1959 No. 1029

The Regulation of Movement of Swine Order, 1959

Made - - - -	10*th June*, 1959
Coming into Operation	2*nd August*, 1959

The Minister of Agriculture, Fisheries and Food and the Secretary of State, acting jointly, in exercise of the powers vested in them under sections 1, 20 and 85 of the Diseases of Animals Act, 1950(a), and of every other power enabling them in that behalf, hereby order as follows:—

Citation, Commencement and Revocation

1.—(1) This Order may be cited as the Regulation of Movement of Swine Order, 1959, and shall come into operation on the 2nd day of August, 1959.

(2) The Regulation of Movement of Swine Order, 1954(b) and the Regulation of Movement of Swine (Amendment) Order, 1955(c), are hereby revoked.

Interpretation

2.—(1) In this Order—

"bacon factory" means premises in which the business of a curer of bacon is carried on;

"inspector" means a person appointed to be an inspector for the purposes of the Diseases of Animals Act, 1950, by the Minister of Agriculture, Fisheries and Food or by a local authority and, when used in relation to an inspector of that Minister, includes a veterinary inspector, and "veterinary inspector" means a veterinary inspector appointed by that Minister;

"pig dealer" means a person carrying on the business of buying and reselling pigs, but a person shall not be deemed to be a pig dealer by reason only that he sells for slaughter pigs that he has kept for 28 days or longer;

"slaughterhouse" means any premises where animals are habitually slaughtered.

(2) The Interpretation Act, 1889(d), shall apply to the interpretation of this Order as it applies to the interpretation of an Act of Parliament.

Regulation of Holding of Sales of Swine

3.—(1) No person shall hold a sale of swine (whether on market premises or elsewhere) unless such sale is authorised under the provisions of this Article.

(2) Such authority as aforesaid may be granted by the local authority of the district in which the sale is to be held, if it is satisfied that satisfactory arrangements have been made for the purposes of this Order.

(a) 14 Geo. 6. c. 36.
(b) S.I. 1954/911 (1954 I, p. 144).
(c) S.I. 1955/1051 (1955 I, p. 212).
(d) 52 & 53 Vict. c. 63.

(3) Nothing in this Article shall apply to—

(*a*) the holding of a sale on farm premises of swine comprising the whole or part of the standing herd of that farm;

(*b*) the holding, during or at the end of any exhibition or show of swine and at the premises on which the exhibition or show is held, of any sale of those swine, if all the swine moved to those premises for the purpose of the exhibition or show have been entered for it not less than 7 days before the day on which the sale began and if no other swine are on those premises on the day on which the sale is held and before that sale.

Regulation of Movement of Swine

4.—(1) Where a sale of swine has been held on any premises, no person shall move from those premises any swine moved thereto for the purpose of that sale except under the authority, and subject to the conditions, of a licence issued under this Order and to the premises specified in that licence, being premises other than a market, fairground or saleyard.

(2) Nothing in this Article shall apply to the movement of swine from premises on which a sale of swine has been held in a case where the holding of the sale was exempted from the provisions of Article 3 of this Order or in a case where all the following conditions are satisfied, that is to say, that—

(*a*) all the swine moved to those premises for the purpose of the sale were in the same ownership;

(*b*) the sale was duly authorised under the provisions of Article 3 of this Order;

(*c*) no other swine were on those premises on the day on which the sale was held and before the said movement;

(*d*) a declaration made in relation to the swine by their owner in the form set out in the First Schedule to this Order was deposited with the local authority on or before the granting by it of the authority under Article 3 of this Order; and

(*e*) the movement is to premises other than a market, fairground or saleyard.

5. No person shall move any swine from any premises in the occupation of, or used by, any pig dealer except under the authority, and subject to the conditions, of a licence issued under this Order and to the premises specified in that licence, being premises other than a market, fairground or saleyard.

Detention of Swine

6. The occupier of any premises (except a bacon factory or slaughterhouse) to which swine are moved under the authority of a licence issued under this Order shall detain them on those premises for a period of 28 days from the date of their arrival and shall, while they are so detained, keep them separate from other swine:

Provided that the occupier's duty under this Article shall cease if the swine are moved from the said premises to a bacon factory or slaughterhouse under the authority, and subject to the conditions, of a licence issued under this Order.

Restriction of Movement of Swine from Bacon Factories and Slaughterhouses

7. Any swine moved to a bacon factory or slaughterhouse shall be detained there until slaughtered.

Provisions as to Licences

8.—(1) A licence under this Order authorising the movement of swine may be issued by an inspector of the local authority for the district in which are situated the premises from which the swine are to be moved, and shall be in the form set out in the Second Schedule to this Order.

