

SCHEDULE

Article 2

Amendment of the Tuberculosis (Wales) Order 2010

1. In article 2, in the appropriate places, insert—
 - ““collection centre” (*“canolfan gasglu”*) means premises used for the intermediate reception of animals intended to be moved elsewhere (but does not include a market or other place used for the sale or trading of animals unless all the animals there are intended for immediate slaughter);”
 - ““deposited map” (*“map a adnewwyd”*) means the map entitled “Wales Regional TB areas” signed on behalf of the Welsh Ministers and dated 23 June 2017(1);”
 - ““high TB area” (*“ardal TB uchel”*) means all the land shaded and identified as “High TB” on the deposited map;”
 - ““intermediate TB area” (*“ardal TB ganolradd”*) means all the land shaded and identified as “Intermediate TB” on the deposited map;”
 - ““licensed finishing unit” (*“uned besgi drwyddedig”*) means a discrete self-contained holding—
 - (a) where all the bovine animals are permanently housed on the unit until they can be moved to slaughter; and
 - (b) which is licensed by an inspector for the fattening and finishing of bovine animals that do not come from restricted herds;”
 - ““low TB area” (*“ardal TB isel”*) means all the land shaded and identified as “Low TB” on the deposited map;”
 - ““post-movement test” (*“prawf ar ôl symud”*) means a skin test carried out in accordance with article 13A;”.
2. In paragraph (3)(b) of article 10 (veterinary inquiry as to the existence of disease)—
 - (a) after “boiled” insert “or pasteurised”; and
 - (b) after “sterilised” insert “if not otherwise discarded;”.
3. In article 11A (biosecurity improvement notice)—
 - (a) in the heading for “improvement” substitute “requirements”; and
 - (b) in paragraph (2) for “(a “biosecurity improvement notice”) (*“hysbysiad gwella bioddiogelwch”*)” substitute “(a “biosecurity requirements notice”) (*“hysbysiad gofynion bioddiogelwch”*)”.
4. In article 12 (tuberculosis testing), after paragraph (2)(d) insert—
 - “(e) the on-farm slaughter and subsequent removal of that animal;”.
5. In article 13 (pre-movement testing)—
 - (a) for paragraph 2(c) substitute—
 - “(c) any movements specified in Schedule 2; and”; and
 - (b) for paragraph (3) substitute—
 - “(3) For the purposes of paragraph (1)(a)—
 - (a) the 60 day period begins on the day after tuberculin is injected into the animal; and

(1) The map is deposited and available for inspection at the Office of the Chief Veterinary Officer for Wales, Welsh Government, Cathays Park, Cardiff, CF10 3NQ. A copy of the map can be accessed at www.gov.wales/bovinetb.

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

- (b) the skin test cannot be one applied to an animal subject to a notice served under article 16 (isolation and prohibition on movement of animals) unless approved by the Welsh Ministers.”

6. After article 13 (pre-movement testing) insert—

“Post-movement testing

13A.—(1) There are three tuberculosis areas in Wales, which are the—

- (a) low TB area;
- (b) intermediate TB area;
- (c) high TB area.

(2) When a bovine animal is moved into the low TB area from a herd located in—

- (a) the intermediate TB area;
- (b) the high TB area;
- (c) England; or
- (d) Northern Ireland,

the keeper who receives the animal must arrange for a post-movement test to be undertaken on it by an approved veterinary surgeon no fewer than 60 days, but no more than 120 days, after the date of arrival at the receiving premises.

(3) Paragraph (2) does not apply to—

- (a) bovine animals that are slaughtered within 120 days of arrival at the receiving premises;
- (b) the movement of a bovine animal to a place for veterinary treatment provided that it is returned direct to its premises of origin after the treatment, or is killed or goes direct to slaughter;
- (c) any movements specified in Schedule 3; and
- (d) any movement that is approved by the Welsh Ministers.

(4) Where a bovine animal is required to have a post-movement test under paragraph (2), no person may move that animal from the receiving premises until the skin test has been completed with a negative result unless the move is—

- (a) directly (or via a slaughter gathering) to slaughter;
- (b) to an approved finishing unit; or
- (c) made under the authority of a movement licence issued by an inspector.

(5) Where a bovine animal is required to have a post-movement test, but remains untested after 120 days since arrival at the receiving premises—

- (a) the test will be treated by the Welsh Ministers as overdue; and
- (b) an inspector must impose movement restrictions on all bovine animals on the premises until the overdue post-movement test has been completed with negative results.

(6) The post-movement test must be arranged with an approved veterinary surgeon at the expense of the keeper of the bovine animal unless a test for tuberculosis has been instructed by the Welsh Ministers in accordance with article 12(1) to take place within the period mentioned in paragraph (2).”

7. In article 26 (compensation for bovine animals slaughtered for tuberculosis)—

- (a) in paragraph (1) for “the Schedule” substitute “Schedule 1”; and
 - (b) in paragraph (3) for “the Schedule” substitute “Schedule 1”.
- 8.** In the Schedule (calculation of the value of a bovine animal slaughtered for tuberculosis), in the heading to the Schedule, for “Schedule” substitute “Schedule 1”.
- 9.** In paragraph 1 (calculation) of the Schedule (calculation of the value of a bovine animal slaughtered for tuberculosis)—
- (a) in sub-paragraph (1) for “£15,000” substitute “£5,000, unless SV is greater than £5,000,”; and
 - (b) after sub-paragraph (1) insert—
 - “(1A) Where a bovine animal is not identified by means of eartags and a cattle passport in accordance with the requirements of the Cattle Identification (Wales) Regulations 2007, C is £1.”
- 10.** In paragraph 3 (failure to comply with a notice) of the Schedule (calculation of the value of a bovine animal slaughtered for tuberculosis)—
- (a) in sub-paragraph (1)(a)(iii) for “improvement” substitute “requirements”; and
 - (b) in sub-paragraph (2)(e) for “improvement” substitute “requirements”.
- 11.** After Schedule 1 insert—