

Status: Point in time view as at 13/06/1991.

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SCHEDULES

SCHEDULE 1

Section 5(2).

REGULATION OF MANUFACTURE OF AND OTHER MATTERS CONNECTED WITH VETERINARY THERAPEUTIC SUBSTANCES

Substances to which this Schedule applies

- 1 (1) Subject to the provisions of sub-paragraph (2) below, this Schedule applies—
- (a) to the therapeutic substances specified in paragraph 5 below; and
 - (b) to any other therapeutic substances capable of being used for veterinary purposes which may from time to time be added to that paragraph as being substances the purity or potency of which cannot be adequately tested by chemical means.
- (2) In the case of any substance mentioned in sub-paragraph (1) above which is a substance to which the ^{M1}Therapeutic Substances Act 1956 applies, this Schedule applies to that substance in so far only as the substance is excluded from the operation of that Act, as being intended to be used solely for veterinary purposes, by regulations made under that Act.

Marginal Citations

M1 1956 c. 25.

Power to make orders as to substances to which this Schedule applies

- 2 (1) The Ministers may make orders for the following purposes—
- (a) for adding to paragraph 5 below any therapeutic substance capable of being used for veterinary purposes, the purity or potency of which cannot be adequately tested by chemical means;
 - (b) for prohibiting, except under a licence for the purpose issued by the appropriate Minister and in accordance with any conditions subject to which the licence is issued, the manufacture for sale or the importation into Great Britain of any such substance to which this Schedule applies as may be specified in the order;
 - (c) for prescribing the standard of strength, quality and purity of any substance in respect of which an order made for the purpose last mentioned is in force;
 - (d) for prescribing the tests to be used for determining whether the standard prescribed as mentioned above has been attained;
 - (e) for prescribing units of standardisation;
 - (f) for prescribing the form of licences and of applications for them, and of notices to be given in connection with them;
 - (g) for prescribing the conditions subject to which licences may be issued, including, in the case of a licence to manufacture conditions that the

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manufacture shall be carried on only upon the premises specified in the licence and that the licensee shall allow any inspector authorised by the Minister in that behalf to enter any premises where the manufacture is carried on, and to inspect the premises and plant and the process of manufacture and the means employed for standardising and testing the manufactured substance and to take samples of it;

(h) for prescribing any other matter which under this Schedule is to be prescribed.

(2) The Ministers may make orders as respects any such substance to which this Schedule applies as may be specified in the order—

(a) requiring that, if advertised or sold as a proprietary medicine or contained in such medicine, such accepted scientific name or name descriptive of the true nature or origin of the substance as may be prescribed shall appear on the label;

(b) requiring that the date of the manufacture shall be stated in the prescribed manner on all vessels or other packages in which the substance is sold or offered for sale, and prohibiting the sale of the substance after the expiry of the prescribed period from the date of manufacture;

(c) prohibiting the sale or the offering for sale or the importation of the substance otherwise than in a vessel or other container of such character as may be prescribed, and requiring that the prescribed label or other description shall be affixed to such vessel or container.

Licences to manufacture

3 (1) The following provisions shall have effect with respect to licences to manufacture for sale a substance the manufacture of which otherwise than under a licence is prohibited by an order—

(a) the licence shall be issued subject to such conditions as may be prescribed, may extend to all such substances or to such one or more of them as may be specified in the licence, shall continue in force for such period as may be prescribed, but may from time to time be renewed for a like period;

(b) an applicant for a licence or the renewal of a licence must satisfy the appropriate Minister that the conditions under which the substance is to be manufactured by him and the premises in which it is to be manufactured are such as to comply with any order in force for the purposes of paragraph 2 above, and an applicant who so satisfies the appropriate Minister shall be entitled to the grant or renewal of the licence;

(c) the appropriate Minister may revoke a licence or suspend it for such period as he thinks fit, if in his opinion the licensee has failed to comply with the conditions subject to which the licence was issued or with any such order as is mentioned above as to the prescribed standards of strength, quality and purity, and such revocation or suspension may apply to all the substances to which the licence extends or to some one or more of them.

