

1995 No. 82

ANIMALS

**Specified Diseases (Notification and Movement Restrictions)
(Amendment) Order (Northern Ireland) 1995**

Made 9th March 1995

Coming into operation 3rd April 1995

The Department of Agriculture, in exercise of the powers conferred on it by Articles 2(3), 5(1), 10(6), 12(1), 14, 19(e), (f) and (k) and 60(1) of the Diseases of Animals (Northern Ireland) Order 1981(a) and of every other power enabling it in that behalf, hereby makes the following Order:

Citation and commencement

1. This Order may be cited as the Specified Diseases (Notification and Movement Restrictions) (Amendment) Order (Northern Ireland) 1995 and shall come into operation on 3rd April 1995.

Amendment of the Specified Diseases (Notification and Movement Restrictions) Order (Northern Ireland) 1991

2. The Specified Diseases (Notification and Movement Restrictions) Order (Northern Ireland) 1991(b) shall be amended as provided in Articles 3 to 8.

3. In Article 2 (Interpretation)—

(a) in the definition of “carcase” after the word “animal” wherever it occurs there shall be inserted “or bird”;

(b) after the definition of “Divisional Veterinary Officer” there shall be inserted the following definition—

“ “holding” means any establishment, construction or place where animals or poultry are held, kept or handled;”;

(c) for the definition of “specified disease” there shall be substituted—

“ “specified disease” means a disease specified in column 2 of Schedule 1 when it affects such animals or poultry as are specified in column 3 of Schedule 1 opposite the reference to such a disease;”;

(d) after the definition of “suspected” there shall be added the following definition—

(a) S.I. 1981/1115 (N.I. 22) as amended by S.I. 1984/702 (N.I. 2) Art. 17 and S.I. 1994/1891 (N.I. 6) Arts. 19, 20 and 23
 (b) S.R. 1991 No. 455 as amended by S.R. 1994 No. 130

“ “the 1981 Order” means the Diseases of Animals (Northern Ireland) Order 1981.”.

4. After Article 2 there shall be inserted the following Article—

“Extension of definitions of animals and poultry

2A. For the purposes of the 1981 Order in its application to this Order:—

- (a) the list of animals in Part I of Schedule 1 to the 1981 Order is hereby extended so as to comprise—
 - (i) any kind of mammal except man; and
 - (ii) any kind of four-footed beast which is not a mammal; and
- (b) the list of poultry in Part II of Schedule 1 to the 1981 Order is hereby extended so as to comprise birds of any kind.”.

5. For Article 3 (Notice of specified disease) there shall be substituted the following Article—

“Notice of specified disease

3.—(1) Subject to paragraph (3), a person who has in his possession or under his charge an affected or suspected animal, bird or carcase, a veterinary surgeon or other person who, in the course of his duties, examines or inspects such an animal, bird or carcase and any person who, following an analysis by him of any sample taken from an animal, bird or carcase has reasonable grounds for supposing that the animal, bird or carcase is affected, shall, with all practicable speed, give notice of the fact—

- (a) to an inspector;
- (b) to the Divisional Veterinary Officer; or
- (c) to any member of the Royal Ulster Constabulary.

(2) An inspector, if he is not a veterinary inspector, or a member of the Royal Ulster Constabulary who receives notice under paragraph (1) shall immediately inform a veterinary inspector of the fact.

(3) This Article shall not apply to an animal, bird or carcase affected or suspected of being affected with spongiform encephalopathy.”.

6. After Article 3 there shall be inserted the following Article—

“Notice of spongiform encephalopathy

3A.—(1) Subject to paragraph (4), a person who, in the course of a laboratory examination of the carcase of any bird, or of any animal other than a bovine animal, sheep or goat, suspects the presence of spongiform encephalopathy shall, with all practicable speed, give notice of the fact in accordance with Article 3(1).

(2) A person shall not remove the sample and the remainder of the carcase in respect of which notice has been given under paragraph (1), from the laboratory where they were examined except under the authority of a licence issued by the Department and in accordance with any conditions subject to which the licence is issued.

(3) A person shall, if so required by the Department, supply the Department with any samples in respect of which notice has been given under paragraph (1).

(4) This Article shall not apply to any spongiform encephalopathy which has been deliberately introduced into an animal, a bird, a carcase, or a sample in a laboratory.”

7. After Article 6 (Cleansing and disinfection) there shall be inserted the following Articles—

“Declaration of infected area

6A.—(1) If the Department has reasonable grounds for suspecting that a specified disease exists within Northern Ireland or within such part of the Republic of Ireland as may entail the risk of the introduction or spread of that disease into Northern Ireland, it may by notice in writing declare Northern Ireland or such area therein as may be specified in the notice to be an infected area.

(2) A notice given under paragraph (1) shall—

(a) be published in the Belfast Gazette;

(b) specify the date on which it shall come into force;

(c) remain in force until such date as may be specified therein or until revoked by a further notice published in like manner; and

(d) prescribe the description of animals or poultry in respect of which the provisions of Article 6B shall apply.

(3) Subject to paragraph (4) any premises partly within an infected area shall be deemed to be wholly within an infected area.

(4) Nothing in paragraph (3) shall deem any area outside Northern Ireland to be within an infected area.

Restriction on movement of animals, poultry, undressed carcases and dung

6B.—(1) A person shall not move or cause or permit to be moved any animal or bird of such description as may be prescribed by a notice given under Article 6A, any undressed carcase of such animal or bird or any dung—

(a) into or out of any area declared in accordance with Article 6A to be an infected area;

(b) from any holding in an infected area to any other holding in that area; or

(c) by public road, rail, water or air within an infected area, except under the authority of a licence issued by the Department and in accordance with any conditions subject to which the licence is issued.

