EXPLANATORY NOTE

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

By virtue of this Order—

(i) the need for countersignature of licences for the movement of animals under the Foot-and-Mouth Disease (Infected Areas Restrictions) Order of 1938 (S.R. & O. 1938/1434 (Rev. II, p. 528: 1938 I, p. 155)) and the Foot-and-Mouth Disease (Controlled Areas Restrictions) General Order of 1938 (S.R. & O. 1938/1435 (Rev. II, p. 520: 1938 I, p. 169)), by an Inspector of the Local Authority for the district from which the animals are to be moved, is dispensed with;

(ii) (notwithstanding the prohibition by the first-mentioned Order of the holding of certain sporting activities in an Infected Area), greyhound racing is permitted to take place on tracks licensed under the Betting and Lotteries Act, 1934 (24 & 25 Geo. 5. c. 58); and

(iii) point-to-point meetings are included among the activities which are prohibited in an Infected Area.

1956 No. 1750

The Swine Fever (Infected Areas Restrictions) Order, 1956

Made - - - - *7th November,* 1956
Coming into Operation 19*th November,* 1956

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 and 20 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) Order, 1956, and shall come into operation on the 19th day of November, 1956.

Interpretation

2.—(1) For the purpose of this Order unless the context otherwise requires:—

"The Act" means the Diseases of Animals Act, 1950, as amended or extended by any other enactment;

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

"Infected Area" has the meaning assigned to it by Article 3 of this Order;

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

"Inspector" means a person appointed to be an Inspector for the purposes of the Act by the Minister or by a Local Authority and, when used in relation to an Inspector of the Ministry, means a Veterinary Inspector appointed by the Minister;

"Liveweight Certification Centre" means a livestock market or other place approved by the Minister or the Secretary of State for the certification of fatstock;

"Local Authority" means a local authority for the purposes of the Act;

"Minister" and "Ministry" mean the Minister and Ministry of Agriculture, Fisheries and Food respectively;

"Slaughterhouse" means premises used habitually and solely for the purpose of slaughtering animals but does not include a slaughterhouse which forms part of a farm or any premises on which pigs other than those intended for immediate slaughter are kept.

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

Application of Order

3.—(1) The Minister may make an Order declaring any area as respects which he is satisfied that swine fever is prevalent therein to be an area infected with that disease. Any such Order may be varied or may be revoked by a subsequent Order declaring the area to be free from swine fever. An area that is for the time being the subject of an Order of the kind first before mentioned is hereinafter referred to as an Infected Area.

(2) The subsequent provisions of this Order shall apply in relation to every Infected Area subject nevertheless to such variations and exceptions (if any) as may be expressed in the Order declaring the area to be an Infected Area or in any Order varying that Order.

(3) Any farm, holding, park or enclosure which is partly within and partly outside an Infected Area, shall be deemed to be wholly within the area. For this purpose, a detached part of a farm, holding or park shall be deemed to be a separate enclosure.

Markets, etc. of swine in an Infected Area to be restricted and to be for fat swine only

4. No premises in any Infected Area shall be used for the holding of any market, sale, fair or exhibition of swine or as a liveweight certification centre for swine unless such use has been authorised under this Order by the local authority of the district where the premises are situated, which authority the local authority is hereby empowered to grant when it is of opinion that satisfactory arrangements have been made for the purposes of this Order, but only in accordance with the following conditions, namely:—

(*a*) No swine other than fat swine intended for immediate slaughter shall enter or be exposed at the premises.

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

(*b*) No swine shall be removed from the premises except under a licence which authorises their movement direct to a slaughterhouse or bacon factory.

(*c*) No swine which have been marked on the back with a red cross in the manner described in paragraph (2) of Article 8 of this Order shall enter or be exposed at the premises.

Restriction of movement of swine into, out of or within an Infected Area

5. Subject to the provisions of this Order no person shall—

(*a*) move any swine into or out of an Infected Area, or move them within an Infected Area by water or along or across any road therein, unless the movement is authorised by a licence granted in accordance with the requirements of this Order,—

Provided that a person may move swine by railway through an Infected Area without a licence if the swine are not trucked or untrucked within the area and no avoidable delay occurs ;

(*b*) cause or permit any swine to stray upon any road in an Infected Area.

Licences for movement of swine into an Infected Area

6. A licence authorising the movement of swine from any place outside an Infected Area to any place situated therein shall be either—

(*a*) a licence granted under this Order by an Inspector of the local authority in whose district the premises from which the swine are to be moved are situated, or

(*b*) a licence authorising the movement of the swine granted under any other Order, being an Order made under the Act for the purpose of regulating the movement of swine.

