

1987 No. 1808

ANIMALS

ANIMAL HEALTH

The Export of Sheep (Prohibition) (No. 2) Order 1987

Made - - - - - *18th October 1987*

Coming into force *19th October 1987*

The Minister of Agriculture, Fisheries and Food, in exercise of the power conferred by section 11 of the Animal Health Act 1981(a) and of all other powers enabling him in that behalf, hereby makes the following Order: -

Title and commencement

1. This Order may be cited as the Export of Sheep (Prohibition) (No. 2) Order 1987 and shall come into force on 19th October 1987.

Prohibition of export of sheep

2.—(1) No person shall export from Great Britain to a member State any sheep to which this Order applies.

(2) Subject to paragraphs (3) and (4) below, this Order applies to any sheep which -

(a) was moved from a place situated in an area which is a designated area for the purposes of Part I of the Food and Environment Protection Act 1985(b) by virtue of -

(i) article 3 of the Food Protection (Emergency Prohibitions) (England) (No. 2) Order 1986(c);

(ii) article 3 of the Food Protection (Emergency Prohibitions) (Wales) (No. 4) Order 1987(d);

(iii) article 3 of the Food Protection (Emergency Prohibitions) Order 1987(e) and of the Food Protection (Emergency Prohibitions) (No. 2) Order 1987(f); or

(iv) article 3 of the Food Protection (Emergency Prohibitions) Order (Northern Ireland) 1987(g),

in accordance with the terms of a consent under section 2(1) of that Act (consent to the doings of things prohibited by an emergency order under section 1 of that Act) which required that the sheep to which it applies should be marked in a manner specified therein; or

(a) 1981 c.22. (b) 1985 c.48. (c) S.I. 1986/1689 amended by S.I.s 1986/2208, 1987/153, 249, 906, 1555 and 1687. (d) S.I. 1987/1638 amended by S.I. 1987/1682. (e) S.I. 1987/1165 amended by S.I.s 1987/1567 and 1696. (f) S.I. 1987/1450 amended by S.I.s 1987/1568 and 1697. (g) S.R. 1987/367.

- (b) was moved from such an area in contravention of a prohibition on its movement imposed by an order made under section 1(1) of that Act (which empowers the making of emergency orders) which applied to that sheep at the time it was moved.
- (3) This Order applies to a sheep only for so long as the area from which it has been moved remains a designated area for the purposes of any of the orders referred to in paragraph (2)(a) above.
- (4) Paragraph (2)(a) above shall not apply in the case of –
- (a) any sheep which has been examined and marked with an ear-tag by a person authorised in that behalf by the appropriate Minister or the Department of Agriculture for Northern Ireland; or
 - (b) any sheep which was marked with a blue mark or with an apricot mark as a condition of the granting of a consent under section 2(1) of that Act to its removal from a designated area given on or before 21st December 1986 or 26th July 1987 respectively.

Enforcement

3. This Order shall be executed and enforced by local authorities.

Revocation

4. The Export of Sheep (Prohibition) Order 1987(a) and the Export of Sheep (Prohibition) (Amendment) Order 1987(b) are hereby revoked.

In witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food was hereunto affixed on 18th October 1987.



John MacGregor
Minister of Agriculture, Fisheries and Food

(a) S.I. 1987/211. (b) S.I. 1987/248.

EXPLANATORY NOTE

(This note is not part of the Order)

The Orders mentioned in article 2(2) ("emergency orders") among other things designate areas which have been affected by an accident at a nuclear reactor at Chernobyl in the USSR ("designated areas").

This Order (which revokes and re-enacts the Export of Sheep (Prohibition) Order 1987 as amended) prohibits the export from Great Britain to a member State of the European Communities of sheep moved from a place in such a designated area in the circumstances described in article 2. The principal changes are that the present Order includes within its scope designated areas in Northern Ireland, but does not apply in the case of sheep which were marked with an apricot mark on or before 26th July 1987 as a condition of the granting of a consent under section 2(1) of the Food and Environment Protection Act 1985 to its removal from a designated area (article 2(2) and 2(4)(b)).

Export of a sheep is prohibited only for so long as the area from which it is was moved continues to be a designated area. The prohibition extends to sheep which have been moved in accordance with a Ministerial consent which required that the sheep to which it applies should be marked in a specified manner and to sheep which have been moved in contravention of a restriction, but it does not apply to those sheep which have been examined and subsequently marked with an ear-tag by an officer authorised by the Minister of Agriculture, Fisheries and Food or the Secretary of State for Scotland or Wales or the Department of Agriculture for Northern Ireland, or which were marked with a blue mark or with an apricot mark as a condition of the granting of a consent referred to in the preceding paragraph given on or before 21st December 1986 or 26th July 1987 respectively.