1954 No. 268

The Virus Hepatitis Order, 1954

Made - - - - 4th March, 1954

The Minister of Agriculture and Fisheries, by virtue and in exercise of the powers vested in him by sections 1, 20, 45, 47 and 84 of the Diseases of Animals Act, 1950(a), and of every other power enabling him in this behalf, hereby orders as follows:—

Citation

1. This Order may be cited as the Virus Hepatitis Order, 1954.

Interpretation

2.—(1) In this Order, unless the context otherwise requires:—

" local authority " means a local authority for the purposes of the Diseases of Animals Act, 1950;

" poultry " means any live bird or birds of any of the following descriptions, that is to say, domestic fowls, turkeys, geese, ducks, guinea-fowls and pigeons;

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

" veterinary inspector " means a veterinary inspector appointed by the Minister.

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

Extension of Definition of " Disease "

3. For the purposes of the Diseases of Animals Act, 1950, the definition of the expression " disease " contained in paragraph (*b*) of subsection (3) of section 84 of the Diseases of Animals Act, 1950, is hereby extended so as to include the disease known as virus hepatitis.

Detention and Isolation of Poultry and Precautions to be Adopted to Prevent the Spread of Infection

4.—(1) A veterinary inspector may by notice served on the owner or person in charge of any poultry, which in the opinion of the Minister are affected with the disease known as virus hepatitis or which he suspects to be so affected or to have been in any way exposed to the infection of that disease, require the owner or person in charge to detain the poultry and the eggs of any poultry on the premises specified in the notice and to keep the poultry isolated, as far as practicable, from other poultry, and with a view to preventing the spread of infection to adopt such other precautions as may be specified in the notice.

(2) A veterinary inspector may, by subsequent notice in writing to the owner or person in charge of the poultry, direct that:—

(*a*) such additional precautions as may be specified in such subsequent notice shall be adopted; or

(*b*) any requirement specified in any notice served under this Article shall cease to apply or shall be modified to the extent or in the manner specified in such subsequent notice.

(3) A copy of any notice served by a veterinary inspector under this Article shall, with all practicable speed, be sent by him to the local authority.

(a) 14 Geo. 6. c. 36. (b) 52 & 53 Vict. c. 63.

5. No poultry and no eggs of any poultry shall be permitted to enter any premises in respect of which a notice served under Article 4 of this Order is still in force except under a licence granted by a veterinary inspector and in accordance with such conditions as may be specified therein.

Cleansing and Disinfection

6.—(1) The occupier of any premises on which there are or have been any poultry in respect of which any notice under Article 4 of this Order has been served shall, if so required by notice in writing served by a veterinary inspector, cleanse and disinfect in accordance with the provisions of the notice any premises in which the poultry have been placed or kept, and any utensil, appliance or other thing used for or about the poultry. A copy of any such notice served by a veterinary inspector shall with all practicable speed be sent by him to the local authority.

(2) A notice served under this Article may provide that the cleansing and disinfection shall be at the expense of the Minister, or at the expense of the occupier.

(3) If the occupier of any premises fails to cleanse and disinfect the premises, or any utensil, appliance or other thing, when required under this Article, it shall be lawful for the Minister without prejudice to the recovery of any penalty for the infringement of this Article to cause such premises or utensil, appliance or other thing to be cleansed and disinfected, and to recover summarily as a civil debt the expenses of such cleansing and disinfection from the occupier.

Local Authority to Enforce Order

7. The provisions of this Order, except where it is otherwise provided, shall be executed and enforced by the local authority.

Application of Animals (Miscellaneous Provisions) Orders of 1927 *and* 1938

8. In the Animals (Miscellaneous Provisions) Order of 1927(**a**) as amended by the Animals (Miscellaneous Provisions) Order of 1938(**b**) the expression "animal" shall include poultry as defined in this Order and the expression "disease" shall include the disease known as virus hepatitis and that Order shall be read and have effect accordingly.

In witness whereof the Official Seal of the Minister of Agriculture and Fisheries is hereunto affixed this fourth day of March, nineteen hundred and fifty-four.

(L.S.)

E. A. Hitchman,
Secretary.

EXPLANATORY NOTE

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

This Order extends the definition of the expression "disease" for the purposes of the Diseases of Animals Act, 1950, to include the disease known as "virus hepatitis". The Order also provides for the detention and isolation of birds affected, or suspected of being affected, with this disease, and for the cleansing and disinfection of premises and utensils used for such birds. It also applies the provisions of the Animals (Miscellaneous Provisions) Orders of 1927 and 1938 in respect of the disease.

(**a**) S.R. & O. 1927/290 (Rev. II, p. 449: 1927, p. 78).
(**b**) S.R. & O. 1938/197 (Rev. II, p. 455: 1938 I, p. 325).