EXPLANATORY NOTE

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

This Warrant increases the poundage on postal orders. The 1d. and 1½d. poundages are each increased by ½d., the 2d. poundage by 1d., the 3d. and 3½d. poundages by 1½d. and the 4d. poundage by 2d.

POULTRY

1952 No. 200

The Live Poultry (Restrictions) Order, 1952

Made - - - -	30*th January*, 1952
Coming into Operation	4*th February*, 1952

The Minister of Agriculture and Fisheries, by virtue and in exercise of the powers vested in him under Sections 1, 20, 45, 50 and 85 of the Diseases of Animals Act, 1950(a), and of every other power enabling him in this behalf, hereby orders as follows:—

Short Title and Commencement

1.—(1) This Order may be cited as the Live Poultry (Restrictions) Order, 1952.

(2) This Order shall come into operation on the 4th day of February, 1952.

Interpretation

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

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

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

"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.

"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.

"Scheduled area" means the area described in the First Schedule to this Order.

(2) Any farm, holding or premises which is partly within and partly outside the Scheduled area 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.

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

(3) The Interpretation Act, 1889(a), applies to the interpretation of this Order as it applies to the interpretation of an Act of Parliament.

PART I

Application

3. The provisions of this Part of the Order shall apply to England and Wales except the Isles of Scilly and the Scheduled area.

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 Articles 5 and 6 hereof.

Licensed Sales of Poultry intended for Immediate Slaughter

5. A Local Authority may grant a licence authorising the holding of a market, fair or sale of poultry intended for immediate slaughter, provided that no licence shall be granted by a Local Authority for the holding of such a market, fair or sale of poultry on any day on any premises on which on the same day a market, fair or sale of poultry not intended for immediate slaughter has been or is to be held thereon. No poultry that have been brought to such an authorised market, fair or sale of poultry shall be moved alive from the premises on which the market, fair or sale is held, except direct to premises on which there are no poultry other than birds intended for immediate slaughter where they shall be detained until slaughtered.

Licensed Sales of Store Poultry

6.—(1) A Local Authority may grant a licence authorising the holding of a market, fair or sale of poultry not intended for immediate slaughter (hereinafter referred to as store poultry) provided that no licence shall be granted by a Local Authority for the holding of a market, fair or sale of store poultry on any premises on any day on which on the same day a market, fair or sale of poultry intended for immediate slaughter has been or is to be held.

(2) No person shall bring or send any poultry to such an authorised market, fair or sale of store poultry unless the birds are brought or sent thereto direct from the premises on which they were reared.

(3) No person other than the rearer thereof shall bring or send any poultry for sale at such an authorised market, fair or sale of store poultry.

(4) No rearer shall bring or send for sale at such an authorised market, fair or sale of store poultry any number of poultry less than 25.

(5) No person shall bring or send poultry to such an authorised market, fair or sale of store poultry unless the birds are accompanied by a declaration

(a) 52 & 53 Vict. c. 63.

in writing made by the rearer of the birds, specifying the number, species and breed of the birds and stating

(i) that the birds have been reared by him ;

(ii) that they are being brought or sent to the market, fair or sale direct from specified premises on which they have been reared ; and

(iii) that no poultry have been or will be moved on to the specified premises on the day of sale, offer or exposure for sale and within the 28 days next preceding such day.

Any such declaration as aforesaid shall be surrendered to the proper Officer of the Local Authority on arrival of the birds at the premises on which the market, fair or sale is to take place.

(6) No poultry that have been brought to such an authorised market, fair or sale of store poultry shall be moved from the premises on which the market, fair or sale of store poultry has been held, except to premises where they shall be detained for 28 days.

Restrictions on Movement of Poultry

7.—(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 from a market, fair or sale of store poultry or poultry for immediate slaughter the holding of which has been authorised by a Local Authority or from an exhibition of poultry organised by an Agricultural Society or Poultry Club.

(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.

Part II

Application

8. The provisions of this Part of the Order shall apply to the Scheduled area.

Prohibition of Holding of Sales of Poultry

9. 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 10 hereof.

Licensed Sales of Poultry intended for Immediate Slaughter

10. A Local Authority may grant a licence authorising the holding of a market, fair or sale of poultry intended for immediate slaughter.

Provided that—

(i) 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.

(ii) No poultry that have been brought to such an authorised market, fair or sale of poultry intended for immediate slaughter shall be moved from the premises on which the market, fair or sale is held except by permission of the Local Authority and then only direct to premises where they are to be slaughtered under the supervision of an Inspector or other Officer of the Local Authority and where there are no poultry other than birds intended for immediate slaughter.

Restrictions on Movement of Poultry

11.—(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 from a market, fair or sale of poultry for immediate slaughter the holding of which has been authorised by 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.

