1958 No. 1284

The Swine Fever (Infected Areas Restrictions) Amendment Order, 1958

Made - - - -	31*st July*, 1958
Coming into Operation	9*th August*, 1958

The Minister of Agriculture, Fisheries and Food and the Secretary of State acting jointly by virtue and in exercise of the powers vested in them by Sections 1, 10, 11, 20 and 85 of the Diseases of Animals Act, 1950(a), and of all other powers enabling them in that behalf hereby order as follows:—

Citation and Commencement

1. This Order may be cited as the Swine Fever (Infected Areas Restrictions) Amendment Order, 1958, and shall come into operation on the 9th day of August, 1958.

Interpretation

2. This Order shall be read together with the Swine Fever (Infected Areas Restrictions) Order, 1956(b) (hereinafter referred to as the principal Order) and the two Orders may be cited together as the Swine Fever (Infected Areas Restrictions) Orders, 1956-58.

Amendment of the Principal Order

3. The principal Order shall be altered as follows:—

(*a*) in paragraph (1) of Article 3 the words "declaring the area to be free from swine fever" shall be deleted.

(*b*) At the end of Article 4 there shall be inserted the following proviso:—

"Provided that the preceding conditions shall not apply so as to prohibit a local authority from authorising the use of farm premises for the holding of a sale of swine, if the local authority is satisfied that such sale is or is part of a dispersal sale of substantially the whole of the livestock kept on the farm, and the owner of the swine, or his authorised agent, has given to the local authority a declaration in writing in the form set forth in the Third Schedule to this Order or to the like effect."

(*c*) Immediately after paragraph (1) of Article 7 there shall be inserted the following paragraph:—

"(1A) Notwithstanding the prohibition by paragraph (1) of this Article of the granting of a licence authorising the movement of swine from any premises authorised to be used for the holding of a sale except to a slaughterhouse or bacon factory, where the use of any premises is authorised under Article 4 of this Order for the holding of a sale which is or is part of such a dispersal sale as is mentioned in the proviso to that Article, a licence granted under this Article may

(a) 14 Geo. 6. c. 36. (b) S.I. 1956/1750 (1956 I, p. 180).

authorise the movement of swine sold at that sale to any of the premises specified at (*b*) (i) to (iv) of paragraph (1) of this Article."

(*d*) Immediately after Article 7 of the principal Order there shall be inserted the following Article :—

"*Movement of Swine through an infected area by road*

7A.—(1) Notwithstanding any other provisions of this Order to the contrary, it shall be lawful for any person transporting swine by road between two places outside an infected area to move them through such an area by road, if the movement between the two places aforesaid is authorised by one or other of the two kinds of licences referred to in Article 6 of this Order, and the following requirements of this Article are observed.

(2) The swine shall be transported in a mechanically propelled vehicle, and, except in the case of accident or other emergency, shall not be unloaded from the vehicle during the whole of their journey.

(3) The swine shall be transported to premises outside the infected area which are either—

(*a*) a slaughterhouse or bacon factory ; or

(*b*) premises used for the keeping of swine other than premises habitually used in connection with the business of buying and re-selling swine ; or

(*c*) a vessel in which the swine are to be shipped to any country outside Great Britain, or premises at which the swine are to be detained until such shipment.

(4) Where a licence under which swine are moved through an infected area by road is the kind of licence referred to at Article 6 (*a*) of this Order, it shall not be marked "For breeding purposes" and accordingly the provisions of the proviso to Article 8 (3) and of Article 9 (6) of this Order relating to licences marked "For breeding purposes" and references to such provisions in the form of licences set out in the First Schedule to this Order, shall not apply.

(5) Where a licence under which swine are moved through an infected area by road is the kind of licence referred to at Article 6 (*b*) of this Order the provisions of Articles 8 and 9 of this Order (which relate to the control of swine during and after movement and to licences generally) shall not apply in respect of the licence, but all the provisions of the Order under which the licence was granted relating to the control of swine during and after movement and to licences generally shall continue to apply in respect of the movement of the swine authorised by the licence."