(2) A person who is aggrieved by the revocation or suspension of his licence may, subject to rules of court, appeal to the court, whose decision shall be final.

(3) Nothing in any order prohibiting or regulating the manufacture for sale of any substance to which this Schedule applies shall apply to the preparation by a registered veterinary surgeon or practitioner—

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- (a) for the treatment of any animal under his care, or
 - (b) for and at the request of another such surgeon or practitioner,
- of any such substance, if it is specially prepared with reference to the condition and for the treatment of an individual animal or bird.

(4) In this paragraph—

“the court” means, as respects England and Wales, the High Court and, as respects Scotland, the Court of Session, and

“registered” means, in relation to a veterinary surgeon, registered in pursuance of the ^{M2}Veterinary Surgeons Act 1966 in the register of veterinary surgeons and, in relation to a veterinary practitioner registered in pursuance of that Act in the Supplementary Veterinary Register.

Marginal Citations

M2 1966 c. 36.

Licences to import

- 4 The issue of a licence to import a substance the importation of which otherwise than under a licence is prohibited by an order shall be subject to such conditions, including conditions as to the strength, quality and purity of the substance and as to the suspension or revocation of the licence, as may be prescribed.

Therapeutic substances to which this Schedule applies

- 5 The therapeutic substances mentioned in paragraph 1(1)(a) above are—
- (1) The substances commonly known as vaccines, sera, toxins, antitoxins and antigens.
 - (2) The substance commonly known as salvarsan (Dioxydiamino-arseno-benzol-dihydrochloride), and analogous substances used for the specific treatment of infective disease.
 - (3) Extract of the pituitary body.

Offences under this Schedule

- 6 A person who—
- (a) contravenes or fails to comply with any condition subject to which any such licence as is mentioned in this Schedule is issued,
 - (b) sells or offers for sale or has in his possession for sale any substance to which this Schedule applies knowing it to have been manufactured or imported in contravention of an order in force for any of the purposes of paragraph 2 above,
 - (c) contravenes or fails to comply with the provisions of any such order as is mentioned above,

is liable on summary conviction to a fine not exceeding [^{F1}level 3 on the standard scale] or in the case of a second or subsequent conviction, to such a fine or to imprisonment for a term not exceeding 2 months, and in either case to forfeit any goods in connection with which the offence was committed, and without prejudice,

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if the offender is the holder of a licence, to the power of the appropriate Minister to revoke or suspend the licence.

Textual Amendments

- F1** Words substituted by virtue of (E.W.) [Criminal Justice Act 1982 \(c. 48, SIF 39:1\)](#), **ss. 38, 46** and (S.) [Criminal Procedure \(Scotland\) Act 1975 \(c. 21, SIF 39:1\)](#), **ss. 289F, 289G**

Modifications etc. (not altering text)

- C1** [Sch. 1 para. 6: Criminal Justice Act 1982 \(c. 48, SIF 39:1\)](#), **ss. 35** (in relation to liability on first and subsequent convictions) applies (E.W.)
- C2** [Sch. 1 para. 6: Criminal Procedure \(Scotland\) Act 1975 \(c. 21, SIF 39:1\)](#), **s. 289E** (as inserted by [Criminal Justice Act 1982 \(c. 48, SIF 39:1\)](#), **s. 54** (in relation to liability on first and subsequent convictions), applies (S.)

SCHEDULE 2

Section 10.

SPECIFIC MATTERS WITH RESPECT TO WHICH PROVISION MAY BE MADE IN ORDERS UNDER SECTION 10

- 1 The conditions to be observed before, during and after importation.
- 2 Exemptions from provisions of the order by means of licences, whether general or specific and whether conditional or unconditional, issued in accordance with the order.
- 3 The prohibition of the importation of animals or other things save at such ports, aerodromes and other places of entry as may be designated.
- 4 Landing and quarantine of animals and other things.