Licences for movement of swine within or out of an Infected Area

7.—(1) A licence authorising the movement of swine between places situated within an Infected Area or from any place within such an area to any place situated outside the area shall be a licence granted under this Order by an Inspector of the local authority in whose district the premises from which the swine are to be moved are situated, but shall not authorise any movement of swine, except—

(*a*) movement from any premises the use of which as a market, sale, fair, exhibition or liveweight certification centre is authorised in accordance with Article 4 of this Order, if the movement is direct to a slaughterhouse or bacon factory and not otherwise, or

(*b*) movement from any other premises—

(i) to premises the use of which as a market, fair, sale, exhibition or liveweight certification centre is authorised as aforesaid ; or

(ii) to a slaughterhouse or bacon factory, whether inside or outside the Infected Area ; or

(iii) to any premises, whether inside or outside an Infected Area, for the purpose of breeding or further rearing at those premises, except premises habitually used in connection with the business of buying and re-selling swine; or

(iv) direct to a vessel for shipment to any country outside Great Britain or to any premises for detention until such shipment.

(2) No licence shall be granted for any movement to any destination specified at (*b*) (iii) or (*b*) (iv) of paragraph (1) of this Article unless the owner of the swine, or his authorised agent, has signed, and produced or sent to the Inspector, a declaration in the form set forth in the Second Schedule to this Order or to the like effect. The Inspector shall retain the declaration, and before granting the licence shall satisfy himself as far as practicable that the statements contained therein are correct.

Control of swine during and after movement

8.—(1) No swine shall be moved under this Order except by the shortest practicable route and without avoidable delay to the place of destination where any person having the custody of them shall as far as practicable keep them separate from all other swine.

(2) No person shall move or cause or permit swine to be moved under this Order to a slaughterhouse or bacon factory unless, before the movement commences, they are marked by and at the expense of the owner, by the painting with an adhesive composition of red colour of a broad line down the back and another broad line across the loins of each of the swine thus +, each line being not less than nine inches long, and on arrival at the slaughterhouse or bacon factory the swine shall be detained there until slaughtered.

(3) Where swine have been moved under a licence granted in accordance with the requirements of this Order, no person shall for a period of twenty-eight days after the arrival of the swine at any place of destination specified in the licence move or cause or permit them to be moved therefrom except—

(*a*) to a bacon factory or slaughterhouse, and then only if the swine are marked before the movement commences in the manner described in paragraph (2) of this Article and their movement is authorised by a licence granted by an Inspector of the local authority of the place from which the swine are to be moved, or

(*b*) if the swine are detained on any premises awaiting shipment to a country outside Great Britain to a vessel for such shipment,—

Provided that where a licence is marked "For Breeding Purposes", the animal to which it relates may be moved for the purposes of service on not more than two occasions within a period of twenty-eight days commencing with the date of the licence. On each occasion the animal shall be moved to the same premises, and be returned as soon as practicable to the premises from which it was moved, where it shall be detained for a period of twenty-eight days from the day it last returned thereto.

General Provisions as to licences

9.—(1) Any licence granted under this Order shall be in the form set out in the First Schedule hereto, or substantially to the like effect.

(2) Any licence which may by this Order be granted by an Inspector of a local authority may also be granted by an Inspector of the Ministry.

(3) A licence granted in accordance with the requirements of this Order shall not be deemed to authorise any movement of swine which is prohibited by or under any other Order made under the Act for the purpose of regulating the movement of swine.

(4) A copy of a licence which authorises the movement of swine to premises situate in a district of a local authority other than the local authority for which the Inspector granting the licence acts shall forthwith be sent by the aforesaid Inspector to the local authority of the area in which the place of destination specified in the licence is situate.

(5) A licence must immediately after completion of the movement authorised by it be delivered up at, or sent by post to, the nearest Police Station by the person to whom it was issued or by his agent.

(6) Any licence (other than a licence marked "For Breeding Purposes") granted under this Order shall be available for five days only, commencing with the date thereof. A licence marked "For Breeding Purposes" shall be available for twenty-eight days, commencing with the date thereof.

(7) A licence authorising the movement of swine shall accompany the swine during such movement and shall on demand be produced to an Inspector or Constable by the person in charge of the swine being moved, and such person shall if required by such officer give his name and address.

(8) Where any swine have been marked in accordance with the requirements of this Order, no person shall efface, obliterate or remove, or attempt to efface, obliterate or remove, the mark whilst the swine are subject to the provisions of this Order.

Local Authority to enforce Order

10. The provisions of this Order shall, except where otherwise expressly provided, 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 sixth day of November, nineteen hundred and fifty-six.

(L.S.) *D. Heathcoat Amory,*
Minister of Agriculture, Fisheries and Food.

Given under the Seal of the Secretary of State for Scotland this seventh day of November, nineteen hundred and fifty-six.

(L.S.) *James Stuart,*
Secretary of State for Scotland.

