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STATUTORY INSTRUMENTS

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**2023 No. 867**

**ANIMALS, ENGLAND**

**ANIMAL HEALTH**

**The Tuberculosis in Animals  
(England) (Amendment) Order 2023**

*Made* - - - - *25th July 2023*

*Coming into force* - - *1st August 2023*

The Secretary of State makes this Order in exercise of the powers conferred by sections 1, 8(1), 15(4) and 25 of the Animal Health Act 1981<sup>(1)</sup> and now vested in the Secretary of State<sup>(2)</sup>.

**Citation, commencement and extent**

1.—(1) This Order may be cited as the Tuberculosis in Animals (England) (Amendment) Order 2023 and comes into force on 1st August 2023.

(2) This Order extends to England and Wales.

**Amendment of the Tuberculosis in Animals (England) Order 2021**

2.—(1) The Tuberculosis in Animals (England) Order 2021<sup>(3)</sup> is amended as follows.

(2) In article 2 (interpretation), in paragraph (1)—

(a) for the definition of “post-movement test” substitute—

““post-movement skin test” means a skin test carried out in accordance with article 20;”;

(b) in the appropriate place, insert—

““specified area” means any of the counties or civil parishes listed in Schedule 3;”.

(3) In article 5 (notification of suspected disease)—

(a) after paragraph (1) insert—

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(1) 1981 c. 22.

(2) Section 86(1) contains a definition of “the Ministers”. Functions conferred under the Act were transferred, so far as exercisable by the Secretaries of State for Scotland and Wales, to the Minister of Agriculture, Fisheries and Food by [S.I. 1999/3141](#). Functions of the Minister of Agriculture, Fisheries and Food were then transferred to the Secretary of State by [S.I. 2002/794](#).

(3) [S.I. 2021/1001](#).

- “(1A) A person, other than the keeper, who is making a notification under paragraph (1) must also notify the keeper of their suspicion.”;
- (b) in paragraph (2)—
- (i) after “has” insert “either”;
  - (ii) after “paragraph (1)” insert “or received a notification under paragraph (1A)”.
- (4) In article 20 (post-movement testing)—
- (a) for the heading to article 20, substitute “Post-movement skin testing”;
  - (b) for paragraph (1) substitute—
    - “(1) When a bovine animal is moved into either—
      - (a) the low-risk area from another part of England or from Wales; or
      - (b) the specified area from—
        - (i) another part of England, apart from the low-risk area, or
        - (ii) Wales,    - the keeper who receives the animal must arrange and pay for a post-movement skin test to be applied to that animal 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.”;
  - (c) in paragraph (2)—
    - (i) in sub-paragraph (b), for “inside the low-risk area, or are returning to the low-risk area” substitute “into the low-risk area or the specified area or returned to those areas”;
    - (ii) for sub-paragraphs (c) and (d) substitute—
      - “(c) moved to a show in the low-risk area or the specified area or returned to those areas from a show elsewhere provided—
        - (i) immediately after the show they are returned directly to their premises of origin, or are killed or go directly to slaughter; and
        - (ii) they were not housed on the showground, and were not otherwise on the showground for more than 24 hours;”;
      - (iii) in sub-paragraph (e), after paragraph (iv) insert—
        - “(v) an approved finishing unit; or
        - (vi) an exempt finishing unit.”;
    - (d) in paragraph (4), for sub-paragraphs (b) and (c) substitute—
      - “(b) directly to a licensed finishing unit;
      - (c) directly (or via an exempt market) to an approved finishing unit or an exempt finishing unit; or
      - (d) made under the authority of a licence issued by an inspector.”;
    - (e) in paragraph (5)(b), for “post-movement test” substitute “post-movement skin test”.

(5) In article 21(7) (exempt markets), for “exempt or approved finishing unit” substitute “exempt finishing unit or approved finishing unit”.

(6) After Schedule 2 insert the Schedule set out in the Schedule to this Order.