VALID FROM 21/07/1998

- [^{F2}4A The premises at which animals and other things are to be kept in quarantine in pursuance of the order and the welfare of the animals kept in such premises.]

Textual Amendments

- F2** [Sch. 2 para. 4A](#) inserted (21.7.1998) by [1998 c. 13, ss. 1, 2\(2\)](#)

- 5 Seizure, detention and treatment of animals and other things.
- 6 Slaughter of animals and destruction of other things.
- 7 Cleansing and disinfection.
- 8 Marking, testing and use of animals and other things.
- 9 Movement of persons and of animals and other things.
- 10 Recovery of costs.
- 11 Inspection.

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- 12 Entitlement to compensation and the determination, subject to the Treasury's approval, of the amount of compensation payable in any case.

VALID FROM 14/01/2003

[^{F3}SCHEDULE 2A

SPECIFIED DISEASES

Textual Amendments

F3 Sch. 2A inserted (E. W.) (14.1.2003) by 2002 c. 42, s. 12(2); S.I. 2002/3044, art. 2

Foot-and-mouth disease
Swine vesicular disease
Peste des petits ruminants
Lumpy skin disease
Bluetongue
African horse sickness
Classical swine fever
Newcastle disease
Vesicular stomatitis
Rinderpest
Contagious bovine pleuropneumonia
Rift Valley fever
Sheep pox and goat pox
African swine fever
Highly pathogenic avian influenza.]

SCHEDULE 3

Section 31.

POWER TO SLAUGHTER IN RELATION TO CERTAIN DISEASES

Cattle plague

- 1 (1) The Minister shall cause to be slaughtered all animals affected with cattle plague.
- (2) Where an animal is or has been in the same shed, stable, herd or flock as, or in contact with, an animal affected with cattle plague, the Minister may, if he is satisfied that the slaughter of the animal is necessary for preventing the spreading of cattle plague, cause the animal to be slaughtered.
- (3) The Minister may, if he thinks fit, in any case cause to be slaughtered—
- (a) any animals suspected of being affected with cattle plague, or being in a place infected with cattle plague;

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- (b) any animals being in such parts of an area infected with cattle plague as are not comprised in a place infected with cattle plague (but in this last-mentioned case subject to such regulations as the Treasury by statutory instrument think fit to make).
- (4) The Minister shall for animals slaughtered under this paragraph pay compensation as follows—
- (a) where the animal slaughtered was affected with cattle plague, the compensation shall be one half of its value immediately before it became so affected, but so that the compensation does not in any such case exceed £20; and
 - (b) in every other case the compensation shall be the value of the animal immediately before it was slaughtered, but so that the compensation does not in any case exceed £40.

Pleuro-pneumonia

- 2
- (1) The Minister shall cause to be slaughtered all cattle affected with pleuro-pneumonia.
 - (2) The Minister may, if he thinks fit, in any case cause to be slaughtered—
 - (a) any cattle suspected of being affected with pleuro-pneumonia; and
 - (b) any cattle which are or which have been in the same field, shed, or other place, or in the same herd or otherwise in contact with cattle affected with pleuro-pneumonia, or which appear to the Minister to have been in any way exposed to the infection of pleuro-pneumonia.
 - (3) The Minister shall for cattle slaughtered under this paragraph pay compensation as follows—
 - (a) where the animal slaughtered was affected with pleuro-pneumonia, the compensation shall be three-fourths of the value of the animal immediately before it became so affected, but so that the compensation does not in any such case exceed £30; and
 - (b) in every other case the compensation shall be the value of the animal immediately before it was slaughtered, but so that the compensation does not in any case exceed £40.
 - (4) Where the Minister has decided that any head of cattle is to be slaughtered under this paragraph, the Minister shall, if the owner of such head of cattle by notice in writing so requires cause the same to be slaughtered within 21 days after the receipt of the notice.

