
WELSH STATUTORY INSTRUMENTS

2001 No. 2236 (W. 162)

ANIMALS, WALES
ANIMAL HEALTH

**The Foot-and-Mouth Disease
(Amendment) (Wales) (No. 8) Order 2001**

Made - - - - *19th June 2001*

Coming into force - - *20th June 2001*

The National Assembly for Wales and Minister of Agriculture, Fisheries and Food, acting jointly in exercise of the powers conferred on them by sections 1, 8(1), 17(1), and 23 of the Animal Health Act 1981(1) and of all other powers enabling them in that behalf, make the following Order:

Title, application and commencement

1. This Order may be cited as the Foot-and-Mouth Disease (Amendment) (Wales) (No. 8) Order 2001; it applies to Wales and shall come into force on 20th June 2001.

Amendments to the Foot-and-Mouth Disease Order 1983

2.—(1) The Foot-and-Mouth Disease Order 1983 (“the 1983 Order”)(2) in so far as it applies to Wales, is amended in accordance with this article.

(2) For article 24, substitute—

“Animals on common land

24. The owner or person in charge of any animal on common or unenclosed land shall not move the animal from that land except—

- (a) under the authority of a licence issued by the Minister; or
- (b) where instructed to do so by a notice from a veterinary inspector.”.

(1) 1981 c. 22. See section 86(1) for the definitions of “the Ministers” and “the Minister”. Functions of “the Ministers”, so far as exercisable by the Secretary of State for Scotland in relation to Wales, were transferred to the Minister of Agriculture, Fisheries and Food by the Transfer of Functions (Agriculture and Food) Order 1999 (S.I. 1999/3141). Functions of “the Ministers”, so far as exercisable by the Secretary of State for Wales in relation to Wales, were transferred to the National Assembly for Wales by the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672).

(2) S.I. 1983/1950, as amended by S.I. 1993/3119, S.I. 1995/2922 and, as regards Wales, S.I. 2001/572 (W.26), S.I. 2001/658 (W.33), S.I. 2001/968 (W.46), S.I. 2001/1033 (W.47) (itself amended by S.I. 2001/1234 (W.67)), S.I. 2001/1406 (W.93), S.I. 2001/1509 (W.106) and S.I. 2001/1874 (W.134).

(3) For article 27, substitute —

“Shearing or dipping of sheep in an infected area

27.—(1) Subject to paragraph (2) below, no person shall—

- (a) shear or dip sheep or cause sheep to be sheared or dipped; or
- (b) handle fleeces or sheep during shearing or dipping,

except in accordance with the conditions of a licence issued by the Minister.

(2) Paragraph (1) shall not apply to the occupier of any premises or his employee (other than a person employed by him primarily for the purpose of shearing or dipping sheep) in respect of the shearing or dipping of sheep kept on those premises.

(3) For the purposes of this article—

- (a) “shearing” includes clipping and dagging; and
- (b) “dipping” includes showering and jetting sheep with sheep dip.”.

(4) For article 34A, substitute—

“Animals on common land

34A. The owner or person in charge of any animal on common or unenclosed land shall not move the animal from that land except—

- (a) under the authority of a licence issued by the Minister; or
- (b) where instructed to do so by a notice from a veterinary inspector.”.

(5) For article 37C, substitute—

“Shearing or dipping of sheep in a controlled area

37C.—(1) Subject to paragraph (2) below, no person shall —

- (a) shear or dip sheep or cause sheep to be sheared or dipped; or
- (b) handle fleeces or sheep during shearing or dipping,

except in accordance with the conditions of a licence issued by the Minister.

(2) Paragraph (1) shall not apply to the occupier of any premises or his employee (other than a person employed by him primarily for the purpose of shearing or dipping sheep) in respect of the shearing or dipping of sheep kept on those premises.

(3) for the purposes of this article—

- (a) “shearing” includes clipping and dagging; and
- (b) “dipping” includes showering and jetting sheep with sheep dip.”.

Transitional provisions

3. Declaratory Orders made under Part III of the 1983 Order before this Order comes into force, shall have effect so that the provisions of Part III of the 1983 Order as amended by this Order, apply in those areas specified in the Declaratory Orders.

Signed on behalf of the National Assembly for Wales on 19th June 2001

D. Elis Thomas
Presiding Officer

Signed on 19th June 2001

Alun Michael
Minister of State

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Foot-and-Mouth Disease Order 1983 ([S.I. 1983/1950](#)) as it applies to Wales.

Articles 24 and 34A (animals on common land) are replaced so as to provide that the owner or person in charge of any animal on common or unenclosed land shall not move the animal from that land except under the authority of a licence issued by the Minister of Agriculture, Fisheries and Food, or where instructed to do so by a notice issued by a veterinary inspector.

Articles 27 and 37C (shearing and dipping of sheep) are also replaced. The new articles prohibit the shearing or dipping of sheep in an infected or controlled area respectively except in accordance with the conditions of a licence issued by the Minister of Agriculture, Fisheries and Food. The occupier of any premises or his employee may shear or dip sheep kept on those premises. “Shearing” is defined to include clipping and dagging and “dipping” is defined to include the showering and jetting of sheep with sheep dip.

A regulatory appraisal has not been prepared for this Order.