25th July 2023

*Benyon*  
Minister of State  
Department for Environment, Food and Rural  
Affairs

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SCHEDULE

Article 2(6)

Insertion of Schedule in the Tuberculosis in Animals (England) Order 2021

“SCHEDULE 3

Article 2(1)

Specified Area

The specified area is comprised of the following counties and civil parishes—

**PART 1**

**Counties**

Buckinghamshire  
East Sussex  
Leicestershire  
Northamptonshire  
Nottinghamshire

**PART 2**

**Civil parishes in the county of Berkshire**

Bisham  
Bray  
Cookham  
Hurley  
Maidenhead  
Remenham  
Shottesbrooke  
White Waltham  
Winkfield  
Reading  
Shinfield  
Grazeley  
Christchurch  
Windsor  
Old Windsor  
Sunningdale  
Sunninghill  
Arborfield and Newland  
Barkham

Binfield  
Crowthorne  
Earley  
Finchampstead  
Winnersh  
Ruscombe  
St Nicholas Hurst  
Sandhurst  
Sonning  
Twyford  
Waltham St. Lawrence  
Warfield  
Wargrave  
Wokingham  
Wokingham Without  
Woodley  
Bracknell  
Charvil  
Britwell  
Datchet  
Eton  
Horton  
Slough  
Wraysbury  
Cox Green  
Wexham Court  
Colnbrook with Poyle

**Civil parishes in the county of Derbyshire**

Pilsley  
Blackwell  
Morton  
Pinxton  
South Normanton  
Tibshelf  
Abney & Abney Grange  
Baslow & Bubnell  
Calver  
Curbar  
Eyam

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Froggatt  
Grindlow  
Hathersage  
Hazlebadge  
Highlow  
Little Hucklow  
Offerton  
Outseats  
Pilsley  
Stoney Middleton  
Aston  
Bamford  
Bradwell  
Brough and Shatton  
Castleton  
Chinley, Buxworth and Brownside  
Derwent  
Edale  
Whaley Bridge  
Hayfield  
Hope  
Hope Woodlands  
New Mills  
Thornhill  
Old Bolsover  
Brimington  
Staveley  
Ault Hucknall  
Barlow  
Brampton  
Calow  
Chesterfield  
Glapwell  
Grassmoor, Hasland and Winswick  
Heath and Holmewood  
North Wingfield  
Pleasley  
Scarcliffe  
Shirebrook  
Sutton cum Duckmanton

Temple Normanton  
Tupton  
Holymoorside and Walton  
Breaston  
Draycott and Church Wilne  
Hopwell  
Long Eaton  
Ockbrook  
Risley  
Shardlow and Great Wilne  
Barlborough  
Clowne  
Dronfield  
Eckington  
Elmton  
Holmesfield  
Killamarsh  
Unstone  
Whitwell  
Charlesworth  
Chisworth  
Glossop  
Ilkeston  
Sandiacre  
Stanton by Dale  
Coton In The Elms  
Lullington  
Netherseal  
Overseal  
Chatsworth  
Chapel En Le Frith  
Tintwistle  
Grindleford  
Aldercar and Langley Mill  
Ironville

**Civil parishes in the county of Hampshire**

Wield  
Alton  
Bentley

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Bentworth  
Binsted  
Chawton  
East Tisted  
Farringdon  
Froyle  
Grayscott  
Headley  
Kingsley  
Lasham  
Medstead  
Newton Valence  
Selborne  
Shalden  
Worldham  
Barton Stacey  
Bullington  
Chilbolton  
Goodworth Clatford  
Leckford  
Longstock  
Nether Wallop  
Stockbridge  
Upper Clatford  
Wherwell  
Old Basing  
Cliddesden  
Dummer  
Ellisfield  
Farleigh Wallop  
Herriard  
Mapledurwell and Up Nately  
Newnham  
Tunworth  
Upton Grey  
Weston Corbett  
Winslade  
Bradley  
Popham  
Preston Candover