Foot-and-mouth disease

- 3
- (1) The Minister may, if he thinks fit, in any case cause to be slaughtered—
 - (a) any animals affected with foot-and-mouth disease, or suspected of being so affected; and
 - (b) any animals which are or have been in the same field, shed, or other place, or in the same herd or flock, or otherwise in contact with animals affected with foot-and-mouth disease, or which appear to the Minister to have been in any way exposed to the infection of foot-and-mouth disease.

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- (2) The Minister shall for animals slaughtered under this paragraph pay compensation as follows—
- (a) where the animal slaughtered was affected with foot-and-mouth disease the compensation shall be the value of the animal immediately before it became so affected;
 - (b) in every other case the compensation shall be the value of the animal immediately before it was slaughtered.

Swine-fever

- 4 (1) The Minister may, if he thinks fit, in any case cause to be slaughtered—
- (a) any swine affected with swine-fever, or suspected of being so affected; and
 - (b) any swine which are or have been in the same field, pig-sty, shed, or other place, or in the same herd, or otherwise in contact with swine affected with swine-fever, or which appear to the Minister to have been in any way exposed to the infection of swine-fever.
- (2) The Minister shall for animals slaughtered under this paragraph pay compensation as follows—
- (a) where the animal slaughtered was affected with swine-fever, the compensation shall be one half of the value of the animal immediately before it became so affected;
 - (b) in every other case the compensation shall be the value of the animal immediately before it was slaughtered.

Diseases of poultry

- 5 (1) The Minister may, if he thinks fit, cause to be slaughtered—
- (a) any diseased or suspected poultry; or
 - (b) any poultry which are or have been in the same field, pen, shed or other place as, or otherwise in contact with, diseased poultry or which appear to the Minister to have been in any way exposed to the infection of disease.
- (2) The Minister shall for poultry, other than diseased poultry, slaughtered under this paragraph pay compensation, which shall be the value of the bird immediately before it was slaughtered.
- (3) The Minister may by order prescribe the payment of compensation in accordance with a scale approved by the Treasury for diseased poultry slaughtered under this paragraph, being poultry affected with any disease other than fowl pest in any of its forms, including Newcastle disease and fowl plague.

SCHEDULE 4

Section 38(2).

ADDITIONAL PROVISIONS AS TO FOOD AND WATER AT RAILWAY STATIONS

- 1 The food and water, or either of them, provided under section 38(2) above shall be supplied to the animal by the body carrying the animal on the request—
- (a) of the consignor; or
 - (b) of any person in charge of the animal.

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- 2 As regards water, if, in the case of any animal, such a request is not made, so that the animal remains without a supply of water for 24 consecutive hours—
 - (a) the consignor and the person in charge of the animal shall each be guilty of an offence against this Act; and
 - (b) it shall lie on the person charged to prove such a request and the time within which the animal had a supply of water.
- 3 The Ministers may, if they think fit, by order prescribe any other period, not less than 12 hours instead of the period of 24 hours mentioned above, either generally, or in respect of any particular kind of animals.
- 4 The body supplying food or water under section 38(2) may make in respect of that supply such reasonable charges (if any) as the Ministers by order approve, in addition to such charges as they are for the time being authorised to make in respect of the carriage of animals.
- 5 The amount of those additional charges accrued due in respect of any animal shall be a debt from the consignor and from the consignee of the animal to the body concerned, and shall be recoverable by the body concerned, with costs, by proceedings in any court of competent jurisdiction.
- 6 The body concerned shall have a lien for the amount of that debt on the animal in respect of which the debt accrued due, and on any other animal at any time consigned by or to the same consignor or consignee to be carried by that body.

