1978 No. 541

ANIMALS

DISEASES OF ANIMALS

The Brucellosis (England and Wales) (Amendment) Order 1978

Made - - - - 28*th March* 1978

Coming into Operation

All Articles except Article 4(2) 18*th April* 1978

Article 4(2) 1*st November* 1978

The Minister of Agriculture, Fisheries and Food, in exercise 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 extended by section 106(3) of the Agriculture Act 1970**(c)**, and of all his other enabling powers, hereby orders as follows:—

Citation and commencement

1. This order, which may be cited as the Brucellosis (England and Wales) (Amendment) Order 1978, shall come into operation on the following dates—

(*a*) all articles except Article 4(2) on 18th April 1978;

(*b*) Article 4(2) on 1st November 1978.

Interpretation

2.—(1) This order shall be construed as one with the Brucellosis (England and Wales) Order 1977**(d)** as amended **(e)**, hereinafter referred to as "the principal order".

(2) The Interpretation Act 1889**(f)** applies for the interpretation of this order as it applies for the interpretation of an Act of Parliament.

Amendment of Article 4 *of principal order*

3. For paragraph (1) of Article 4 of the principal order there shall be substituted the following paragraph:—

"(1) The provisions of Articles 6 to 23 and Article 27 of this order shall not apply to or have effect in the eradication areas described in Part II of Schedule 1 hereto until 1st November 1978.".

Amendment to Schedule 1 *of the principal order*

4.—(1) For Schedule 1 to the principal order (which describes areas declared to be eradication areas for purposes connected with the control of brucellosis) there shall be substituted the Schedule to this order.

(a) 1950 c. 36.
(b) S.I. 1971/531.
(c) 1970 c. 40.
(d) S.I. 1977/1284.
(e) 1977/1751.
(f) 1889 c. 63.

(2) Schedule 1 to the principal order, as amended by paragraph (1) above, shall be further amended by the deletion—

(*a*) in the description of the first eradication area, after the word "Berkshire" in the third line thereof, of the words "(excluding Reading livestock market)", and

(*b*) in the description of the fourth eradication area under the heading "In the county of Lancashire" of the words "(excluding Haslingden livestock market)".

Amendment to Schedule 2 of the principal order

5. Schedule 2 to the principal order shall be amended by the deletion, in the description of Attested Area No. 2 and under the heading "*In the county of Lancashire*", of the words "(excluding Preston livestock market)".

In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 28th March 1978.

(L.S.)

John Silkin,
Minister of Agriculture, Fisheries and Food.

SCHEDULE

SCHEDULE 1 Article 3(1)

PART I

ERADICATION AREAS

IN ENGLAND

An area comprising—

The counties of Lincolnshire, Leicestershire, Northamptonshire, Cambridgeshire, Bedfordshire, Buckinghamshire, Hertfordshire, Essex, Berkshire (excluding Reading livestock market), Surrey, Kent, East Sussex, West Sussex, Hampshire, Wiltshire, Dorset, Somerset, Devon, the City and Boroughs of Greater London.

In the county of Humberside

The districts of Scunthorpe, Glanford, Cleethorpes and Grimsby.

The county of Oxfordshire *excluding*

So much of the parish of Banbury as lies to the east of the railway line from Oxford to Banbury and to the south of the road A422 from Middleton Cheney to its intersection with the said railway line.

The said road is included in the eradication area where it forms part of its boundary.

In the county of Cornwall

In the district of North Cornwall

The parishes to the north of, and including, St Gennys, Otterham, Warbstow, Trenglos, Tresmeer, Egloskerry and St. Stephens by Launceston Rural.

An area comprising—

The counties of Salop (*excluding* Market Drayton livestock market) and Hereford and Worcester (*excluding* the former county of Worcestershire).

An area comprising—

In the county of Cheshire

So much of the county as lies to the west of the River Dee.

The said river is excluded from the eradication area where it forms part of its boundary.

An area comprising—

The county of Durham

In the metropolitan county of Merseyside

The district of Sefton.

In the county of Lancashire

The Boroughs of Burnley, Blackburn, Chorley, South Ribble and Rossendale (*excluding* Haslingden livestock market), and the districts of West Lancashire, Hyndburn and Pendle.

In the Borough of Ribble Valley

The parishes of Balderstone, Billington, Chatburn, Clayton-le-Dale, Clitheroe, Dinckley, Downham, Gisburn, Horton, Little Mitton, Mearley, Mellor, Middop, Newsholme, Osbaldeston, Pendleton, Ramsgreave, Read, Rimington, Sabden, Salesbury, Twiston, Worston, Whalley, Wilpshire, Wiswell and so much of the parishes of Grindleton and Sawley as lies to the south and east of the River Ribble.

The said river is excluded from the eradication area where it forms part of its boundary

In the county of North Yorkshire

The district of Harrogate and so much of the districts of Richmondshire and Hambleton as lies to the west of the road A1.

