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WELSH STATUTORY INSTRUMENTS

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**2010 No. 618 (W.60)**

**ANIMALS, WALES**

**ANIMAL HEALTH**

**The Animal Health (Divisional  
Veterinary Managers) (Wales) Order 2010**

*Made* - - - - *4 March 2010*

*Coming into force* - - *1 April 2010*

The Welsh Ministers, in exercise of the powers conferred by sections 1, 15(4) and 83(2) of the Animal Health Act 1981<sup>(1)</sup>, make the following Order:

**Title and commencement**

1. The title of this Order is The Animal Health (Divisional Veterinary Managers) (Wales) Order 2010; it applies in relation to Wales and comes into force on 1 April 2010.

**General amendments relating to “Divisional Veterinary Manager”**

2.—(1) In the Orders specified in the first column of Schedule 1, for “Divisional Veterinary Manager”, in each place where it occurs in the provisions specified in the third column, substitute “Welsh Ministers”.

(2) In the Orders specified in the first column of Schedule 2, the definitions of “Divisional Veterinary Manager” in the provisions specified in the third column are revoked.

**Amendments to the Rabies (Control) Order 1974**

3.—(1) The Rabies (Control) Order 1974<sup>(2)</sup> is amended as follows.

(2) In article 5(5), for “Secretary, Ministry of Agriculture, Fisheries and Food, Hook Rise South, Tolworth, Surrey, KT6 7NF, to the Divisional Veterinary Manager” substitute “Welsh Ministers”.

(3) Omit the second Note (beginning with “The inspector is with all practicable speed”) to the Notice specified in Schedule 2 (notice declaring and defining the limits of an infected place).

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(1) 1981 c. 22. Functions under the Act are exercisable by the Welsh Ministers (in relation to Wales), by virtue of the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672); the National Assembly for Wales (Transfer of Functions) Order 2004 (S.I. 2004/3044); and section 162 of and paragraph 30 of schedule 11 to the Government of Wales Act 2006 (c. 32).

(2) S.I. 1974/2212 as amended by S.I. 1995/2922.

### **Amendments to the Aujeszky's Disease Order 1983**

- 4.—(1) The Aujeszky's Disease Order 1983<sup>(3)</sup> is amended as follows.
- (2) In article 19(2), for “Divisional Veterinary Manager of the Ministry for that area” substitute “Welsh Ministers”.
- (3) Omit the Notes to Forms A, B, C, D and E in the Schedule.

### **Amendment to the Infectious Diseases of Horses Order 1987**

5. The Infectious Diseases of Horses Order 1987<sup>(4)</sup> is amended by omitting the Notes to Forms A, B, C and D in Schedule 1.

### **Amendments to the Enzootic Bovine Leukosis (Wales) Order 2006**

- 6.—(1) The Enzootic Bovine Leukosis (Wales) Order 2006<sup>(5)</sup> is amended as follows.
- (2) In article 4(1), for “Divisional Veterinary Manager responsible for that area” substitute “Welsh Ministers”.
- (3) In article 5(1), for “Divisional Veterinary Manager of the area from which the sample was taken or in which the laboratory is situated,” substitute “Welsh Ministers”.

### **Amendment to the Foot-and-Mouth Disease (Wales) Order 2006**

7. For article 9(5) of the Foot-and-Mouth Disease (Wales) Order 2006<sup>(6)</sup> substitute—
- “(5) Where notification is received under this article from a person other than the occupier of the premises where the relevant animal or carcase is located, a veterinary inspector may serve a notice on the occupier informing the occupier that—
- (a) notification has been received under this article; and
- (b) Schedule 1 applies in relation to the premises.”.

### **Amendment to the Avian Influenza and Influenza of Avian Origin in Mammals (Wales) (No. 2) Order 2006**

8. Article 9(4) of the Avian Influenza and Influenza of Avian Origin in Mammals (Wales) (No. 2) Order 2006<sup>(7)</sup> is omitted.

### **Revocation**

9. The Animal Health Orders (Divisional Veterinary Manager Amendment) Order 1995<sup>(8)</sup> is revoked.

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(3) S.I. 1983/344, as amended by S.I. 1995/2922.  
 (4) S.I. 1987/790 as amended by S.I. 1995/2922.  
 (5) S.I. 2006/867 (W. 79).  
 (6) S.I. 2006/179 (W. 30).  
 (7) S.I. 2006/2927 (W. 262).  
 (8) S.I. 1995/2922.

4 March 2010

*Elin Jones*  
Minister for Rural Affairs, one of the Welsh  
Ministers

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

## SCHEDULE 1

Article 2(1)

