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WELSH STATUTORY INSTRUMENTS

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**2024 No. 753**

**The Bovine Viral Diarrhoea (Wales) Order 2024**

**PART 1**

**Preliminary**

**Title, application and coming into force**

- 1.—(1) The title of this Order is the Bovine Viral Diarrhoea (Wales) Order 2024.
- (2) This Order applies in relation to Wales.
- (3) This article and articles 2 to 34 and articles 42 to 48 come into force on 1 July 2024.
- (4) Articles 35 to 41 come into force on 1 July 2025.

**Interpretation**

**2. In this Order—**

- “the Act” (“*y Ddeddf*”) means the Animal Health Act 1981;
- “approved laboratory” (“*labordy cymeradwy*”) means a laboratory approved by the Welsh Ministers in accordance with article 8;
- “approved veterinary surgeon” (“*milfeddyg cymeradwy*”) means a veterinary surgeon approved by the Welsh Ministers in accordance with article 7;
- “bovine animal” (“*anifail buchol*”) means a domestic animal of the genus *Bos* or the species *Bubalus bubalis* or *Bison bison*;
- “bovine herd” (“*buches*”) means a group of two or more bovine animals;
- “BVD” (“*BVD*”) means bovine viral diarrhoea;
- “BVDV” (“*feirws BVD*”) means BVD virus;
- “calf” (“*llo*”) means a bovine animal aged 18 months or less;
- “collective BVD status” (“*statws BVD ar y cyd*”) means the BVD status of a bovine herd as determined in accordance with article 20;
- “CPH number” (“*rhif CPH*”) means the county parish holding number assigned to a holding or part of a holding by the Welsh Ministers;
- “holding” (“*daliad*”) means a holding or part of a holding to which a CPH number has been assigned;
- “individual BVD status” (“*statws BVD unigol*”) means the BVD status of an individual bovine animal as determined in accordance with article 19;
- “inspector” (“*arolgydd*”) has the same meaning as in section 89 of the Act;
- “keeper” (“*ceidwad*”) means the person who is in day-to-day charge of a bovine animal, and that person remains the keeper where the animal is placed temporarily in the control of another person (including where it is placed in the control of a transporter);

“management tag” (“*tag rheoli*”) means an ear tag, other than an official ear tag, which is suitable to be applied to a bovine animal for the purpose of taking a sample of tissue;

“official ear tag” (“*tag clust swyddogol*”) means an ear tag applied under the Cattle Identification (Wales) Regulations 2007<sup>(1)</sup>;

“official ear tag number” (“*rhif tag clust swyddogol*”) means the number which is printed on an official ear tag;

“premises” (“*mangre*”) means any land, building or vehicle, of any description;

“veterinary inspector” (“*arolydd milfeddygol*”) has the same meaning as in section 89 of the Act;

“working day” (“*diwrnod gwaith*”) means a day which is not a Saturday, Sunday or a day specified as a bank holiday in paragraph 1 of Schedule 1 of the Banking and Financial Dealings Act 1971<sup>(2)</sup>.

### **Extension of the definition of “disease”**

3. The definition of “disease” in section 88(1) of the Act is extended to include BVD.

### **Notices and other instruments**

4.—(1) Any notice, licence or approval given by the Welsh Ministers or an inspector under this Order—

- (a) must be given in writing,
- (b) may be made subject to conditions, and
- (c) unless otherwise specified, may be amended, suspended or revoked in writing at any time.

(2) Where anything under this Order is to be done in writing, that includes an electronic communication as defined in section 15(1) of the Electronic Communications Act 2000<sup>(3)</sup>, which has been recorded and is consequently capable of being reproduced.

(3) Any person moving a bovine animal under the authority of a licence granted under this Order must—

- (a) keep the licence or a copy on their person at all times during the movement,
- (b) produce the licence or a copy when requested by a veterinary inspector, an inspector or an officer of the Welsh Government, and allow a copy to be taken, and
- (c) keep the licence or a copy for the period of 6 months after the movement is completed.

### **Compliance with this Order**

5.—(1) Any sampling by a previous keeper for the purposes of compliance with the obligations of a keeper under this Order may, if the current keeper so elects, be relied upon by the current keeper for the purposes of determining compliance by the current keeper with the obligations in this Order.

(2) Any obligation under this Order on a keeper to take or submit a sample may, if the keeper so elects, be fulfilled by the keeper arranging for another person to take or submit the sample on the keeper’s behalf.

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(1) S.I. 2007/842 (W. 74), as amended by S.I. 2019/92 (W. 24).

(2) 1971 c. 80.

(3) 2000 c. 7. Amended by the Communications Act 2003 (c. 21).

### **Costs of compliance**

6. Unless the Welsh Ministers direct otherwise in writing, the costs incurred by any person taking any action required, or in refraining from taking action that is prohibited, by or under this Order must be met by that person.