WELSH STATUTORY INSTRUMENTS

2002 No. 2061 (W.210)

ANIMALS, WALES

ANIMAL HEALTH

The Disease Control (Interim Measures) (Wales) (Amendment No. 3) Order 2002

Made - - - -	*31st July 2002*
Coming into force - -	*1st August 2002*

The National Assembly for Wales and the Secretary of State, acting jointly in exercise of the powers conferred on them under sections 1, 7, 8(1) and 87(2) of the Animal Health Act 1981(**1**), make the following Order:

Title, application and commencement

1. This Order may be cited as the Disease Control (Interim Measures) (Wales) (Amendment No. 3) Order 2002; it applies to Wales and shall come into force on 1st August 2002.

Amendment of the Disease Control (Interim Measures) (Wales) Order 2002

2.—(1) The Disease Control (Interim Measures) (Wales) Order 2002(**2**) shall be amended in accordance with the following provisions of this article.

(2) In article 2—

(a) for the definition of "animals" there shall be substituted the following definition—

> ""animals" means cattle (excluding bison and yak), deer, goats, sheep and swine;"; and

(b) the definition of "camelid" shall be revoked.

(3) In article 3(2(b)—

(a) for paragraph (ix) there shall be substituted the following paragraph—

(**1**) 1981 c. 22. In relation to Wales, the functions conferred under the 1981 Act on "the Ministers" (as defined in section 86 of that Act) were transferred, so far as exercisable by the Secretary of State for Wales, to the National Assembly for Wales by the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672). In so far as such functions were exercisable by the Secretary of State for Scotland in relation to Wales, they were transferred to the Minister of Agriculture, Fisheries and Food by the Transfer of Functions (Agriculture and Food) Order 1999 (S.I. 1999/3141) and were then further transferred to the Secretary of State by the Ministry of Agriculture, Fisheries and Food (Dissolution) Order 2002 (S.I. 2002/794).

(**2**) S.I. 2002/280 (W.32) as amended by S.I. 2002/1038 (W.110) and S.I. 2002/1356 (W.132).

"(ix) of an animal to a show or exhibition from premises to which it has been moved from another show or exhibition, providing that no other animal has been moved onto those premises (or other premises in the same sole occupancy group) during the period of 20 days before the day on which the first mentioned animal is to be moved;";

(b) for paragraph (xiv) there shall be substituted the following paragraph—

"(xiv) of an animal between land over which the owner or keeper of the animal has a registered right of common and—

(aa) premises occupied by the owner or keeper of the animal and in relation to which the registered right of common is customarily exercised; or

(bb) premises occupied by any other person who has a registered right of common over that land and in relation to which the registered right of common is customarily exercised;";

(c) after paragraph (xiv) there shall be inserted the following paragraph—

"(xivA) of an animal between premises occupied by the owner or keeper of the animal and in relation to which a registered right of common over land is customarily exercised and premises occupied by any other person who has a registered right of common over that land and in relation to which the registered right of common of that other person is customarily exercised;";

(d) paragraph (xv) shall be revoked;

(e) in paragraph (xvii) the word "camelids" shall be deleted; and

(f) in paragraph (xviii)—

(i) for the words "of a bull or ram or a goat, camelid or deer of either sex" there shall be substituted the words "of a bull or ram or a goat or deer of either sex"; and

(ii) sub-paragraph (dd) shall be revoked.

(4) In article 3(3)—

(a) in sub-paragraph (c) for the words "a bull or a deer or camelid of either sex" there shall be substituted the words "a bull or a deer of either sex";

(b) paragraph (c)(iii) shall be revoked;

(c) sub-paragraphs (f) and (k) shall be revoked; and

(d) in sub-paragraph (o) the word "camelids" shall be deleted.

(5) In article 3 after paragraph (4A) there shall be added the following paragraph—

"(4B) The requirements set out in paragraph (1) above shall not apply to the movement of animals to or from zoos licensed under the Zoo Licensing Act 1981(**3**);"

(6) Articles 5, 6 and 14 shall be deleted.

(**3**) 1981 c. 37.