^{X1}SCHEDULE 5

Section 96

CONSEQUENTIAL AMENDMENTS

Editorial Information

X1 The text of Schedule 5 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and, except as specified, does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

1 **F4**

Textual Amendments

F4 Sch. 5 para. 1 repealed by [Wildlife and Countryside Act 1981 \(c. 69, SIF 4:5\)](#), [Sch. 17 Pt. II](#)

^{F5M3}*Food and Drugs Act 1955*

Textual Amendments

F5 Sch. 5 para. 2 repealed (E.W.) by [Food Act 1984 \(c. 30, SIF 53:1\)](#), [Sch. 11](#)

Marginal Citations

M3 [1955 c. 16. \(4 & 5 Eliz. 2.\)](#)

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- 2 In section 100(6) of the Food and Drugs Act 1955 for “Diseases of Animals Act 1950” substitute “ Animal Health Act 1981 ”.]

^{M4}Food and Drugs (Scotland) Act 1956

Marginal Citations

M4 1956 c. 30.

- 3 In section 36(6) of the Food and Drugs (Scotland) Act 1956 for “Diseases of Animals Act 1950” substitute “ Animal Health Act 1981 ”.

^{M5}Agriculture (Miscellaneous Provisions) Act 1963

Marginal Citations

M5 1963 c. 11.

- 4 In section 16(3) of the Agriculture (Miscellaneous Provisions) Act 1963 for “either of the preceding subsections” substitute “ the preceding subsection ”, and omit the words—
- (a) “the Minister to whom the fee was paid or, as the case may be,” ; and
 - (b) “he or”.

^{M6}London Government Act 1963

Marginal Citations

M6 1963 c. 33.

- 5 In section 54(3) of the London Government Act 1963 for “Diseases of Animals Act 1950” substitute “ Animal Health Act 1981 ”.

^{M7}Animal Boarding Establishments Act 1963

Marginal Citations

M7 1963 c. 43.

- 6 In paragraph (b) of the proviso to section 5(1) of the Animal Boarding Establishments Act 1963 for “Diseases of Animals Act 1950” substitute “ Animal Health Act 1981 ”.

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M⁸ Agriculture Act 1967

Marginal Citations

M8 1967 c. 22.

- 7 In section 13(5) of the Agriculture Act 1967 for “Diseases of Animals Act 1950” substitute “ Animal Health Act 1981 ”.

M⁹ Agriculture (Miscellaneous Provisions) Act 1968

Marginal Citations

M9 1968 c. 34.

- 8 In section 8(2) of the Agriculture (Miscellaneous Provisions) Act 1968—
- (a) for “section 59 of the Diseases of Animals Act 1950” substitute “ section 50 of the Animal Health Act 1981 ” and
 - (b) for “in subsection (2) the words from ‘and shall’ onwards were omitted” substitute “ paragraph (b)(ii) were omitted from subsection (2) ”.

M¹⁰ Transport Act 1968

Marginal Citations

M10 1968 c. 73

- 9 In paragraph 7(2)(b) of Schedule 16 to the Transport Act 1968 for “section 22 of the Diseases of Animals Act 1950” substitute “ section 38(2) of and Schedule 4 to the Animal Health Act 1981 ”.

M¹¹ Agriculture Act 1970

Marginal Citations

M11 1970 c. 40.

- 10 In section 106(6) of the Agriculture Act 1970 for “Diseases of Animals Act 1950” substitute “ Animal Health Act 1981 ”.

M¹² Slaughterhouses Act 1974

Marginal Citations

M12 1974 c. 3.

- 11 In the Slaughterhouses Act 1974—

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- (a) in section 20(5) for “Diseases of Animals Act 1950” substitute “Animal Health Act 1981” ;
- (b) in section 35 for “Diseases of Animals Act 1950” substitute “Animal Health Act 1981” ;
- (c) in paragraph (b) of section 38(2), and in section 39(2), for “Diseases of Animals Act 1950” substitute “Animal Health Act 1981” ;
- (d) in paragraph (d) of section 40(3) for “section 20 of the Diseases of Animals Act 1950” substitute “paragraphs (a) and (b) of section 7(1), paragraphs (b) to (e) of section 8(1), section 25 and section 37(1) of the Animal Health Act 1981” ;
- (e) in section 42(3) for “Diseases of Animals Act 1950” substitute “Animal Health Act 1981”.

