STATUTORY INSTRUMENTS

1977 No. 948

ANIMALS

DISEASES OF ANIMALS

The Tuberculosis (Amendment) Order 1977

Made - - - -	23*rd May* 1977
Laid before Parliament	10*th June* 1977
Coming into Operation	1*st July* 1977

The Minister of Agriculture, Fisheries and Food, in exercise of the powers conferred on him by sections 1 and 85(1) of the Diseases of Animals Act 1950(**a**), and of all his other enabling powers, hereby orders as follows:—

Citation and commencement

1. This order, which may be cited as the Tuberculosis (Amendment) Order 1977, shall come into operation on 1st July 1977.

Interpretation

2.—(1) This order shall be construed as one with the Tuberculosis Order 1964(**b**), as amended (**c**), hereinafter referred to as "the principal order".

(2) The Interpretation Act 1889(**d**) applies for the interpretation of this order as it applies for the interpretation of an Act of Parliament.

Amendment of principal order

3.—(1) In Article 3(1) of the principal order (interpretation), there shall be inserted, at the end of the definition of "the Act", the words "as amended or extended by any subsequent enactment;".

(2) Article 4 of the principal order (extent and scope) shall be amended by the insertion at the beginning thereof of the words "Subject to paragraph (2) below,".

(3) The said Article 4 as in force apart from this paragraph shall be numbered Article 4(1), and at the end thereof there shall be added the following paragraph:—

> "(2) Notwithstanding the provisions of paragraph (1) above, the provisions of this order shall not apply in relation to approved premises, within the meaning of the Importation of Animals Order

(**a**) 1950 c. 36.
(**b**) S.I. 1964/1151 (1964 II, p. 2634).
(**c**) S.I. 1973/2030 (1973 III, p. 7051).
(**d**) 1889 c. 63.

1977(a), and shall (apart from the provisions of Article 13 below) apply in relation to imported animals only—

(a) from the time specified in the licence issued in respect of those animals under Article 11(5) of that Order;

or

(b) where the existence or suspected existence of disease in any part of Great Britain makes it expedient that no such licence should be issued for the time being, from the time when those animals have completed the period of detention in quarantine required under the provisions of that order or, as the case may be, have been rested at an approved reception centre for the period so required.".

(4) Article 14 of the principal order (which relates to the movement of imported animals from the Republic of Ireland) shall be amended—

(a) by the substitution in paragraph (1) thereof, for the words "a licence granted under Schedule 2 to the Act", of the words "a licence issued under Article 11(5) of the Importation of Animals Order 1977";

(b) by the deletion of sub-paragraph (a) of that paragraph; and

(c) by the substitution for paragraph (2) of that Article of the following paragraph:—

"(2) In this Article the expression 'slaughterhouse' means a slaughterhouse or knacker's yard, as defined in section 34 of the Slaughterhouses Act 1974(b).".

In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 23rd May 1977.

(L.S.)

John Silkin,
Minister of Agriculture, Fisheries and Food.

(a) S.I. 1977/944 (1977 II, p.2631). (b) 1974 c. 3.

EXPLANATORY NOTE

(This Note is not part of the order.)

This order amends the Tuberculosis Order 1964 to take account of the provisions of the Importation of Animals Order 1977. The principal effect of the amendments is to ensure that the provisions of the 1964 Order do not apply to approved premises at which imported animals are detained in quarantine or rested before proceeding to their final destination in Great Britain, and that those provisions (apart from Article 13 of the 1964 order, which in fact relates to imported animals) shall only apply to such animals from the time when they are licensed to be released from approved premises under the 1977 Order, or would be so licensed but for the existence or suspected existence of disease in some part of Great Britain.

The order also makes amendments to Article 14 of the 1964 Order consequent upon the repeal of Schedule 2 to the Diseases of Animals Act 1950.

SI 1977/948
ISBN 0-11-070948-9

