

---

STATUTORY RULES OF NORTHERN IRELAND

---

**1996 No. 593**

**ANIMALS**

**Bovine Spongiform Encephalopathy (Amendment)  
(No. 2) Order (Northern Ireland) 1996**

*Made - - - - 18th December 1996*

*Coming into operation 8th January 1997*

The Department of Agriculture, in exercise of the powers conferred on it by Articles 2(3), 5(1), 10(6), 18(7), 19(e), (f) and (k), 44 and 60(1) of the Diseases of Animals (Northern Ireland) Order 1981(1) 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 Bovine Spongiform Encephalopathy (Amendment) (No. 2) Order (Northern Ireland) 1996 and shall come into operation on 8th January 1997.

**Amendment of the Bovine Spongiform Encephalopathy Order (Northern Ireland) 1995**

2. The Bovine Spongiform Encephalopathy Order (Northern Ireland) 1995(2) shall be amended as provided in Articles 3 to 7.

3. In Article 2 (Interpretation)—

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

““exposed animal” means a bovine animal which has been exposed in any way to the infection of the disease;”;

(b) after the definition of “premises” there shall be inserted the following definition—

““rendering plant” has the same meaning as in the Specified Bovine Material (No. 2) Order (Northern Ireland) 1996(3);”.

4. For Article 6 there shall be substituted the following Article—

---

(1) 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  
(2) S.R. 1995 No. 274 as amended by S.R. 1996 No. 362  
(3) S.R. 1996 No. 360 as amended by S.R. 1996 No. 538

**“Affected or suspected and exposed animals**

6.—(1) Where, in the opinion of the Department, there is an affected or suspected animal, or the carcase of such an animal, on any premises it may serve a notice in the form set out in Schedule 1, on the owner or person in charge of that animal or carcase.

(2) Where, in the opinion of the Department, there is an exposed animal or the carcase of such an animal, on any premises, it may serve a notice in the form set out in Schedule 2 on the owner or person in charge of that animal or carcase.

(3) Where a notice has been served on any person under paragraph (1) or (2), the requirements and prohibitions set out therein shall have effect and it shall be the duty of that person to ensure that they are complied with.

(4) Subject to paragraphs (5) and (7), a notice served under paragraph (1) or (2) shall remain in force for a period of 28 days beginning on and including the day on which it is served.

(5) The Department may, from time to time, in accordance with paragraph (6) renew or further renew, any notice served under paragraph (1) or (2) for, on each such occasion, a period of 28 days beginning on and including the day after that notice would otherwise have expired.

(6) A notice served on a person under paragraph (1) or (2) shall be renewed, or further renewed, by a notice in writing served on that person before the date on which the notice which it renews, or further renews, would otherwise have expired.

(7) A notice served on a person under paragraph (1) or (2) may be withdrawn at any time by a notice in the form set out in Schedule 3 served on that person.”

5. For Article 8(1) there shall be substituted the following paragraph—

**“Restrictions on the movement of other bovine animals**

8.—(1) If the Department has reasonable grounds for supposing that the movement of any bovine animal, other than an affected, suspected or exposed animal from any premises may give rise to the risk of the spread of the disease it may, by notice in writing served on the owner or person in charge of the animal, prohibit the movement of the animal off the premises, except under the authority of and in accordance with the conditions of a licence granted by the Department.”

6. For Article 10(1) there shall be substituted the following paragraph—

**“Cleansing and disinfection**

10.—(1) The Department may serve on the owner or occupier of any premises on which there is or has within 56 days been an affected, suspected or exposed animal or the carcase of such an animal, a notice requiring him to cleanse and disinfect, at his own expense, and in such manner and within such period as may be specified in the notice—

- (a) all or any part of the premises; and
- (b) any equipment, appliance, utensil or other thing used in connection with any such animal or carcase.”

7. For Schedule 2 there shall be substituted the Schedules set out in the Schedule to this Order.

Sealed with the Official Seal of the Department of Agriculture on 18th December 1996.

L.S.

