STATUTORY INSTRUMENTS

1972 No. 1173

ANIMALS

DISEASES OF ANIMALS

The Brucellosis (Area Eradication) (England and Wales) (Amendment) Order 1972

Made - - -	*3rd August* 1972
Coming into Operation	*24th August* 1972

The Minister of Agriculture, Fisheries and Food, in pursuance of the powers conferred on him by sections 1, 5 and 85(1) of the Diseases of Animals Act 1950**(a)**, as read with the Diseases of Animals (Extension of Definitions) Order 1971**(b)**, and, as respects section 5 of the Diseases of Animals Act 1950, as extended by section 106(3) of the Agriculture Act 1970**(c)**, and of all his other enabling powers, hereby makes the following order:—

Citation and commencement

1. This order, which may be cited as the Brucellosis (Area Eradication) (England and Wales) (Amendment) Order 1972, shall come into operation on 24th August 1972.

Interpretation

2.—(1) In this order, "the principal order" means the Brucellosis (Area Eradication) (England and Wales) Order 1971**(d)**.

(2) Unless the context otherwise requires, expressions used in this order have the same meanings as in the principal order.

(3) The Interpretation Act 1889**(e)** applies to the interpretation of this order as it applies to the interpretation of an Act of Parliament.

Amendment of principal order

3.—(1) After sub-paragraph (*b*) of paragraph (2) of Article 4 of the principal order (movement of cattle into or through Eradication Areas or Attested Areas) there shall be inserted:—

"or

(*c*) the movement of cattle (otherwise than on foot) which have not been certified by a veterinary inspector or other officer of the Ministry as

(a) 1950 c. 36. For change of title of the Minister see S.I. 1955/554 (1955 I, p. 1200).
(b) S.I. 1971/531 (1971 I, p. 1530).
(c) 1970 c. 40.
(d) S.I. 1971/1717 (1971 III, p. 4673).
(e) 1889 c. 63.

having reacted to a diagnostic test for brucellosis into an Eradication Area from a place outside that Area direct to any premises used in connection with the holding of a market, being premises in respect of which the licence issued under Article 15 of this order, and for the time being in force, permits the use thereof for the purpose of selling cattle intended for immediate slaughter, or

(*d*) the movement of cattle under six months of age (otherwise than on foot) into an Eradication Area from a place outside that Area direct to any premises used in connection with the holding of a market in respect of which a licence has been issued under Article 15 of this order,".

(2) In subparagraph (*a*) of the proviso to paragraph (1) of Article 5 of the principal order (movement of cattle within an Eradication Area or Attested Area) there shall be substituted for the words "subparagraph (*b*)" the words "subparagraphs (*b*) to (*d*)".

In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 3rd August 1972.

(L.S.)

J. M. L. Prior,
Minister of Agriculture, Fisheries and Food.

EXPLANATORY NOTE

(*This Note is not part of the Order.*)

The Brucellosis (Area Eradication) (England and Wales) Order 1971 sets out the various controls to be applied to cattle in areas designated by the Minister of Agriculture, Fisheries and Food as Eradication or Attested Areas for purposes connected with the eradication of brucellosis. Article 4 of the order imposes a general prohibition on the movement of cattle into or through an Eradication or Attested Area and Article 5 of the order imposes a general prohibition on the movement of cattle within such areas, otherwise, in both cases, than in accordance with the terms of a licence issued by an officer of the Minister subject to certain exceptions which are specified in paragraph (2) of Article 4 and paragraph (1) of Article 5. The present order amends Articles 4(2) and 5(1) of the 1971 order by adding two further categories of cattle to those which are exempted from the licensing provisions of those Articles.

The first group consists of cattle which have not reacted to a diagnostic test for brucellosis, and which are being taken direct to a market, or a section of a market, in an Eradication Area which has been licensed by the Ministry for the sale of cattle intended for slaughter. The second group comprises cattle under the age of six months which are being taken direct to a market in an Eradication Area.

SI 1972/1173
ISBN 0-11-021173-1