Restrictions on Movement of Poultry into and out of the Scheduled Area

12.—(1) No poultry or day-old chicks of poultry shall be moved into or out of the Scheduled area unless they are accompanied by a licence authorising such movement granted by an Inspector of the Local Authority in whose district the movement commences.

(2) No licence under this Article shall be granted for the movement of poultry or day-old chicks except to premises on which they shall be detained for 28 days.

(3) A copy of every licence authorising the movement of poultry or day-old chicks into the district of another Local Authority shall be sent forthwith by the Inspector issuing such licence to such other Local Authority.

Restrictions on Movement of Poultry within the Scheduled Area

13.—(1) No person shall move or cause to be moved, carry or cause to be carried any poultry or day-old chicks along or over any road, highway, public right of way, railway or waterway within the Scheduled area unless the movement of such poultry or day-old chicks has been authorised by a licence granted by an Inspector of the Local Authority in whose district the movement commences, and the poultry or day-old chicks are being moved direct (*a*) to premises on which they shall be detained for 28 days, (*b*) to an authorised market, fair or sale of poultry intended for immediate slaughter or (*c*) to premises for slaughter where there are no poultry other than birds intended for immediate slaughter.

(2) Licences under this and the preceding Article shall be in the form set out in the Second Schedule to this Order or to the like effect.

(3) The provisions of this Article shall not prevent the carriage by railway through the Scheduled area of poultry or day-old chicks consigned on a through booking from a railway station not situated in the Scheduled area to a destination also outside that area.

Prohibition of Exhibitions of Poultry for Show Purposes in the Scheduled Area

14. The exhibition of poultry for show purposes in the Scheduled area is hereby prohibited.

PART III

Application

15. The provisions of this Part of the Order shall apply to the whole of Great Britain.

Prohibition of Movement of Poultry into Scotland

16. 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 into the Isles of Scilly

17. No poultry, day-old chicks of poultry or hatching eggs shall be moved into the Isles of Scilly from any other part of Great Britain.

Keeping of Records by Poultry Dealers

18. Every poultry dealer shall keep a record in which there shall be correctly entered the following particulars in respect of each purchase by him of poultry and of day-old chicks of poultry, namely:—

(i) the date and place of purchase;

(ii) the number, species and breed of birds bought;

(iii) the name and address of the person from whom the birds were bought;

(iv) the date and manner of disposal of the birds; and

(v) the names and addresses of the persons, if any, to whom the birds have been transferred or sold.

Keeping of Records by Auctioneers

19. Every auctioneer who conducts a market, fair or sale of poultry shall keep a record in which there shall be correctly entered the following particulars in respect of each lot of poultry offered or exposed for sale at such market, fair or sale, namely:—

(i) the name and address of the person who entered the birds for sale;

(ii) the number, species and breed of birds so entered for sale; and

(iii) the names and addresses of the purchasers of the birds.

Provision as to the making and retention of Records

20.—(1) Every entry in a record required by this Order to be kept shall be made in ink or indelible pencil within the appropriate one of the undermentioned periods, namely:—

(i) in the case of a dealer's record, the thirty-six hours next after the purchase or disposal has taken place;

(ii) in the case of an auctioneer's record, the thirty-six hours next after the close of the market, fair or sale of poultry.

(2) Every record required by this Order to be kept by any person shall be retained by him for a period of twelve months from the date thereof, and shall be produced by him for inspection at all reasonable times on demand of any Veterinary Inspector of the Ministry or any Inspector of a Local Authority or any Police Officer, and the Inspector or Officer shall be entitled to make copies of any entries therein.

(3) A Local Authority may supply forms of record for the purposes of this Order to any person in the district of the Local Authority.

Prohibition of Consignment of Poultry to Railway Stations

21. No owner, vendor or purchaser of any poultry shall consign or cause to be consigned poultry to any person or to the order of any person at a railway station or at any place other than premises in the occupation of that person.

Cleanliness of Crates, etc., used for Poultry

22.—(1) At a market, fair or sale of poultry, no poultry shall be placed in a crate, basket, box or other receptacle, unless the said crate, basket, box or other receptacle shows evidence of having been thoroughly cleansed since last being used by or for poultry.

(2) If an Inspector of the Local Authority is not satisfied that a crate, basket, box or other receptacle has been so cleansed, he may issue a Notice to that effect, whereupon it shall be unlawful for such crate, basket, box or other receptacle to be used for poultry until it has been cleansed to the satisfaction of the Inspector. Any such Notice shall be sufficiently issued if delivered to the owner or person in charge of the receptacle, or affixed or attached to such receptacle.

PART IV

Enforcement

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

Revocation

24. The Orders specified in the Third Schedule hereto are hereby revoked.

Offences

25. 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.

In witness whereof the Official Seal of the Minister of Agriculture and Fisheries is hereunto affixed this thirtieth day of January, nineteen hundred and fifty-two.

(L.S.) *John Baber,*
Under Secretary.

FIRST SCHEDULE

An area comprising :—

The City and County Borough of Liverpool.