*P. T. Toal*  
Assistant Secretary

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

SCHEDULE

Article 7

“SCHEDULE 2

Article 6(2)

**The Diseases of Animals (Northern Ireland) Order 1981**  
**The Bovine Spongiform Encephalopathy Order (Northern Ireland) 1995**  
*Notice imposing requirements as respects an exposed animal or carcase*

To .....

of .....

.....

The Department of Agriculture hereby gives you notice in accordance with the provisions of the above Order that, as the “owner/”person in charge of the bovine animal or carcase specified in the Table you are required—

- (a) to detain the said animal on the premises known as (insert description of premises including full postal address) .....
- .....
- except that the animal may be—
  - (i) slaughtered on such premises;
  - (ii) moved off such premises under the authority of a licence granted by the Department and in accordance with any conditions subject to which the licence is granted; or
  - (iii) in the case of an animal in a slaughter-house or market, moved direct to its farm of origin under the authority of a licence granted by the Department and in accordance with any conditions subject to which the licence is granted;
- (b) in the event of the said animal dying (otherwise than as a result of being slaughtered) on such premises, to immediately inform the Divisional Veterinary Officer of this fact and to retain the carcase of the animal, and to surrender it to the Department on request;
- (c) in the event of the said animal dying or being slaughtered on the premises—
  - (i) to dispose of the carcase of the animal on the premises if so required by the Department; and
  - (ii) except where it is surrendered to the Department in accordance with paragraph (b) not to permit the carcase of the animal to be moved off the premises except under the authority of a licence granted by the Department and in accordance with any conditions subject to which the licence is granted; and
- (d) in the event of the said animal being pregnant to ensure that—
  - (i) it is isolated from all other bovine animals on the said premises during the period of calving and for 72 hours afterwards in accommodation which has been approved by the Department for this purpose;
  - (ii) its placenta, discharges and bedding are buried or burnt;

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- (iii) the accommodation used for its calving is cleansed and disinfected in accordance with the directions of the Department; and
  - (iv) the calf is not moved off the premises except under the authority of a licence granted by the Department and in accordance with any conditions subject to which the licence is granted.
- (e) If you wish to make any representations as to the content of this notice you must make them in writing to the Department within 14 days of the date of the notice.

This notice remains in force for a period of 28 days from 19 but may be renewed by a subsequent notice served by the Department.

Breach of the requirements of this notice may constitute an offence against the Diseases of Animals (Northern Ireland) Order 1981 and render a person liable to penalties on conviction.

The bovine animal to which this notice applies is specified in the following Table:

<i>Ear Tag Number</i>	<i>Ear of Tagging</i>	<i>Colour</i>	<i>Breed</i>	<i>Class</i>	<i>Date of Birth</i>

Signed..... Date ..... 19, ...

Name in block letters.....

Official Address .....

.....

\*delete as appropriate

SCHEDULE 3

Article 6(7)

**The Diseases of Animals (Northern Ireland) Order 1981**  
**The Bovine Spongiform Encephalopathy Order (Northern Ireland) 1995**  
*Withdrawal of notice imposing requirements as respects an affected, suspected or exposed animal*

*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

To .....  
of .....  
.....

The Department of Agriculture hereby withdraws as from this      day of  
19      the notice, signed by      and served on  
you on the      of      19      .

The bovine animal to which the notice in Schedule 1 or 2 which is withdrawn  
by this notice applies is specified in the following Table:

<i>Ear Tag Number</i>	<i>Ear of Tagging</i>	<i>Colour</i>	<i>Breed</i>	<i>Class</i>	<i>Date of Birth</i>

Signed, ..... Date ..... 19.....

Name in block letters, .....

Official Address, .....

.....

**EXPLANATORY NOTE**

*(This note is not part of the Order.)*

This Order further amends the Bovine Spongiform Encephalopathy Order (Northern Ireland) 1995 so as to allow the Department of Agriculture to impose requirements on the owner or person in charge of animals which have been exposed to the infection of bovine spongiform encephalopathy or the carcasses of such animals. These requirements in particular relate to the detention of the animals or carcasses and to the cleansing and disinfection of the premises on which they are kept and of certain things used in connection with them.