

2023 No. 1253

ANIMALS, ENGLAND

ANIMAL HEALTH

FOOD, ENGLAND

**The African Swine Fever (Import Controls) (Amendment)
(England) Order 2023**

<i>Made</i>	- - - -	<i>22nd November 2023</i>
<i>Laid before Parliament</i>		<i>23rd November 2023</i>
<i>Coming into force</i>	- -	<i>14th December 2023</i>

The Secretary of State makes this Order in exercise of the powers conferred by section 10 of the Animal Health Act 1981(a).

Citation, commencement, extent and application

1.—(1) This Order—

- (a) may be cited as the African Swine Fever (Import Controls) (Amendment) (England) Order 2023; and
- (b) comes into force on 14th December 2023.

(2) This Order extends to England and Wales, but applies in relation to England only.

Amendment of the African Swine Fever (Import Controls) (England and Scotland) Order 2022

2.—(1) The African Swine Fever (Import Controls) (England and Scotland) Order 2022(b) is amended as follows.

(2) After article 4 (exclusions from requirements for porcine products), insert—

(a) 1981 c. 22; section 10 was amended by S.I. 1990/2371 and 1993/1813. Functions conferred under the 1981 Act on “the Ministers” (as defined in section 86 of that Act) are now exercisable by the Secretary of State in relation to England. The functions were transferred to the Minister of Agriculture, Fisheries and Food by S.I. 1999/3141 and were then further transferred to the Secretary of State by S.I. 2002/794.

(b) S.I. 2022/926.

“Enforcement in relation to porcine products entering through the Channel Tunnel

5.—(1) For the purposes of enforcing this Order under the Trade in Animals and Related Products Regulations 2011(a), in relation to entry or exit into or out of the tunnel system, the enforcement authority is the district council of Dover as designated under article 2 of the Dover Port Health Authority Order 1978(b).

(2) In this article, “tunnel system” has the meaning described in section 1(7) of the Channel Tunnel Act 1987(c).”.

Benyon

Minister of State

22nd November 2023

Department for Environment, Food and Rural Affairs

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the African Swine Fever (Import Controls) (England and Scotland) Order 2022 (S.I. 2022/926) (“the ASF Order”) to make provision for enforcement of the ASF Order under the Trade in Animals and Related Products Regulations 2011 (S.I. 2011/1197). Article 2 inserts a new article 5 into the ASF Order specifying that the district council of Dover as port health authority is responsible for enforcement in relation to porcine products entering England through the Channel Tunnel. The Order applies in relation to England only.

An impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public sector is foreseen.

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(a) S.I. 2011/1197 which was amended by S.I. 2012/2897, 2013/2996, 2014/3158, 2018/575, 1037, 2019/526, 782, 1225, 1488, 2020/109, 1462, 1631, 2021/429, 443, 453, 809, 1096, 1443, 2022/1315 and 1322.

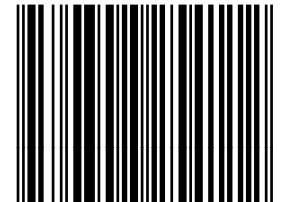
(b) S.I. 1978/819. Article 2 provides that the district council of Dover is the port health authority for the district of the Port of Dover.

(c) 1987 c. 53.

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