The said road is included in the eradication area where it forms part of its boundary.

In the district of Craven

The parishes of Airton, Appletreewick, Arncliffe, Bank Newton, Barden, Bordley, Beamsley, Bolton Abbey, Bradleys Both, Broughton, Buckden, Burnsall, Calton, Carleton, Cononley, Coniston Cold, Conistone with Kilnsey, Cowling, Cracoe, Draughton, Elslack, Embsay with Eastby, Eshton, Farnhill, Flasby with Winterburn, Gargrave, Grassington, Glusburn, Halton East, Halton Gill, Hanlith, Hartlington, Hawkswick, Hazlewood with Storiths, Hebden, Hellifield, Hetton, Kettlewell with Starbottom, Kirkby Malham, Langcliffe, Linton, Litton, Long Preston, Lothersdale, Malham, Malham Moor, Martons Both, Nappa, Otterburn, Rylstone, Scosthrop, Skipton, Stirton with Thorlby, Sutton, Swinden, Thornton-in-Craven, Thorpe, Threshfield and so much of the parishes of Horton-in-Ribblesdale, Rathmell, Settle, and Stainforth as lie to the east of the River Ribble.

The said river is excluded from the eradication area where it forms part of its boundary.

In the metropolitan county of Tyne and Wear

So much of the county as lies to the south of the River Tyne.

The said river is excluded from the eradication area where it forms part of its boundary.

The county of Cumbria *excluding*

those areas in the county of Cumbria which are listed in Schedule 2 to this order as forming part of Attested Area No. 2.

IN WALES

An area comprising—

In the county of Clwyd

The Boroughs of Rhuddlan, Delyn, Colwyn and Wrexham-Maelor (*excluding* Wrexham livestock market).

The district of Alyn and Deeside (*excluding* that part of the district which lies to the north of the River Dee).

The said river is excluded from the eradication area where it forms part of its boundary.

The district of Glyndwr *excluding* the community areas of Llandrillo, Llangar, Gwyddelwern, Corwen, Bettws Gwerfyl Goch and Llansantffraid Glynyfrdwy.

An area comprising—

The county of South Glamorgan.

The county of West Glamorgan *excluding*—

In the Borough of Neath

The community areas of Dylaid Higher and Glyneath.

In the Borough of Lliw Valley

The community areas of Llanguicke, Rhyndwyclyback and Mawr and that part of the community area of Llwchwr which was formerly the parishes of Llandeilo, Tal-y-bont and Llangyfelach.

The county of Mid Glamorgan *excluding*—

In the Borough of Cynon Valley

The community area of Penderyn.

In the Borough of Merthyr Tydfil

The community area of Vaynor.

The county of Gwent *excluding*—

In the Borough of Blaenau Gwent

The community areas of Brynmawr and Llanelli.

PART II Article 3(1)

ERADICATION AREAS TO WHICH ARTICLES 6—23 AND ARTICLES 27 ARE NOT APPLICABLE UNTIL 1 NOVEMBER 1978

An area comprising—

The counties of Cleveland and Nottinghamshire.

In the county of Humberside

The district of Boothferry.

In the county of North Yorkshire

The districts of Selby, Scarborough, Ryedale, the City of York and so much of the districts of Richmondshire and Hambleton as lies to the east of the road A1.

The said road is excluded from this eradication area where it forms part of its boundary, but is in the eradication area of North Yorkshire listed under Part I of this Schedule.

An area comprising—

The metropolitan counties of Greater Manchester and Merseyside (*excluding* the district of Sefton).

An area comprising—

The counties of Gloucestershire and Avon.

In the county of Hereford and Worcester

The former county of Worcestershire (*excluding* Kidderminster livestock market).

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order further amends the Brucellosis (England and Wales) Order 1977. The principal effects of the amendments are as follows—

(*a*) to declare new eradication areas. In these areas the vaccination of cattle against brucellosis is prohibited unless undertaken on behalf of the Minister, or under a licence issued by a veterinary inspector employed by the Minister. From 1st November 1978 the other restrictions and controls imposed in eradication areas by the principal Order will also apply. The areas concerned are those set out in Part II of the Schedule;

(*b*) to consolidate Parts I, II and III of Schedule 1 to the principal Order. The major provisions of the principal Order applied in the areas described in the respective Parts of that Schedule on different dates. All these dates are now passed and the three Parts have been consolidated into Part I;

(*c*) to add the Shrewsbury and Whitchurch livestock markets to the Eradication Area comprising the counties of Salop, Hereford and Worcester, and Preston livestock market to Attested Area No. 2. Attested Area No. 2 is described in Schedule 2 to the principal Order;

(*d*) to add, as from 1st November 1978, the Reading and Haslingden livestock markets to the appropriate eradication areas listed in Part I of Schedule 1 to the principal order as amended by this Order.

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