
WELSH STATUTORY INSTRUMENTS

2010 No. 1379

The Tuberculosis (Wales) Order 2010

PART 1

General

Title, commencement and application

1. The title of this Order is the Tuberculosis (Wales) Order 2010; it applies in relation to Wales and comes into force on 25 May 2010.

Interpretation

2. In this Order—

“the Act” (“*y Ddeddf*”) means the Animal Health Act 1981;

“affected animal” (“*anifail yr effeithiwyd arno*”) means a bovine animal which is affected with tuberculosis of the udder or is giving tuberculous milk, or which is affected with tuberculosis emaciation, or is excreting or discharging tuberculous material, or is affected with a chronic cough, or shows any other clinical signs of tuberculosis;

“approved disinfectant” (“*diheintydd cymeradwy*”) means a disinfectant that is approved for use against bovine tuberculosis in accordance with the Diseases of Animals (Approved Disinfectants) (Wales) Order 2007(1);

“bovine animal” (“*anifail buchol*”) means domestic cattle of the genus *Bos*, buffalo or bison;

“keeper” (“*ceidwad*”) means any person who owns or is responsible for a bovine animal whether on a permanent or temporary basis, but it does not include a person responsible for a bovine animal solely because the person is transporting it;

“premises” (“*mangre*”) includes—

- (a) land or buildings; and
- (b) any other place including, in particular, a vehicle, a vessel, an aircraft, or a tent or other moveable structure;

“reactor” (“*adweithydd*”) means a bovine animal that gives rise to a reaction to a relevant test which is consistent with its being affected with tuberculosis;

“relevant test” (“*prawf perthnasol*”) means a skin test or other diagnostic test for tuberculosis;

“skin test” (“*prawf croen*”) means a single intradermal comparative cervical tuberculin test for tuberculosis;

“suspected animal” (“*anifail a amheuir*”) means a bovine animal which is suspected of being affected with tuberculosis and includes an animal that has been in close contact with such an animal; and

“tuberculosis” (“*twbercwlosis*”) means infection with *Mycobacterium bovis* (*M. bovis*).

Revocation

3. The Tuberculosis (Wales) Order 2006(2) is revoked.

Amendment of the Brucellosis and Tuberculosis (England and Wales) Compensation Order 1978

4.—(1) The Brucellosis and Tuberculosis (England and Wales) Compensation Order 1978(3) is amended as follows.

(2) In article 2(1) (interpretation)—

(a) in the definition of “affected animal”—

(i) in sub-paragraph (a)—

(aa) omit “in relation to brucellosis,”; and

(bb) omit “and”; and

(ii) omit sub-paragraph (b); and

(b) in the definition of “reactor”, omit “or tuberculosis”.

(3) In article 3 (compensation for, and ascertainment of value of, bovine animals slaughtered for brucellosis or tuberculosis)—

(a) in the title, omit “or tuberculosis”;

(b) in paragraph (1) , omit “or tuberculosis”; and

(c) omit paragraph (2A).

(4) In article 4(1) (compensation for “control animals”) omit “or tuberculosis”.

Savings and transition

5.—(1) Any notice or licence issued, or approval or consent granted, under the Tuberculosis (England and Wales) Order 1984(4) or the Tuberculosis (Wales) Order 2006 and which has effect at the coming into force of this Order remains in force as if it were a notice or licence issued, or approval or consent granted, under this Order.

(2) This Order applies in relation to a notice served under the Tuberculosis (England and Wales) Order 1984 or the Tuberculosis (Wales) Order 2006 as it applies to a notice served under this Order.

(3) The Brucellosis and Tuberculosis (England and Wales) Compensation Order relating to tuberculosis is not amended by article 4 and continues to apply to any bovine animal that is slaughtered for tuberculosis—

(a) following a notice served before 25 May 2010 under article 8 of the Tuberculosis (Wales) Order 2006;

(b) as a result of a positive or inconclusive skin test read before 25 May 2010; or

(c) as a result of any other relevant test for tuberculosis, the clinical sample for which was taken before 25 May 2010.

(2) [S.I.2006/1053 \(W.109\)](#).

(3) [S.I.1978/1483](#). Paragraph (2A) of article 3 was inserted by [S.I. 1998/2073](#), article 2. The Order is revoked in relation to England, by [S.I. 2006/168](#).

(4) [S.I. 1984/1943](#).