The Live Poultry (Restrictions) Order, 1951

1951 No. 443

Made - - - - 9*th March*, 1951
Coming into Operation 12*th March*, 1951

The Minister of Agriculture and Fisheries, by virtue and in exercise of the powers vested in him under Sections 1 and 20 of the Diseases of Animals Act, 1950(a), hereby orders as follows :—

Short Title and Commencement

1. This Order may be cited as the Live Poultry (Restrictions) Order, 1951, and shall come into operation on the twelfth day of March, nineteen hundred and fifty-one.

Interpretation

2.—(1) For the purpose of this Order: —

" Poultry " means live birds of the following species, that is to say, domestic fowls, turkeys, geese and ducks, but does not include day-old chicks of the same species.

" Hatching eggs " means the eggs of poultry intended for hatching.

" Poultry dealer " means a person habitually engaged in the business of buying and reselling poultry or day-old chicks of poultry but does not include a person who as auctioneer sells poultry or day-old chicks of poultry which are the property of another person, and a person shall not be deemed to be a poultry dealer by reason only that he sells for slaughter poultry which he has purchased and fed for that purpose.

" Premises " includes land with or without buildings.

" Minister " and " Ministry " mean the Minister and the Ministry of Agriculture and Fisheries respectively.

(2) Any farm, holding or premises which is partly within and partly outside any of the areas specified in the First Schedule hereto shall be deemed to be wholly within such area. For this purpose, detached parts of farms, holdings or premises shall be deemed to be separate premises.

Prohibition of Exhibitions of Poultry for Show Purposes

3. The exhibition of poultry for show purposes is hereby prohibited.

Prohibition of Holding of Sales of Poultry

4. The holding of a market, fair or sale of poultry or of day-old chicks of poultry is hereby prohibited. This prohibition shall not apply to—

(*a*) the holding of a sale of poultry or of day-old chicks of poultry on any premises to which no poultry or day-old chicks of poultry have been moved on the day on which the sale is held and within the 28 days next preceding such day ; or

(*b*) the holding on market premises of any auction sale of chicks or young birds that have been produced on premises where the business of a hatchery is carried on. Provided that at the time of sale the chicks or young birds as the case may be are on and have not been moved from the premises on which they were hatched ; or

(*c*) the holding of a market, fair or sale of poultry authorised by a Licence issued by a Local Authority under the provisions of Article 5 hereof.

(a) 14 Geo. 6. c. 36.

Licensed Sales of Poultry intended for Immediate Slaughter

5.—(1) A Local Authority may grant a licence authorising the holding of a market, fair or sale of poultry intended for immediate slaughter.

(2) All poultry offered or exposed for sale at such an authorised market, fair or sale of poultry intended for immediate slaughter shall be slaughtered under the supervision of an Inspector or other Officer of the Local Authority which authorised the holding of the market, fair or sale.

(3) Poultry offered or exposed for sale at a market, fair or sale the holding of which has been authorised by a Local Authority shall not be moved from the premises on which the sale is held except by permission of the Local Authority and then only to premises where they are to be slaughtered under the supervision of an Inspector or other Officer of the Local Authority.

Restrictions on Movement of Poultry

6.—(1) The taking or sending of poultry from any premises on to which there has been a movement of poultry within a period of 28 days up to the time of such taking or sending is hereby prohibited. This provision shall not prevent the removal of poultry to or from a market, fair or sale of poultry for immediate slaughter the holding of which has been authorised by the Minister or a Local Authority.

(2) A poultry dealer shall not bring together on any premises poultry or day-old chicks of poultry moved from more than one farm, holding or other place.

Prohibition of Movement of Poultry into Scotland

7. No poultry, day-old chicks of poultry or hatching eggs shall be moved into Scotland from any other part of Great Britain.

Prohibition of Movement of Poultry out of Specified Areas

8. No poultry shall be moved out of any of the areas specified in the First Schedule hereto. This provision shall not prevent the carriage by railway through any of the said areas of poultry consigned on a through booking to their destination from a railway station not situated in any of the said areas. The movement of such poultry by a road vehicle between two railway stations in any one of the said areas shall, for the purposes of this Article, be regarded as movement by railway.

Prohibition of Consignment of Poultry from Railway Stations within Specified Areas

9. No person shall consign poultry for carriage by railway from a railway station situated in any of the areas specified in the First Schedule hereto unless the poultry are accompanied by a licence authorising their movement by railway signed by an Inspector or other Officer of the Ministry.

Enforcement

10. The provisions of this Order shall be executed and enforced by the Local Authority.

Revocation

11. The Orders specified in the Second Schedule hereto are hereby revoked to the extent specified therein.

Offences

12. If any person commits or aids, abets, counsels or procures the commission of any breach of the provisions of this Order, he will be liable on conviction to the penalties provided by Section 79 of the Diseases of Animals Act, 1950.

FIRST SCHEDULE

PART I

An area comprising:—

The administrative counties of LONDON and MIDDLESEX, together with the boroughs geographically situate therein.

The county boroughs of Croydon, East Ham and West Ham.

The city of London.

IN THE ADMINISTRATIVE COUNTY OF ESSEX.

The boroughs of Barking, Chelmsford, Chingford, Dagenham, Ilford, Leyton, Romford, Wanstead and Woodford and Walthamstow.

The petty sessional divisions of Epping, Harlow, Ongar, Brentwood, Romford, and Orsett.

In the petty sessional division of Chelmsford.

The parishes of Ingatestone and Fryerning, Margaretting, Writtle, Roxwell, Chignall, Good Easter and Mashbury.

In the petty sessional division of Dunmow

The parishes of High Easter, Margaret Roding, Leaden Roding, White Roding, Aythorpe Roding, High Roding, Great Canfield and Pleshey.

