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## STATUTORY INSTRUMENTS

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# 1981 No. 1115

## The Diseases of Animals (Northern Ireland) Order 1981

### PART II

#### DISEASES OF ANIMALS AND POULTRY

##### *Importation, etc.*

##### **Orders prohibiting import of animals, etc.**

24.—(1) For the purpose of preventing the introduction of disease into Northern Ireland, the Department may, whenever it deems it expedient so to do, by order—

- (a) prohibit or regulate the importation of—
  - (i) animals, poultry, carcasses and eggs and
  - (ii) other things, whether animate or inanimate, by or by means of which it appears to the Department that any disease might be carried or transmitted,
- (b) provide for exemptions from any such prohibition by means of the grant of licences<sup>[F1]</sup> subject to such conditions as maybe specified in the licences].

[<sup>F1</sup>(1A) An order under paragraph (1) may apply, with or without modifications, any of the provisions of Schedule 3 (slaughter and quarantine) to imported animals and poultry.]

(2) An order under paragraph (1) which is expressed to be made for the purpose of preventing the introduction of rabies into Northern Ireland may include provision for the destruction in Northern Ireland, by such persons as may be prescribed by the order, of animals in respect of which the order or any licence granted under it is contravened.

- (3) Whenever the Department is not satisfied, having regard to—
  - (a) the sanitary conditions of animals or any specified kind of animals in, or imported from, any country or any specified part of any country; and
  - (b) the laws made by that country for the regulation of the importation and exportation of animals, and for the prevention of the introduction or spreading of disease; and
  - (c) the administration of such laws,

that the circumstances are such as to afford reasonable security against the importation from that country of animals affected with disease, the Department shall prohibit the importation of animals from that country.

(4) This Article shall apply to the importation in an aircraft of animals and other things not landed from the aircraft as it applies in relation to their landing from an aircraft.

(5) If an animal or other thing is imported in an aircraft in contravention of an order made under this Article, then (without prejudice to the liability of any other person under Article 52 (1) and (4) the person for the time being having possession and control of the aircraft, as owner, hirer or otherwise, shall be guilty of an offence against this Order.

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**F1** 1984 NI 2

*Arts. 25#28 rep. by 1984 NI 2*

### **Regulation of ports, aerodromes, landing places and imported animals, poultry, etc.**

**29.**—(1) <sup>F2</sup> . . . the Department may make such orders as it thinks fit, generally for the [<sup>F2</sup> better] execution of this Order in relation to, or for the purpose of, in any manner preventing the introduction or spreading of disease by—

- (a) imported animals and carcasses; and
- (b) other imported things, whether animate or inanimate, by or by means of which it appears to the Department that any disease might be carried or transmitted; and
- (c) persons, animals, poultry and other things, whether animate or inanimate, which have been or may have been in contact with such imported animals, carcasses or other things.

(2) Without prejudice to the generality of paragraph (1), an order made under that paragraph may—

- (a) prescribe—
  - (i) the ports, aerodromes and landing places at which alone imported animals may be landed;
  - (ii) the aerodromes which alone may be used by aircraft carrying imported animals;
- (b) define the limits of landing places for the purposes of this Order;
- (c) permit the detention on board any vessel, hovercraft, aircraft or vehicle of any other description of any consignment the landing of which would contravene an order of the Department;
- (d) permit the export of any such consignment or the export, treatment or destruction of any other consignment which has been landed in contravention of an order of the Department;
- (e) prohibit or regulate the movement of animals into, within, or out of a landing place and provide for exemptions from any such prohibition by means of the grant of licences [<sup>F3</sup> subject to such conditions as maybe specified in the licences];
- (f) prescribe and regulate the inspection and examination and the mode, time and conditions of slaughter, of animals in a landing place;
- (g) prescribe and regulate the disposal of animals not being imported animals, and being in a landing place;
- (h) regulate the removal of carcasses or other things, whether animate or inanimate, into, within, or out of a landing place, and the disposal of these things, when likely to introduce or spread disease;
- (i) prescribe and regulate the cleansing and disinfection of a landing place;
- (j) prescribe and regulate the disinfection or destruction of things being in, or removed out of, [<sup>F4</sup> a port, aerodrome or landing place];
- (k) regulate the movement of persons into, within, or out of a landing place;
- (l) prescribe and regulate the disinfection of the clothes of persons employed or being in a landing place, and the use of precautions against the introduction or spreading by them of disease;
- (m) prescribe and regulate the [<sup>F5</sup> seizure, detention and disposal] of any imported animal, carcass or other things, whether animate or inanimate <sup>F6</sup> . . . ;