## “DIVISIONAL VETERINARY MANAGER” SUBSTITUTED BY “WELSH MINISTERS”

<i>Title</i>	<i>Reference</i>	<i>Provisions Amended</i>
The Export of Horses (Veterinary Examination) Order 1966	S.I. <a href="#">1966/507</a> as amended by S.I. <a href="#">1995/2922</a>	Article 3
The Rabies (Control) Order 1974	S.I. <a href="#">1974/2212</a> as amended by S.I. <a href="#">1995/2922</a>	Article 4(3)(a) and (b)
The Importation of Animals Order 1977	S.I. <a href="#">1977/944</a> as amended by S.I. <a href="#">1995/2922</a>	Articles 4(2), (3)(b), (4) and (5)(a) and 5(4)
The Infectious Diseases of Horses Order 1987	S.I. <a href="#">1987/790</a> as amended by S.I. <a href="#">1995/2922</a>	Articles 4(1), (2)(a) and (b), (3)(a), (b) and (c), 7 (Rules 8 and 9) and 9, and Rules 8 and 9 in Form A in Schedule 1
The Tuberculosis (Deer) Order 1989	S.I. <a href="#">1989/878</a> as amended by S.I. <a href="#">1995/2922</a>	Articles 4(1), 5(1) and 7(b)
The Anthrax Order 1991	S.I. <a href="#">1991/2814</a> as amended by S.I. <a href="#">1995/2922</a>	Articles 4, 7(2) and 9
The Equine Viral Arteritis Order 1995	S.I. <a href="#">1995/1755</a> as amended by S.I. <a href="#">1995/2922</a>	Articles 4(1), (3)(i) and (ii) and (4)(a) and 6(2), paragraphs 3 and 5 of Part I of the Schedule and paragraph 7 of Part II of the Schedule
The Specified Diseases (Notification) Order 1996	S.I. <a href="#">1996/2628</a>	Article 5(1)(a)
The Diseases of Poultry (Wales) Order 2003	S.I. <a href="#">2003/1079</a> (W. 148)	Article 4(1)(a) and (2)
The Classical Swine Fever (Wales) Order 2003	S.I. <a href="#">2003/2456</a> (W. 239)	Article 4(1) and (2); Article 13(3), paragraph 8 of Part I of Schedule 1, paragraph 20 of Part II of Schedule 1, paragraph 5 of Part I of Schedule 2, paragraph 9 of Part II of Schedule 2
The African Swine Fever (Wales) Order 2003	S.I. <a href="#">2003/3273</a> (W. 323)	Articles 4(1) and (2) and 13(3), paragraph 9 of Part 1 of Schedule 1, paragraph 11 of Part 2 of Schedule 1, paragraph 5 of Part 1 of Schedule 2, paragraph 3 of Part 2 of Schedule 2
The Foot-and-Mouth Disease (Wales) Order 2006	S.I. <a href="#">2006/179</a> (W. 30)	Articles 9(1), (2), (3) and (4) and paragraph 1 of Schedule 7

<i>Title</i>	<i>Reference</i>	<i>Provisions Amended</i>
The Enzootic Bovine Leukosis (Wales) Order 2006	S.I. <a href="#">2006/867 (W. 79)</a>	Articles 3(1)(b) and (2), 4(1) and 5(1)
The Avian Influenza and Influenza of Avian Origin in Mammals (Wales) (No. 2) Order 2006	S.I. <a href="#">2006/2927 (W. 262)</a>	Article 9(1), (2) and (3)
The Tuberculosis (Wales) Order 2006	S.I. <a href="#">2006/1053 (W. 109)</a>	Articles 5(1)(a) and (2), 6(1) and 9(2)(d)(i)

## SCHEDULE 2

Article 2(2)

## DEFINITIONS OF “DIVISIONAL VETERINARY MANAGER” REVOKED

<i>Title</i>	<i>Reference</i>	<i>Provision in which definition revoked</i>
The Export of Horses (Veterinary Examination) Order 1966	S.I. <a href="#">1966/507</a> as amended by S.I. <a href="#">1995/2922</a>	Article 2(1)
The Rabies (Control) Order 1974	S.I. <a href="#">1974/2212</a> as amended by S.I. <a href="#">1995/2922</a>	Article 2(1)
The Importation of Animals Order 1977	S.I. <a href="#">1977/944</a> as amended by S.I. <a href="#">1995/2922</a>	Article 2(1)
The Infectious Diseases of Horses Order 1987	S.I. <a href="#">1987/790</a> as amended by S.I. <a href="#">1995/2922</a>	Article 3(1)
The Tuberculosis (Deer) Order 1989	S.I. <a href="#">1989/878</a> as amended by S.I. <a href="#">1995/2922</a>	Article 2(1)
The Anthrax Order 1991	S.I. <a href="#">1991/2814</a> as amended by S.I. <a href="#">1995/2922</a>	Article 2(1)
The Equine Viral Arteritis Order 1995	S.I. <a href="#">1995/1755</a> as amended by S.I. <a href="#">1995/2922</a>	Article 3
The Specified Diseases (Notification) Order 1996	S.I. <a href="#">1996/2628</a>	Article 2
The Diseases of Poultry (Wales) Order 2003	S.I. <a href="#">2003/1079 (W. 148)</a>	Article 3(1)
The Classical Swine Fever (Wales) Order 2003	S.I. <a href="#">2003/2456 (W. 239)</a>	Article 2(1)
The African Swine Fever (Wales) Order 2003	S.I. <a href="#">2003/3273 (W. 323)</a>	Article 2(1)
The Foot-and-Mouth Disease (Wales) Order 2006	S.I. <a href="#">2006/179 (W.30)</a>	Article 3(1)
The Brucellosis (Wales) Order 2006	S.I. <a href="#">2006/866 (W.78)</a>	Article 2(1)

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<i>Title</i>	<i>Reference</i>	<i>Provision in which definition revoked</i>
The Enzootic Bovine Leukosis (Wales) Order 2006	S.I. <a href="#">2006/867 (W. 79)</a>	Article 2(1)
The Tuberculosis (Wales) Order 2006	S.I. <a href="#">2006/1053 (W. 109)</a>	Article 3(1)

### EXPLANATORY NOTE

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

This Order amends specified Orders to remove references to “Divisional Veterinary Manager” and replace those references with “Welsh Ministers”. The Order also revokes definitions of “Divisional Veterinary Manager” in all affected Orders.

A regulatory impact assessment has not been prepared for this Order as no impact on the private, public or voluntary sectors is foreseen.