FIRST SCHEDULE

DISEASES OF ANIMALS ACT, 1950

The Swine Fever (Infected Areas Restrictions) Order, 1956

FORM OF LICENCE

If this licence is granted in respect of a movement for Breeding Purposes this should be stated hereunder and the statement should be initialled.

I, the undersigned, being an Inspector of the Local Authority of the of , do hereby license the movement of the undermentioned swine from the premises described in Column III to the place of destination specified in Column IV.

Column I	Column II	Column III	Column IV
Name and address of person to whom this licence is granted.	Number and description of swine to be moved.	Full address of place and premises from which swine are to be moved, stating District of Local Authority in which situate.	Name of consignee and full address of slaughterhouse or other premises to which swine are to be moved, stating District of Local Authority in which situate.

This licence is available for five days, commencing with the date hereof, and no longer, unless the licence is endorsed "For Breeding Purposes", in which case it shall be available for a period not exceeding twenty-eight days commencing with the date hereof if so required.

This licence must immediately, after completion of the movement, be delivered up at, or sent by post to, the nearest Police Station by the person to whom it was issued or by his agent.

This licence does not authorise the movement of swine which 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 Ministry of Agriculture, Fisheries and Food under any such Order.

Dated this day of , 19 .

(Signed) .....

To be printed as Indorsement on Licence

Requirements of the Swine Fever (Infected Areas Restrictions) Order, 1956

1. The swine must be accompanied by this licence, and must be moved by the shortest practicable route and without unnecessary delay. The swine must be moved to the place of destination specified in the licence and not elsewhere, and must during the movement be kept separate, as far as practicable, from all other swine.

2. (*a*) Swine which are to be moved direct to a slaughterhouse or bacon factory must be marked before the movement commences, by and at the expense of the owner, by the painting with an adhesive composition of red colour of a broad line down the back and another broad line across the loins of each of the swine thus +, each line being not less than nine inches long.

(*b*) The swine, after their arrival at any slaughterhouse or bacon factory specified in this licence, must be detained there until they are slaughtered.

3. If this licence is issued in respect of a movement of swine that are not being sent for slaughter, breeding or shipment the swine must not, for a period of twenty-eight days after arrival at the place of destination, be moved therefrom, except as provided in the next following paragraph. During the period of twenty-eight days detention the swine must be kept separate from all other swine. The Order does not prohibit the movement of the carcase of any pig slaughtered on the premises during that period.

4. The swine may, during the period of twenty-eight days detention, be moved direct to a bacon factory or slaughterhouse, provided that they are marked in the manner described in paragraph 2 (*a*) above and their movement is authorised by a licence granted by an Inspector.

Caution.—Persons acting without a licence where a licence is necessary, or acting thereon after the licence has expired, or counterfeiting, fabricating or altering, or obtaining, or endeavouring to obtain a licence by means of a false pretence, or granting or issuing a licence knowing the same to be false in any respect, or committing other offence with respect to a licence, are liable, under the Diseases of Animals Act, 1950, to fine or imprisonment.

SECOND SCHEDULE

DISEASES OF ANIMALS ACT, 1950

The Swine Fever (Infected Areas Restrictions) Order, 1956

Declaration for use in case of movement of swine not to be moved for slaughter

I, A. B., of in the county of do hereby declare

(*a*) that I am the owner of (or the agent authorised in writing for this purpose by A. B., the owner of) the undermentioned swine;

(*b*) that the swine to be moved have been on the premises from which they are to be moved for a continuous period of twenty-eight days immediately before the date of this declaration and that no pig has been moved on to those premises within such period *except (i) swine which have been returned after having been moved temporarily therefrom solely for the purpose of service (ii) swine which have been moved thereto solely for the purpose of service and moved therefrom as soon as practicable after service, and that the swine to be moved have not within the said period been in contact with any pig so moved on to the premises within such period;

(*c*) that to the best of my knowledge and belief the swine are not affected with swine fever, and have not during the period of twenty-eight days as aforesaid been in any way exposed to the infection of swine fever;

(*d*) that the swine are not in a Swine Fever Infected Place and their movement is not prohibited by 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;

(*e*) †that the swine are to be moved for breeding purposes and for no other purpose.

Dated this day of , 19 .

(Signed) .....

No. and description of swine to be moved.	Address of premises from which swine are to be moved, stating District of Local Authority in which situate.	Address of place of destination to which swine are to be moved, stating District of Local Authority in which situate.

Note—This declaration is to be retained by the person granting the licence.

* Strike out words underlined if no pig has been moved on to the premises within the twenty-eight days.

† Strike out (*e*) if the movement is not for breeding purposes.

EXPLANATORY NOTE

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

This Order prescribes that in any area specified in any subsequent special Order no sale or gathering of swine shall be held in any market, fair-ground or saleyard unless the holding thereof is authorised by the Local Authority. Only fat swine for immediate slaughter may be included in such sales. The movement of swine into, out of and within the areas is also regulated.