(*e*) Immediately after Article 9 of the principal Order there shall be inserted the following Article:—

"*Provisions as to licences*

9A.—(1) A licence granted under this Order may at any time be revoked by the issuing authority and may be granted subject to such conditions as may be specified therein.

(2) If any person contravenes or fails to comply with any conditions subject to which any licence is granted under this Order, he shall be guilty of an offence against the Act."

(*f*) Immediately after the Second Schedule to the principal Order, there shall be added as the Third Schedule thereto the form in the Schedule to this Order.

In witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed this thirty-first day of July, nineteen hundred and fifty-eight.

(L.S.)

John Hare,
Minister of Agriculture, Fisheries and Food.

Given under the Seal of the Secretary of State for Scotland this thirty-first day of July, nineteen hundred and fifty-eight.

(L.S.)

John S. Maclay,
Secretary of State for Scotland.

SCHEDULE

THIRD SCHEDULE

DISEASES OF ANIMALS ACT, 1950

The Swine Fever (Infected Areas Restrictions) Orders, 1956-58

Declaration for use on application to use premises for the sale of swine at a dispersal sale.

I, A.B. (or C.D., the agent authorised in writing for this purpose by A.B.) of ..... in the County of ..... do hereby declare—

(*a*) that I am (or A.B. is) the owner of the following swine, namely,
.....
.....
.....
and also the occupier of .....
where these swine now are ;

(*b*) that on the ..... day of ..... it is proposed to hold a dispersal sale of substantially the whole of the livestock kept at.....
..... and that all the swine there are to be sold at this sale ;

(*c*) that all the swine to be sold have been on the premises for a continuous period of 28 days before the date of this declaration, and no swine have been moved on to the premises within such period ;

(*d*) that to the best of my knowledge and belief the swine are not infected with swine fever and have not during the period of 28 days before the date of this declaration been in any way exposed to the infection of swine fever ;

(*e*) that the swine are not in a swine fever infected place, and their movement is not prohibited by a notice of an inspector or officer of a local authority or of the Ministry of Agriculture, Fisheries and Food, given under any Order made under the Diseases of Animals Act, 1950.

Dated this ..... day of ....., 19...

Signed .....

EXPLANATORY NOTE

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

This Order amends the Swine Fever (Infected Areas Restrictions) Order, 1956. The principal amendments make provision for the selling of swine at a dispersal sale of livestock on premises within an infected area, and for the movement of swine in the course of transport by road between two places outside an infected area through an infected area. The Order also makes contravention or failure to comply with any conditions attached to any licence issued under these Orders an offence against the Diseases of Animals Act, 1950.

1958 No. 806

The Tuberculosis (Extension of Payments Period) Order, 1958

Made - - - - 12*th May,* 1958

The Minister of Agriculture, Fisheries and Food, in exercise of the powers conferred on him by section 3 of the Diseases of Animals Act, 1950(a), and of all other powers enabling him in that behalf and with the approval of the Treasury, hereby makes the following Order, a draft of which has been laid before Parliament and has been approved by resolution of each House of Parliament.

1. This Order may be cited as the Tuberculosis (Extension of Payments Period) Order, 1958, and shall apply to England and Wales.

2. The period ending on the 30th day of September, 1958, referred to in section 3 of the Diseases of Animals Act, 1950, (being the period during which the powers conferred by that section of making payments for the eradication of bovine tuberculosis are exercisable) shall be extended for five years so as to continue for five years from the said date.

In witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed this 12th day of May, 1958.

(L.S.)

John Hare,
Minister of Agriculture, Fisheries and Food.

Approved this 12th day of May, 1958.

Martin Redmayne,
Harwood Harrison,
Two of the Lords Commissioners of Her Majesty's Treasury.

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