STATUTORY INSTRUMENTS

1976 No. 1403

ANIMALS

DISEASES OF ANIMALS

The Brucellosis (Eradication Areas) (England and Wales) (Amendment) (No. 2) Order 1976

Made - - - - *27th August* 1976

Coming into Operation *1st September* 1976

The Minister of Agriculture, Fisheries and Food, in exercise of the powers conferred on him by section 5 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 by section 85(1) of the said Act of 1950, and of all his other enabling powers, hereby orders as follows:—

Citation and commencement

1. This order may be cited as the Brucellosis (Eradication Areas) (England and Wales) (Amendment) (No. 2) Order 1976, and shall come into operation on 1st September 1976.

Interpretation

2.—(1) This order shall be construed as one with the Brucellosis (Eradication Areas) (England and Wales) Order 1976(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 principal order

3. For Article 6 of the principal order there shall be substituted the following article—

"6.—(1) The provisions of the Brucellosis (Area Eradication) (England and Wales) Order 1971(g) as amended (h) (hereinafter referred to as "the Order of 1971") shall apply to and have effect in the Hay and Knighton livestock markets as from 1st November 1976.

(2) The provisions of the Order of 1971 shall, except as provided in paragraph (3) of this article, apply to and have effect in the areas declared by this order to be eradication areas as from 1st November 1976.

(a) 1950 c. 36.
(b) S.I. 1971/531 (1971 I, p. 1530).
(c) 1970 c. 40.
(d) S.I. 1976/245.
(e) S.I. 1976/614.
(f) 1889 c. 63.
(g) S.I. 1971/1717 (1971 III, p. 4673).
(h) S.I. 1972/1173; S.I. 1976/244 (1972 II, p. 3486; 1976 I, p. 615).

(3) Articles 5(2) and 9(1) to (5) of the Order of 1971, and Articles 2, 18, 19 and 20 of the said order to the extent that they relate to the said Articles 5(2) and 9(1) to (5), shall apply to and have effect in the areas declared by this order to be eradication areas as from 1st September 1976.".

In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 27th August 1976.

(L.S.)

Frederick Peart,
Minister of Agriculture, Fisheries and Food.

EXPLANATORY NOTE

(This Note is not part of the Order.)

The principal order, the Brucellosis (Eradication Areas) (England and Wales) Order 1976, as amended, *inter alia* declares certain areas in England and Wales to be brucellosis eradication areas, and provides that the provisions of the Brucellosis (Area Eradication) (England and Wales) Order 1971 as amended ("the 1971 order") shall have effect in those areas as from 1st November 1976.

This order amends the principal order so as to provide that certain provisions of the 1971 order shall have effect in those eradication areas as from an earlier date i.e. 1st September 1976.

The provisions concerned are article 5(2) (power to prohibit the movement of cattle except under licence on to or off premises within an eradication area or an attested area), article 9(1) to (5) (certain precautions against spread of infection) and, in so far as they are relevant to articles 5(2) and 9(1) to (5), articles 2 (interpretation), 18 (production of licences), 19 (offences) and 20 (enforcement by local authorities).

Otherwise the date of application by the principal order of the provisions of the 1971 order remains 1st November 1976.

Printed in England by McCorquodale Printers Ltd., and published by Her Majesty's Stationery Office
27/P18424/4 O21 K68 9/76

8p net

ISBN 0 11 061403 8