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- (n) require imported animals, whether as a condition of landing or otherwise, to be marked by tagging or in any other manner;
- (o) provide for the application to imported animals of any test for disease or of any treatment for disease.

<b>F2</b>	1994 NI 6
<b>F3</b>	1984 NI 2
<b>F4</b>	Words in art. 29(2)(j) substituted (12.3.2010) by Diseases of Animals Act (Northern Ireland) 2010 (c. 1), ss. 18(2)(a), 22(1); S.R. 2010/70, art. 2
<b>F5</b>	Words in art. 29(2)(m) substituted (12.3.2010) by Diseases of Animals Act (Northern Ireland) 2010 (c. 1), ss. 18(2)(b)(i), 22(1); S.R. 2010/70, art. 2
<b>F6</b>	Words in art. 29(2)(m) repealed (12.3.2010) by Diseases of Animals Act (Northern Ireland) 2010 (c. 1), ss. 18(2)(b)(ii), 21(2), 22(1), Sch. 3; S.R. 2010/70, art. 2

### Orders prohibiting import of poultry and eggs

30.—(1) For the purpose of<sup>F7</sup> in any manner] preventing contagious disease in poultry, the Department may, by order—

- (a) prohibit or regulate the importation of poultry or eggs;
- (b) authorise the destruction of imported eggs;
- (c) provide for exemptions from any such prohibitions by means of the grant of licences<sup>F8</sup> subject to such conditions as maybe specified in the licences];
- (d) apply and modify such of the provisions of Article 29 as appear to the Department to be necessary or expedient for the purposes of this Article.

(2) Without prejudice to paragraph (1), an order made under this Article authorising the destruction of imported eggs may provide that compensation shall not be payable where the eggs carried disease or infection at the time of landing or came from the same source as eggs found to carry disease or infection.

(3) An order under paragraph (1) may—

- (a) apply, to poultry any of the provisions of Schedule 3 or otherwise that does not so apply;
- (b) apply, with or without modifications, to imported eggs and their destruction any of the provisions of Part II of Schedule 3 relating to animals and their slaughter that does not so apply;
- (c) modify any of the provisions of Schedule 3 which does not apply as mentioned in sub-paragraph (a) and (b).

<b>F7</b>	1994 NI 6
<b>F8</b>	1984 NI 2

### Compensation not payable for animals temporarily in Northern Ireland for quarantine purposes

31. Notwithstanding any other provision of this Order, no compensation shall be payable under this Order in respect of any imported animal which enters Northern Ireland for quarantine purposes in the course of transit to any place out of Northern Ireland.

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## Export of animals and poultry

32. The Department, in the interests of animal health or of human health, may by order—
- (a) regulate the exportation from Northern Ireland <sup>F9</sup> . . . of animals or poultry or carcasses of animals or poultry, and, in particular, prohibit exportation without such certificate or licence as may be prescribed by the order; and
  - (b) make provisions as to the circumstances in which, and the conditions on which, a certificate or licence may be obtained.

**F9** Words in art. 32(a) repealed (12.3.2010) by Diseases of Animals Act (Northern Ireland) 2010 (c. 1), ss. 16, 21(2), 22(1), **Sch. 3**; S.R. 2010/70, **art. 2**

**Changes to legislation:**

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**Changes and effects yet to be applied to :**

- Instrument am (pt prosp) by [S.I. 1994/1891 \(N.I.\) arts.19-23](#)
- Instrument rep in pt by [S.I. 1994/1891 \(N.I.\) art.24\(1\)Sch](#)