(2) Paragraph (1) shall not apply to the trans-shipment of any animal, bird, undressed carcase or dung through an infected area where that trans-shipment takes place without loading or unloading or stopping at any holding within that area.

(3) A licence issued under paragraph (1) may be either a general licence or a specific licence.

(4) A general licence shall be issued by the Department by publication of the provisions thereof in the Belfast Gazette.

(5) An application for a specific licence shall be made in writing and shall contain such particulars as the Department may require.

(6) The Department may vary, revoke or suspend any licence issued under paragraph (1)—

(a) in the case of a general licence, by a notice published in the Belfast Gazette; or

(b) in the case of a specific licence, by a notice in writing sent to the person to whom it was issued.

(7) The Department may vary, revoke or suspend a general licence insofar as it applies to any particular person by notice in writing sent to that person.

Isolation of animals and poultry within an infected area

6C.—(1) The Department may, by notice in writing require any person to cause any animal or bird within an infected area to be isolated in such place, within any premises and subject to such conditions as may be specified in that notice.

(2) A notice given under paragraph (1) shall remain in force until such date as may be specified therein or until revoked by a further notice in writing.”.

8.—(1) In Articles 4 and 5 and Schedule 2 after the word “animal” wherever it occurs, there shall be inserted “bird”.

(2) In Article 4(2)(a) and Schedule 2 after the word “animals” wherever it occurs, there shall be inserted “poultry”.

(3) For Schedule 1 there shall be substituted the Schedule to this Order.

Revocations

9. The following Orders are hereby revoked—

(a) the Cattle Plague (Ireland) Order of 1900(a);

(b) the Pleuro-Pneumonia (Ireland) Order of 1900(b);

(c) the Sheep Pox (Ireland) Order of 1900(c);

(d) the Specified Diseases (Notification and Movement Restrictions) (Amendment) Order (Northern Ireland) 1994(d).

(a) S.R. & O. (Ireland) 1901 No. 7 (1904, p. 706)

(b) S.R. & O. (Ireland) 1901 No. 8 (1904, p. 706)

(c) S.R. & O. (Ireland) 1901 No. 10 (1904, p. 706)

(d) S.R. 1994 No. 130

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Animals

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Sealed with the Official Seal of the Department of Agriculture on 9th
March 1995.

(L.S.)

I. C. Henderson

Assistant Secretary

“SCHEDULE 1

Specified Diseases

<i>Item</i> (1)	<i>Disease</i> (2)	<i>Animal</i> (3)
1	African horse sickness	All animals
2	Blue tongue	All animals
3	Brucellosis	All animals except bovine animals
4	Contagious agalactia	All animals
5	Contagious pleuro-pneumonia	All animals
6	Epizootic haemorrhagic disease	All animals
7	Goat pox	All animals
8	Lumpy skin disease	All animals
9	Peste des petits ruminants	All animals
10	Rift valley fever	All animals
11	Rinderpest	All animals
12	Scrapie	All animals
13	Sheep pox	All animals
14	Spongiform encephalopathy	Poultry and all animals except bovine animals, sheep or goats
15	Teschen disease	All animals
16	Vesicular stomatitis	All animals
17	Viral haemorrhagic disease	All animals
18	Visna-maedi complex	All animals’

EXPLANATORY NOTE

(This note is not part of the Order.)

This Order amends the Specified Diseases (Notification and Movement Restrictions) Order (Northern Ireland) 1991 ("the 1991 Order"), which imposes duties and provides powers in relation to certain diseases ("specified diseases").

The principal changes to the 1991 Order are as follows:

- (1) In its application to this Order, the list of animals and poultry set out in Parts I and II of Schedule 1 to the Diseases of Animals (Northern Ireland) Order 1981 is extended so as to comprise any kind of mammal except man, any kind of four-footed beast which is not a mammal and birds of any kind (Article 4).
- (2) A person who, in the course of a laboratory examination of the carcass of poultry or animals (other than bovine animals, sheep or goats) suspects the presence of spongiform encephalopathy is required to give notice of the fact to an inspector, Divisional Veterinary Officer or any member of the Royal Ulster Constabulary. The removal of the sample and the remainder of the carcass from the laboratory are prohibited except in accordance with the conditions of a licence issued by the Department of Agriculture. There is an exemption from the notification requirements in respect of spongiform encephalopathy which has been deliberately introduced into an animal, a bird, a carcass or a sample in a laboratory (Article 6).
- (3) The Department may declare the whole of Northern Ireland or an area within it to be an infected area whereupon certain movements of animals, poultry, undressed carcasses and dung into, within or out of such an area are restricted by the conditions of a licence issued by the Department. The Department may also require any animal or bird to be isolated in premises within an infected area (Article 7).
- (4) African horse sickness, brucellosis (affecting all animals except bovine animals); contagious agalactia, contagious pleuropneumonia, epizootic haemorrhagic disease, rinderpest, scrapie, sheep pox, spongiform encephalopathy (affecting poultry and all animals except bovine animals, sheep or goats) and visna-maedi complex have been added to the list of specified diseases in Schedule 1 to the 1991 Order. The effect is to make the diseases subject to the controls specified in the 1991 Order (Article 8).
- (5) The Order also revokes the Cattle Plague (Ireland) Order of 1900, the Pleuro-Pneumonia (Ireland) Order of 1900, the Sheep Pox (Ireland) Order of 1900 and the Specified Diseases (Notification and Movement Restrictions) (Amendment) Order (Northern Ireland) 1994 (Article 9).