M13 Slaughter of Animals (Scotland) Act 1980

Marginal Citations

M13 1980 c. 13.

- 12 In the Slaughter of Animals (Scotland) Act 1980—
- (a) in section 13(4) and 15(1) for “Diseases of Animals Act 1950” substitute “ Animal Health Act 1981 ” ;
 - (b) in paragraph (e) of section 16(4) for “section 20 of the Diseases of Animals Act 1950” substitute “ paragraphs (a) and (b) of section 7(1), paragraphs (b) to (e) of section 8(1), section 25 and section 37(1) of the Animal Health Act 1981 ”.

^{X2}SCHEDULE 6

Section 96.

REPEALS

Editorial Information

X2 The text of s. 96 and Schedule 6 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

Chapter	Short title	Extent of repeal
25 & 26 Geo. 5. c. 31.	Diseases of Animals Act 1935.	The whole Act.
14 Geo. 6. c. 36.	Diseases of Animals Act 1950.	The whole Act.
2 & 3 Eliz. 2. c. 39.	Agriculture (Miscellaneous Provisions) Act 1954.	Section 11. Schedule 2.

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4 & 5 Eliz. 2. c. 46.	Administration of Justice Act 1956.	Section 49(2).
10 & 11 Eliz. 2. c. 46.	Transport Act 1962.	In Part I of Schedule 2, the entry relating to the Diseases of Animals Act 1950.
1963 c. 11.	Agriculture (Miscellaneous Provisions) Act 1963.	Sections 13 and 14. Section 16(1). In section 16(3), the words— (a) “the Minister to whom the fee was paid or, as the case maybe,” ; and (b) “he or”.
1963 c. 33.	London Government Act 1963.	In section 54(4), the words “The Diseases of Animals Act 1950”. In Part I of Schedule 13, paragraph 1.
1967 c. 22.	Agriculture Act 1967.	Section 66.
1967 c. 80.	Criminal Justice Act 1967.	In Part I of Schedule 3, the entry relating to the Diseases of Animals Act 1950.
1968 c. 67.	Medicines Act 1968.	In Schedule 6, the entry relating to Part II of and Schedule 3 to the Diseases of Animals Act 1950.
1969 c. 28.	Ponies Act 1969.	The whole Act.
1970 c. 40.	Agriculture Act 1970.	Section 105(2) to (5). Section 106(3).
1971 c. 23.	Courts Act 1971.	In Part I of Schedule 9, the entry relating to the Diseases of Animals Act 1950.
1972 c. 62.	Agriculture (Miscellaneous Provisions) Act 1972.	Sections 1 to 3.
1972 c. 68.	European Communities Act 1972.	In Schedule 4, paragraph 7.
1973 c. 65.	Local Government (Scotland) Act 1973.	Section 144(1), (2).
1974 c. 7.	Local Government Act 1974.	In Schedule 6, paragraph 7.
1974 c. 17.	Rabies Act 1974.	The whole Act.
1975 c. 40.	Diseases of Animals Act 1975.	The whole Act.

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1976 c. 55.	Agriculture (Miscellaneous Provisions) Act 1976.	Sections 8 to 10. In Schedule 3, the reference to the Diseases of Animals Act 1950.
1976 c. 63.	Bail Act 1976.	In Schedule 2, paragraph 13.
1977 c. 45.	Criminal Law Act 1977.	Section 55(1) to (3).
1979 c. 2.	Customs and Excise Management Act 1979.	In Part I of the Table of textual amendments in paragraph 12 of Schedule 4, the entry relating to the Diseases of Animals Act 1950.

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