
EXPLANATORY NOTE

(This note is not part of the Order.)

This Order which is made under the Diseases of Animals (Northern Ireland) Order 1981 revokes and re-enacts with amendments the Brucellosis Control Order (Northern Ireland) 1972 (as amended).

Articles 3(1) and 5 implement, as respects bovine animals, Article 8 of, and paragraph I(d) of Annex AII to, Council Directive [64/432/EEC](#) on health problems affecting intra-Community trade in bovine animals and swine (O.J. No. L121, 29.7.1964, p. 1977 as last amended by Council Regulation (EC) [No. 21/2004](#) (O.J. No. L005, 19.1.2004, p. 0008).

The Order requires the keeper of any animal suspected of, or affected with, brucellosis or in any way exposed to the disease to give notice of the fact to a Divisional Veterinary Office (Article 3(1)) and specifies those who may be informed by the Department where it knows or suspects that an animal may be diseased (Article 3(2)).

The keeper of a herd or a veterinary surgeon must notify the Divisional Veterinary Office if they know or suspect that an animal has had an abortion (Article 4).

Subject to certain exceptions an animal may not be moved into or out of any herd, except directly to a slaughterhouse, unless it has been subjected to an official test during the 30 days prior to the date of movement. In general an animal must be tested before each movement (Article 5).

The Department may examine an animal, take samples and apply tests (Article 6) and may require a keeper to detain an animal on the holding and have it subjected to an official test at his own expense where it has been moved or dealt with otherwise than in accordance with the Order (Article 7).

The Department may, by notice, impose specific restrictions on a herd keeper and may, where there is a serious risk of the spread of disease, declare the establishment of a temporary control area (Articles 8 and 9).

A herd keeper must maintain fences so as to prevent contact between his herd and any animals on adjoining land or the herd from straying from the holding. The keeper of a herd in which a reactor is found must take precautions to prevent the spread of disease to animals on adjoining land (Article 10). The Department may prohibit the use of certain land for grazing by animals for a period of up to 6 months (Article 11).

Milk or dairy by-products for feeding to livestock may not be brought onto a holding on which bovine animals are kept unless certain conditions are fulfilled (Article 12).

The Department may, by notice, specify cleansing and disinfection requirements on a holding on which there has been an affected or suspected animal or any animal which may have been exposed to the possibility of brucella infection or the carcass of such an animal (Article 13) and require cleansing and disinfection of vehicles (Article 14).

The Order provides the Department with powers of slaughter, regulates valuation and compensation for animals to be slaughtered and makes provision for the Department or owner of an animal to submit an appeal to a tribunal if dissatisfied with the market value of an animal (Articles 15 to 17).

The Department may seize, detain and dispose of an affected or suspected animal where there has been a contravention of the Order or the Brucellosis (Examination and Testing) Scheme Order (Northern Ireland) 2004, [S.R. 2004 No. 364](#) (“the Scheme Order”) and any expenses reasonably incurred by the Department shall be recoverable by it as a civil debt from the owner of the animal (Article 18).

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

The keeper of an affected or suspected animal or any animal which may have been exposed to the possibility of brucella infection and a person engaged in the purchase, sale, collection, transport or delivery of animals must, on demand, provide certain information to an inspector (Article 19).

Except in accordance with the conditions of a licence, a keeper must not hold or cause or permit to be held a sale by auction or otherwise of his animals either on the premises where the animals are normally kept or in any public place (Article 20).

Provision is made for the issue and production of licences, notices, approvals and authorisations under this Order or the Scheme Order and action by an inspector if a person fails to comply with any requirement imposed on him under this Order or by virtue of any licence, notice or approval issued under it (Articles 21 to 23).