(2) Where an inspector of a local authority issues a licence under this Order authorising the movement of swine to premises in the district of another local authority, he shall forthwith send a copy of the licence to that other local authority.

(3) A licence authorising a movement of the kind referred to in Article 4 of this Order shall be available on the day of issue only and any other licence issued under this Order shall be available for five days including the day of the date thereof.

(4) A licence issued under this Order may at any time be revoked by the issuing authority.

(5) If any person contravenes or fails to comply with any conditions subject to which any licence is issued under this Order, he shall be guilty of an offence against the Diseases of Animals Act, 1950.

(6) Any person in charge of swine moved under the authority of a licence issued under this Order shall produce it on demand to an inspector or to a constable and shall, if so required by that officer, give his name and address.

Enforcement

9. The provisions of this Order shall be executed and enforced by the local authority.

In witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed this fifth day of June, nineteen hundred and fifty-nine.

(L.S.)

John Hare,

Minister of Agriculture, Fisheries and Food.

Given under the Seal of the Secretary of State for Scotland this tenth day of June, nineteen hundred and fifty-nine.

(L.S.)

John S. Maclay,

Secretary of State for Scotland.

Art. 4 (2)

FIRST SCHEDULE

Form of Declaration

Regulation of Movement of Swine Order, 1959

I,
of
hereby declare—

1. that I am the owner of swine that are to be moved to (at which a sale of swine is to be held on the 19), from my premises at ; and

2. that no swine have been or will be moved on to the last mentioned premises at any time before the removal of the swine mentioned in the preceding paragraph to the said sale and after the commencement of 28 days preceding the day on which the removal takes place.

Signed .....

Date .....

Art. 8 (1)

SECOND SCHEDULE

Form of Licence

Regulation of Movement of Swine Order, 1959

I, the undersigned, being an Inspector of the local authority for the of , do hereby license the movement of the undermentioned swine from the premises described in Col. III to the place of destination specified in Col. IV, subject to the conditions set out overleaf.

Col. I	Col. II	Col. III	Col. IV
Name and address of person to whom this licence is granted.	Number and description of swine to be moved.	Full address of premises from which swine are to be moved, stating district of local authority in which situated.	Full address of premises to which swine are to be moved, stating district of local authority in which situated.

This licence does not authorise the movement of swine that are in a Swine Fever Infected Place, or of swine the movement of which is prohibited by any other Order made under the Diseases of Animals Act, 1950, or by notice given by an Inspector of a local authority or of the Minister of Agriculture, Fisheries and Food under any Order made under the said Act.

Dated this day of , 19 .

Signed .....

CONDITIONS

1. This licence is available *for five days, including the day of the date hereof on day of issue only.

2. This licence must accompany the swine throughout the authorised movement.

* Delete the wording which does not apply.

The following notes for the guidance of those responsible for the pigs should be printed on the back of this licence.

The Regulation of Movement of Swine Order, 1959, under which this Licence is issued, provides, among other things:

(*a*) that any swine moved to a bacon factory or slaughterhouse shall be detained there until slaughtered;

(*b*) that swine moved under the authority of a licence to premises other than a bacon factory or slaughterhouse must be detained there and kept separate from all other swine for 28 days from the date of their arrival, but that they may be moved during that period to a bacon factory or slaughterhouse if a further licence is obtained.

The Order does not prohibit the movement of the carcase of any pig that dies or is slaughtered on the premises during the period of 28 days mentioned above.

EXPLANATORY NOTE

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

This Order, which comes into operation on the 2nd August, 1959, consolidates with amendments the Regulation of Movement of Swine Order, 1954, and the Regulation of Movement of Swine (Amendment) Order, 1955. The principal changes are:—

1. Authorisation of a sale of swine is no longer necessary if—

(*a*) the swine are the standing herd of a farm and are sold there; or

(*b*) the sale is held in connection with an exhibition or show.

2. Movements of swine from all sales wherever held must now be licensed except—

(*a*) movements from the sales specified in the preceding paragraph;

(*b*) movements from authorised sales of swine in the same ownership on premises where there were no other swine on the day of the sale, provided that the movement is to a place other than a market, fair-ground or saleyard and that a declaration by the owner has been made to the effect that no swine have been or will be moved on to his premises during the 28 days preceding the sale.