IN THE ADMINISTRATIVE COUNTY OF HERTFORD

The city of St. Albans.

The boroughs of Hemel Hempstead, Hertford and Watford.

The petty sessional divisions of Watford, Barnet, St. Albans, Hatfield, Welwyn, Cheshunt, Hertford and Bishop's Stortford.

In the petty sessional division of Ware

The parishes of Great Amwell, Stanstead St. Margarets, Ware Urban, Ware Rural, Thundridge, Widford, Stanstead Abbots and Hunsdon.

IN THE ADMINISTRATIVE COUNTY OF KENT

The city of Rochester.

The boroughs of Beckenham, Bexley, Bromley, Dartford, Erith, Gravesend and Maidstone.

The petty sessional divisions of Penge, Bromley, Dartford, Sevenoaks, Tonbridge, Malling and North Aylesford.

In the petty sessional division of Bearsted

The parish of Barming.

IN THE ADMINISTRATIVE COUNTY OF SURREY

The boroughs of Barnes, Beddington and Wallington, Epsom and Ewell, Kingston-upon-Thames, Malden and Coombe, Mitcham, Reigate, Richmond, Surbiton, Sutton and Cheam and Wimbledon.

The petty sessional divisions of Godstone, Wallington, Wimbledon, Kingston, Epsom and Sutton.

In the petty sessional division of Dorking

The parishes of Kingswood and Chipstead; and so much of the parish of Coulsdon as lies within the petty sessional division.

PART II

An area comprising:—

The administrative county of WARWICK, together with the boroughs geographically situate therein.

The cities and county boroughs of Birmingham and Coventry.

The county boroughs of Burton-upon-Trent, Dudley, Smethwick, Walsall, West Bromwich and Wolverhampton.

IN THE ADMINISTRATIVE COUNTY OF STAFFORD

The boroughs of Bilston, Lichfield, Rowley Regis, Stafford, Tamworth, Tipton and Wednesbury.

The petty sessional divisions of Tamworth, Lichfield and Brownhills (including its detached part), Burton-upon-Trent, Rugeley, Stafford, Penkridge and Cannock, Aldridge and Rushall, Willenhall, Tettenhall (including its detached part), Bilston, Kingswinford and Wordsley and Wednesbury.

PART III

An area comprising:—

The cities and county boroughs of Liverpool, Manchester and Salford.

The county boroughs of Birkenhead, Bootle, Bury, Rochdale, St. Helens, Stockport, Wallasey and Warrington.

IN THE ADMINISTRATIVE COUNTY OF LANCASTER

The boroughs of Eccles, Heywood, Leigh, Middleton, Prestwich, Radcliffe, Stretford, Swinton and Pendlebury and Widnes.

The petty sessional divisions of Prescot, Widnes and Warrington.

In the petty sessional division of Leigh

The parish of Golborne.

In the petty sessional division of Manchester

The parishes of Irlam, Flixton, Urmston and Davyhulme.

In the petty sessional division of Bury

The parish of Whitefield.

In the petty sessional division of St. Helens

The parish of Eccleston.

PART IV

An area comprising:—

The city and county borough of Cardiff.

The county boroughs of Merthyr Tydfil, Newport and Swansea.

IN THE ADMINISTRATIVE COUNTY OF GLAMORGAN

The boroughs of Barry, Cowbridge, Neath and Port Talbot.

The petty sessional divisions of Neath, Aberavon, Newcastle and Ogmore, Miskin Higher, Miskin Lower, Cowbridge, Caerphilly Higher, Caerphilly Lower, Kibbor and Dinas Powis.

IN THE ADMINISTRATIVE COUNTY OF MONMOUTH

The petty sessional divisions of Bedwellty, Pontypool, Caerleon and Newport.

An area comprising:—

The city and county borough of Bristol.

SECOND SCHEDULE

Date	Short Title	Extent of Revocation
1949		
15th July ...	The Live Poultry (Regulation of Sales, Exhibitions and Movements) Order, 1949(a).	Article 8
1950		
27th January ...	The Live Poultry (Regulation of Sales, Exhibitions and Movements) Order, 1950(b).	Articles 1 to 4, and 6 to 9.
11th December	The Live Poultry (East Anglia) (Restrictions) Order, 1950(c).	The whole Order.
24th December	The Live Poultry (England and Wales) (Restrictions) Order, 1950(d).	The whole Order.
1951		
9th January ...	The Live Poultry (England and Wales) (Restrictions) (Amendment) Order, 1951(e).	The whole Order.
7th February	The Live Poultry (Scotland) (Restrictions) Order, 1951(f).	The whole Order.

In Witness whereof the Official Seal of the Minister of Agriculture and Fisheries is hereunto affixed this ninth day of March, nineteen hundred and fifty-one.

(L.S.)

J. A. Sutherland-Harris,
Under Secretary.

EXPLANATORY NOTE

(This Note is not part of the Order, but is intended to indicate its general purport.)

This Order revokes the Orders named in the Second Schedule to the extent specified and re-enacts certain of their provisions.

It prohibits the holding of poultry shows and of sales of store poultry, the movement of poultry out of the five areas specified in the First Schedule and the movement of poultry and hatching eggs from England and Wales into Scotland. It also restricts the movement of live poultry and the operations of poultry dealers and regulates the holding of markets of poultry for immediate slaughter.

(a) S.I. 1949 (No. 1335) I, p. 3464.
(b) S.I. 1950 (No. 154) II, p. 399.
(c) S.I. 1950 (No. 2019) II, 394.
(d) S.I. 1950 (No. 2122) II, p.397.
(e) S.I. 1951 No. 42.
(f) S.I. 1951 No. 233.