STATUTORY INSTRUMENTS

1975 No. 143

ANIMALS

DISEASES OF ANIMALS

The Brucellocis (Berkshire, South-West Oxfordshire, Surrey, etc. Eradication Area) Order 1975

Made - - -	*5th February* 1975
Coming into Operation	*3rd March* 1975

The Minister of Agriculture, Fisheries and Food, in exercise of the powers conferred on him by section 5 of the Diseases of Animals Act 1950(a), as read with the Diseases of Animals (Extension of Definitions) Order 1971(b), and as extended by section 106(3) of the Agriculture Act 1970(c), and of all his other enabling powers, hereby orders as follows:—

Citation and commencement

1. This order may be cited as the Brucellosis (Berkshire, South-West Oxfordshire, Surrey, etc. Eradication Area) Order 1975, and shall come into operation on 3rd March 1975.

Interpretation

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

"the Minister" means the Minister of Agriculture, Fisheries and Food;

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

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

Declaration of brucellosis eradication area

3. The area described in the Schedule hereto, being an area as respects which the Minister is satisfied that a substantial majority of the cattle therein are free from brucellosis, is hereby declared to be an eradication area for purposes connected with the control of brucellosis, and shall be known for such purposes as the Berkshire, South-West Oxfordshire, Surrey, etc. Eradication Area.

(a) 1950 c. 36.
(b) S.I. 1971/531 (1971 I, p. 1530).
(c) 1970 c. 40.
(d) 1889 c. 63.

Restriction on vaccination

4. No cattle shall be vaccinated against brucellosis in the said area, except—

(*a*) by an officer of the Minister or a person acting on the Minister's behalf; or

(*b*) where a licence has been issued for the purpose by a veterinary inspector, and the vaccination is carried out in accordance with the terms and conditions (if any) of the licence.

Application of the Brucellosis (Area Eradication) (England and Wales) Order 1971, as amended

5.—(1) Subject to the following provisions of this Article, the provisions of the Brucellosis (Area Eradication) (England and Wales) Order 1971(a), as amended (b), shall apply to, and have effect in, the Berkshire, South-West Oxfordshire, Surrey, etc. Eradication Area as from 1st November, 1975.

(2) Article 4 (movement of cattle into or through eradication areas or attested areas) and Article 5 (movement of cattle within an eradication area or attested area) of the said order shall not apply to cattle being moved direct to any premises within the area which are for the purposes of this order approved from time to time by a veterinary inspector for the temporary accommodation of cattle immediately before their exportation from Great Britain.

(3) Any such approval as is referred to in paragraph (2) above may be given subject to compliance by the owner or occupier of the premises to which it relates with such conditions as may be specified therein, and may, by notice in writing, be withdrawn or varied at any time, but without prejudice to anything lawfully done pursuant to the approval before such withdrawal or variation took effect.

Offences

6. Any person who vaccinates cattle, or causes or permits cattle to be vaccinated, in contravention of Article 4 of this order, or who fails to comply with a condition of a licence granted thereunder, or with a condition subject to which premises are approved under Article 5 above, commits an offence against the Diseases of Animals Act 1950.

Enforcement

7. This order shall, except where otherwise expressly provided, be enforced by the local authority.

In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 5th February 1975.

(L.S.)

Frederick Peart,

Minister of Agriculture, Fisheries and Food.

(a) S.I. 1971/1717 (1971 III, p. 4673). (b) S.I. 1972/1173 (1972 II, p. 3486).

SCHEDULE

Article 3

THE BERKSHIRE, SOUTH-WEST OXFORDSHIRE, SURREY, ETC. ERADICATION AREA

An area comprising:—

(1) the county of Berkshire (excluding Reading livestock market);

(2) the district of Vale of the White Horse in the county of Oxfordshire;

(3) so much of the district of South Oxfordshire as lies to the west and south of the River Thames;

(4) the county of Surrey;

(5) so much of the county of West Sussex as was transferred to that county from the former administrative county of Surrey by the Local Government Act 1972(a) as read with the Charlwood and Horley Act 1974(b);

(6) the London boroughs of Hammersmith, Kensington and Chelsea, Hounslow, Hillingdon, Ealing, Brent, Harrow, Southwark, Lambeth, Wandsworth, Croydon, Sutton, Merton, Kingston upon Thames and Richmond upon Thames.

EXPLANATORY NOTE

(*This Note is not part of the Order.*)

Under section 5 of the Diseases of Animals Act 1950, the Minister of Agriculture, Fisheries and Food may make orders declaring an area to be an eradication area for purposes connected with the control of any disease of cattle if he is satisfied that a substantial majority of the cattle therein are free from that disease. Under the same section, as extended by section 106(3) of the Agriculture Act 1970, the Minister may make orders imposing such prohibitions or requirements with respect to cattle in eradication areas as he may consider necessary or desirable for the purpose of eradicating brucellosis.

The present order declares a further area in England to be an eradication area, and prohibits the vaccination against brucellosis of cattle in that area, unless undertaken on behalf of the Minister, or under a licence issued by a veterinary inspector employed by him. The area concerned is:—

> the county of Berkshire, together with the south-west part of Oxfordshire, and the county of Surrey, together with a small area of West Sussex and the western and southern parts of Greater London.

The order also provides that the provisions of the Brucellosis (Area Eradication) (England and Wales) Order 1971, as amended, shall come into effect in that area, as from 1st November, 1975.

(a) 1972 c. 70. (b) 1974 c. 11.