

SCHEDULE

Article 2

AMENDMENTS TO THE BLUETONGUE (WALES) ORDER 2003

1. In article 2 in the definition of “Chief Veterinary Officer” (“*Prif Swyddog Milfeddygol*”) substitute for the words “of the Department for Environment, Food and Rural Affairs” the words “appointed by the Welsh Ministers”.

2. Omit article 8(2)(c).

3. In paragraph 9(1)(d) replace “.” at the end of the subparagraph with “;” and insert new subparagraph (e) as follows—

“(e) require the slaughter of any animal which is affected by disease or which he or she suspects may be affected by disease or have been exposed to infection.”

4. For articles 10, 11 and 12 substitute—

“Measures when disease is confirmed

10.—(1) On confirmation by the Chief Veterinary Officer of bluetongue on premises in Wales, the Welsh Ministers must declare an area to be a control zone.

(2) A control zone declared under paragraph (1) must—

- (a) be centred on the outbreak point; and
- (b) subject to paragraphs (3) and (4), have a radius of 20 kilometres.

(3) Where this article requires the Welsh Ministers to declare a control zone and the area of that zone would include land in England, they must declare a zone of such part of that area as is in Wales.

(4) The Welsh Ministers may extend or reduce the area of a control zone having regard to such—

- (a) epidemiological;
- (b) geographical;
- (c) ecological; or
- (d) meteorological,

factors as they consider relevant.

(5) No person may move an animal to or from premises in a control zone, except in accordance with a licence granted by an inspector.

(6) An inspector may only grant a licence under paragraph (5) in respect of a movement which is permitted under the Commission Decision.

(7) The terms and conditions of such a licence must be such as to ensure that the movement is made in accordance with the Commission Decision.

(8) In this article—

- (a) “the Commission Decision” means Commission Decision [2005/393/EC](#) on protection and surveillance zones in relation to bluetongue and conditions applying to movements from or through these zones, as amended from time to time; and
- (b) “the outbreak point” means the part of the infected premises from which the Welsh Ministers consider the control zone should be measured.

Status: This is the original version (as it was originally made).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

Restrictions in protection and surveillance zones

11.—(1) On confirmation by the Chief Veterinary Officer of bluetongue on premises in Wales—

- (a) the Welsh Ministers—
 - (i) must declare an area to be a protection zone, and
 - (ii) may declare an area to be a surveillance zone; and
- (b) paragraphs (2) to (5) apply to such zones.

(2) No person may move an animal out of the protection zone or the surveillance zone, except in accordance with a licence granted by an inspector.

(3) An inspector may only grant a licence under paragraph (2) in respect of a movement which is permitted under the Commission Decision.

(4) The terms and conditions of such a licence shall be such as to ensure that the movement is made in accordance with the Commission Decision.

(5) Where a protection zone or a surveillance zone would cover an area which includes land in England, the Welsh Ministers must declare a protection zone and may declare a surveillance zone of such part of the area as is in Wales.

(6) In this article, “the Commission Decision” has the same meaning as it has in article 10.

Powers of inspectors and officers in protection and surveillance zones

12.—(1) Where a protection zone or a surveillance zone has been declared under article 11, veterinary inspectors and officers authorised by the Welsh Ministers have the powers they have under article 9 in respect of premises within the protection zone or the surveillance zone.

- (2) A veterinary inspector may also—
 - (a) require the occupier of premises in a protection zone or the keeper of any animal on such premises to allow the vaccination of any animal kept there; and
 - (b) require the occupier or keeper—
 - (i) to retain animals for use as sentinel animals, or
 - (ii) to allow the introduction of sentinel animals onto those premises.

Disease in England, Scotland and Northern Ireland

12A. On confirmation by the Chief Veterinary Officer of bluetongue on premises in England, Scotland or Northern Ireland, the Welsh Ministers may declare an area to be a control zone, a protection zone or a surveillance zone in Wales.

Declarations of zones

12B. Declarations of control zones, protection zones and surveillance zones under articles 10, 11 or 12A—

- (a) must be in writing;
- (b) may be amended by further declaration at any time;
- (c) must designate the extent of the zone being declared; and
- (d) may only be revoked by further declaration.”.

5. For article 14 substitute——

“General duties of occupiers and keepers

14.—(1) Unless otherwise authorised by a licence issued by an inspector or by the Welsh Ministers, an occupier of premises to which this Order applies and a keeper of any animal on such premises must—

- (a) comply with requirements in notices served on him or her;
- (b) allow an inspector to enter premises referred to in notices served upon him or her;
- (c) compile and maintain such records as an inspector may reasonably require and produce such records to an inspector on request;
- (d) refrain from damaging, interfering with or removing any traps set for the collection of vectors;
- (e) refrain from defacing, obliterating or removing any mark made by a veterinary inspector under article 9; and
- (f) provide such reasonable assistance and information as an inspector may reasonably require for the purpose of carrying out his or her functions under this Order.”;