for suspecting that an animal pathogen specified in Part 1 of the Schedule is present, and does not have a licence in respect of that pathogen, he or she must forthwith notify a veterinary inspector.".

(3) Yn lle erthygl 5(2)(a), rhodder-

"(a) permitted to be placed on the market under the Veterinary Medicines Regulations 2005(**1**) neu Reoliadau Meddyginiaethau i'w Defnyddio gan Bobl (Awdurdodiadau Marchnata etc.)1994 (**2**);".

(4) Yn lle erthygl 5(2)(c), rhodder-

"(c) in respect of which an animal test certificate has been issued in accordance with regulation 8(3) of the Veterinary Medicines Regulations 2005.".

(5) Yn lle'r Atodlen rhodder yr Atodlen i'r Gorchymyn hwn.

Llofnodwyd ar ran Cynulliad Cenedlaethol Cymru o dan adran 66(1) o Ddeddf Llywodraeth Cymru 1998(**3**)

14 Tachwedd 2006

Llywydd y Cynulliad Cenedlaethol

(**1**) O.S. 2005 / 2745 .

(**2**) O.S.1994 / 3144.

(**3**) 1998 p.38.

(b) any carrier in which he or she knows such a pathogen is present,

except under the authority of a licence issued by the National Assembly for Wales ("the National Assembly").

(2) No person is permitted to deliberately introduce into any animal any animal pathogen specified in either Part 1 or Part 2 of the Schedule, except under the authority of a licence issued by the National Assembly.

(3) Paragraphs (1) and (2) apply subject to article 5.

(4) If any person has in his or her possession any thing in respect of which he or she has reasonable grounds for suspecting that an animal pathogen specified in Part 1 of the Schedule is present, and does not have a licence in respect of that pathogen, he or she must forthwith notify a veterinary inspector.".

(3) For article 5(2)(a), substitute-

"(a) permitted to be placed on the market under the Veterinary Medicines Regulations 2005(**1**) or the Medicines for Human Use (Marketing Authorisations etc.) Regulations 1994(**2**);".

(4) For article 5(2)(c), substitute-

"(c) in respect of which an animal test certificate has been issued in accordance with regulation 8(3) of the Veterinary Medicines Regulations 2005.".

(5) For the Schedule, substitute the Schedule to this Order.

Signed on behalf of the National Assembly for Wales under section 66(1) of the Government of Wales Act 1998(**3**)

14 November 2006

Dafydd Elis-Thomas

The Presiding Officer of the National Assembly

(**1**) S.I. 2005 / 2745

(**2**) S.I. 1994 / 3144

(**3**) 1998 c.38.

YR ATODLEN SCHEDULE

Erthygl 2(5) Article 2(5)

"SCHEDULE

Articles 3 and 4

Specified animal pathogens

PART 1

African horse sickness virus

African swine fever virus

Aujeszky's disease virus

Avian influenza viruses which are

(a) uncharacterised; or
(b) Type A viruses which have an intravenous pathogenicity index in six week old chickens of greater than 1.2; or
(c) Type A viruses H5 or H7 subtype for which nucleotide sequencing has demonstrated multiple basic amino acids at the cleavage site of haemagglutinin

Babesia bovis, Babesia Bigemina and Babesia caballi

Bacillus anthracis

Bluetongue virus

Bovine leukosis virus

Brucella abortus, Brucella melitensis, Brucella ovis and Brucella suis

Burkolderia mallei

Classical swine fever virus

Cochliomyia hominivorax

Ehrlichia ruminatium

Eastern and Western equine encephalomyelitis viruses

Echinococcus multilocularis and Echinococcus granulosis

Equine infectious anaemia virus

Foot and mouth disease virus

Hendra disease virus

Histoplasma farciminosum

Japanese encephalitis virus

Lumpy skin disease virus

Mycoplasma agalactiae

Mycoplasma capricolum sub species capripneumoniae

Mycoplasma mycoides sub species mycoides SC and mycoides LC variants

Mycoplasma mycoides var capri

Newcastle disease (avian paramyxovirus type 1) viruses which are-

(a) uncharacterised; or

(b) have an intercerebral pathogenicity index in one-day-old chicks of 0.4 or more, when not less than 10 million 50% egg infectious doses (EID50) are administered to each bird in the test

Nipah disease virus

Peste des petits ruminants virus

Rabies virus and all viruses of the genus Lyssavirus

Rift Valley Fever virus

Rinderpest virus

St Louis equine encephalomyelitis virus

Sheep and goat pox virus

Swine vesicular disease virus

Teschen disease virus

Theileria annulata

Theileria equi

Theileria parva

Trichinella spiralis

Trypanosoma brucei, Trypanosoma congolense, Trypanosoma equiperdum, Trypanosoma evansi, Trypanosoma simiae and Trypanosoma vivax

Venezuelan equine encephalomyelitis virus

Vesicular stomatitis virus

West Nile virus

PART 2

The live virus causing viral haemorrhagic disease of rabbits"

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