The County Boroughs of Blackpool, Bootle, St. Helens and Southport and so much of the County Boroughs of Wigan and Warrington as lies to the west of the main railway running from Lancaster to Warrington, but excluding the said railway.

So much of the Administrative County of Lancaster as lies to the south of the River Wyre and to the west of the main railway running from Lancaster to Warrington, including the Boroughs geographically situate therein but excluding the said railway.

SECOND SCHEDULE

FORM OF LICENCE

The Live Poultry (Restrictions) Order, 1952

I, the undersigned, being an Inspector of the Local Authority of the of , do hereby license the movement of the under-mentioned day-old chicks/poultry from the premises described in Col. III to the place of destination specified in Col. IV, subject to the conditions set out below.

Col. I.	Col. II.	Col. III	Col. IV
Name and Address of person to whom this licence is granted.	Number of day-old chicks/poultry to be moved.	Full address of premises from which the day-old chicks/poultry are to be moved.	Full address of premises to which the day-old chicks/poultry are to be moved.

This licence is available for three days, including the day of the date hereof.

Dated this day of , 195 .

(Signed) .....

Conditions

1. This licence must accompany the day-old chicks/poultry to which it refers during their movement.

2. The day-old chicks/poultry to which this licence refers must be moved direct to

*(*a*) premises on which they shall be detained for 28 days

*(*b*) an authorised market, fair or sale of poultry intended for immediate slaughter

*(*c*) premises for slaughter where there are no poultry other than birds intended for immediate slaughter.

* Delete wording which does not apply.

THIRD SCHEDULE

Date	Short Title
1949	
15th July.	The Live Poultry (Regulation of Sales, Exhibitions and Movements) Order, 1949 (a).
1950	
27th January.	The Live Poultry (Regulation of Sales, Exhibitions and Movements) Order, 1950 (b).
1951	
9th March.	The Live Poultry (Restrictions) Order, 1951 (c).
31st May.	The Isles of Scilly (Prohibition of Importation of Live Poultry and Hatching Eggs) Order, 1951 (d).
7th November.	The Live Poultry and Hatching Eggs (Mid Lancashire) Restrictions Order, 1951 (e).
19th December.	The Live Poultry and Hatching Eggs (Mid Lancashire) Restrictions (Amendment) Order, 1951 (f).
28th December.	The Live Poultry and Hatching Eggs (Mid Lancashire) Restrictions (Amendment No. 2) Order, 1951 (g).

(a) S.I. 1949/1355; 1949 I, p. 3464.
(b) S.I. 1950/154; 1950 II, p. 399.
(c) S.I. 1951/443; 1951 II, p. 282.
(d) S.I. 1951/994.
(e) S.I. 1951/1924.
(f) S.I. 1951/2288.
(g) S.I. 1951/2317.

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 Third Schedule and re-enacts certain of their provisions.

It prohibits the holding of poultry shows and of sales of store poultry in the area specified in the First Schedule, and also restricts sales of poultry intended for immediate slaughter and the movement of poultry (including day-old chicks) into, within and out of that area. In the remainder of England and in Wales the holding of sales of store poultry and of poultry intended for immediate slaughter is permitted under licence. The movement of poultry from premises on to which there has been a movement of poultry during the previous 28 days and also the movement of poultry (including day-old chicks) and hatching eggs from any other part of Great Britain into Scotland and the Isles of Scilly is prohibited. The Order contains provisions that apply to the whole of Great Britain, relating to the keeping of records, the cleanliness of poultry crates and the consignment of poultry to railway stations.

1952 No. 1483

The Live Poultry (Restrictions) (Amendment) Order, 1952

Made - - - - *5th August*, 1952
Coming into Operation *18th August*, 1952

The Minister of Agriculture and Fisheries, by virtue and in exercise of the powers vested in him under Sections 1, 20, 45 and 85 of the Diseases of Animals Act, 1950(**a**), and of every other power enabling him in this behalf, hereby orders as follows:—

1. This Order, which may be cited as the Live Poultry (Restrictions) (Amendment) Order, 1952, shall come into operation on 18th August, 1952.

2. Part II of and the First and Second Schedules to the Live Poultry (Restrictions) Order, 1952(**b**) (which apply certain restrictions to the sale, movement and exhibition of poultry in parts of Lancashire), are hereby revoked.

3. Part I of the Live Poultry (Restrictions) Order, 1952, shall apply to the whole of England and Wales except the Isles of Scilly, and accordingly in Article 3 thereof the words " and the Scheduled area " are hereby revoked.

In Witness whereof the Official Seal of the Minister of Agriculture and Fisheries is hereunto affixed this fifth day of August, nineteen hundred and fifty-two.

(L.S.) *John Baber*,
Under Secretary.

(a) 14 Geo. 6. c. 36. (b) S.I. 1952/200, p. 2619 above.