STATUTORY INSTRUMENTS

1981 No. 1239

ANIMAL HEALTH

The Fowl Pest (Amendment) Order 1981

Made - - - *27th August* 1981

Coming into Operation *1st September* 1981

The Minister of Agriculture, Fisheries and Food, the Secretary of State for Scotland and the Secretary of State for Wales, acting jointly, in exercise of the powers conferred by sections 1, 7, 8(1), 15(5), 17, 23, 25 and 87(4) of the Animal Health Act 1981(**a**) and of all other powers enabling them in that behalf, hereby order as follows:—

Citation, extent and commencement

1. This Order, which may be cited as the Fowl Pest (Amendment) Order 1981, except for Article 2(*b*) which shall apply to Great Britain, shall apply to England and Wales and shall come into operation on 1st September 1981.

Amendment

2. In Article 12(1) of the Fowl Pest Order of 1936(**b**)—

(*a*) for the definition of " Fowl pest " there shall be substituted the following—

" ' Fowl pest ' means any of the forms of that disease, including Newcastle disease and fowl plague; "; and

(*b*) for the definition of " licensed vaccine " there shall be substituted the following—

" ' licensed vaccine ' means either—

(*a*) a vaccine which is the subject of, and which is being used in accordance with the provisions of, a current product licence issued under the Medicines Act 1968(**c**), or an animal test certificate so issued, or

(*b*) a vaccine of which the manufacture for sale or the importation into Great Britain is licensed, as respects England by the Minister, or as respects Scotland or Wales by the Secretary of State, under any order for the time being in force made under Schedule 1 to the Animal Health Act 1981; ".

(**a**) 1981 c. 22.

(**b**) S.R. & O. 1936/1297, as amended by S.R. & O. 1947/871, 1176; S.I. 1963/629, 1971/2053.

(**c**) 1968 c. 67.

Revocation

3. The Newcastle Disease (England and Wales) Order 1971(**a**) is hereby revoked.

In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 21st August 1981.
(L.S.)

Peter Walker,
Minister of Agriculture, Fisheries and Food.

George Younger,
27th August 1981. Secretary of State for Scotland.

Michael Roberts,
Parliamentary Under
24th August 1981. Secretary of State for Wales.

EXPLANATORY NOTE

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

Newcastle disease was originally included in the definition of Fowl pest contained in the Fowl Pest Order of 1936 as amended (" the principal order ") and the provisions of that order applied to poultry affected with Newcastle disease.

Newcastle disease was subsequently removed from the ambit of the principal order insofar as it applied to England and Wales by the Newcastle Disease (England and Wales) Order 1971 which applied its own terms to poultry affected with that disease. This order (1) amends the principal order by restoring Newcastle disease to the definition of Fowl pest contained in it and (2) revokes the 1971 order.

The provisions of the principal order (which are similar to those of the 1971 order but which in addition provide for the declaration of infected places, for cleansing and disinfection, for slaughter and compensation and for restrictions on movement of poultry exposed to infection) will again become applicable to poultry affected with Newcastle disease.

This order also substitutes a new definition of licensed vaccine to take account of product licences issued under the Medicines Act 1968.

(**a**) S.I. 1971/2053.

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