Bishops Waltham  
Corhampton and Meonstoke  
Curdridge  
Droxford  
Durley  
Exton  
Hambledon  
Shedfield  
Soberton  
Swanmore  
Upham  
Warnford  
West Meon  
Botley  
Fair Oak and Horton Heath  
Hedge End  
Otterbourne  
Bursledon  
Chilworth  
Eastleigh  
Hamble-Le-Rice  
Hound  
West End  
Gosport District  
Boarhunt  
Fareham  
Havant District  
City Of Portsmouth  
Southwick and Widley  
Wickham  
Boldre  
Brockenhurst  
East Boldre  
Lymington and Pennington  
Sway  
Beaulieu  
Bramshaw  
Copythorne  
Denny Lodge  
Hythe and Dibden

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Totton and Eling  
Exbury and Lepe  
Fawley  
Lyndhurst  
Marchwood  
Minstead  
Netley Marsh  
Rushmoor District  
Bramshill  
Crandall  
Dogmersfield  
Eversley  
Fleet  
Greywell  
Hartley Wintney  
Blackwater and Hawley  
Heckfield  
Long Sutton  
Mattingley  
Odiham  
Rotherwick  
South Warnborough  
Winchfield  
Yateley  
Bramshott and Liphook  
Buriton  
Clanfield  
Colemore and Priors Dean  
Eastmeon  
Froxfield  
Greatham  
Hawkley  
Langrish  
Liss  
Petersfield  
Steep  
Breamore  
West Tisted  
Burley  
Bransgore

Damerham  
Ellingham Harbridge and Ibsley  
Fordingbridge  
Hale  
Martin  
Ringwood  
Rockbourne  
Sopley  
Whitsbury  
Woodgreen  
Ampfield  
Bossington  
Broughton  
Buckholt  
East Dean  
East Tytherley  
Houghton  
Kings Somborne  
Lockerley  
Michelmersh  
Mottisfont  
North Baddesley  
Nursling and Rownhams  
Melchet Park and Plaitford  
Romsey Extra  
Romsey  
Sherfield English  
West Tytherley  
Wellow  
City Of Southampton  
Ashley  
Beauworth  
Bighton  
Bishops Sutton  
Bramdean  
Candovers  
Cheriton  
Chilcomb  
Compton and Shawford  
Crawley

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Headbourne Worthy  
Hursley  
Itchen Stoke and Ovington  
Kilmiston  
Kings Worthy  
Little Somborne  
Littleton and Harestock  
Micheldever  
New Alresford  
Northington  
Old Alresford  
Owslebury  
Ropley  
Sparsholt  
Tichborne  
Twyford  
West Tisted  
Winchester  
Wonston  
Colden Common  
Four Marks  
Itchen Valley  
Denmead  
Horndean  
Rowlands Castle  
Hook  
Weston Patrick  
Whitehill  
Frenchmoor  
Braishfield  
Crookham Village  
Olivers Battery  
Lindford  
Awbridge  
South Wonston  
Ashurst and Colbury  
Badger Farm  
Hyde  
Hordle  
Milford-On-Sea

Nutley  
Sandleheath  
New Milton  
Stroud”

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### EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order amends the Tuberculosis in Animals (England) Order 2021 (S.I. 2021/1001) (“the Principal Order”) to—

- (a) impose an obligation on a person who makes a notification of the suspicion of tuberculosis under article 5(1) of the Principal Order, if that person is not the keeper of the animal, to notify the keeper of their suspicion (*article 2(3)*);
- (b) impose an obligation on the keeper who receives a bovine animal in a specified area (as defined) to arrange a post-movement skin test (*article 2(2), (4) and (6)*);
- (c) provide that a post-movement skin test is not required where a bovine animal moves directly to an approved finishing unit or an exempt finishing unit (*article 2(4)*);
- (d) provide that a bovine animal can be moved to an exempt finishing unit in addition to the movements already permitted under article 20(4) of the Principal Order, pending the results of a post-skin movement test being available (*article 2(5)*).

A full impact assessment of the effect that this instrument will have on the costs of business, the voluntary sector and the public sector is available online at <https://consult.defra.gov.uk/bovine-tb-2020/eradication-of-btb-england> and is also available from the Department for Environment, Food and Rural Affairs at Seacole Building, 2 Marsham Street, London SW1P 4DF.