

SCHEDULE 1

Article 3

Specified animal pathogens

PART I

1. African horse sickness virus
2. African swine fever virus
3. Aujeszky's disease virus
4. Avian influenza viruses that are —
 - (a) uncharacterised;
 - (b) Type A viruses which have an intravenous pathogenicity index in six-week-old chickens of greater than 1.2; or
 - (c) Type A viruses H5 or H7 subtype for which nucleotide sequencing has demonstrated multiple basic amino acids at the cleavage site of haemagglutinin
5. Babesia bovis
6. Babesia bigemina
7. Babesia caballi
8. Bacillus anthracis
9. Bluetongue virus
10. Bovine leucosis virus
11. Brucella abortus
12. Brucella melitensis
13. Brucella ovis
14. Brucella suis
15. Burkholderia mallei
16. Classical swine fever virus
17. Cochliomyia hominivorax
18. Eastern and Western equine encephalomyelitis viruses
19. Echinococcus multilocularis
20. Echniococcus granulosus
21. Ehrlichia ruminantium
22. Equine infectious anemia virus
23. Foot and mouth disease virus
24. Hendra disease virus
25. Histoplasma farciminosum
26. Japanese encephalitis virus
27. Lumpy skin disease virus

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28. Maedi-Visna
29. Mycoplasma agalactiae
30. Mycoplasma capricolum sub species capripneumoniae
31. Mycoplasma mycoides sub species mycoides SC and mycoides LC variants
32. Mycoplasma mycoides var capri
33. Newcastle disease (avian paramyxovirus type 1) viruses which are—
 - (a) uncharacterised; or
 - (b) have an intracerebral pathogenicity index in one-day-old chicks of 0.4 or more, when not less than 10 million 50% egg infectious doses (EID50) are administered to each bird in the test.
34. Nipah disease virus
35. Peste des petits ruminants virus
36. Rabies virus and all viruses of the genus Lyssavirus
37. Rift Valley Fever virus
38. Rinderpest virus
39. St. Louis equine encephalomyelitis virus
40. Sheep and goat pox virus
41. Swine vesicular disease virus
42. Teschen disease virus
43. Theileria annulata
44. Theileria equi
45. Theileria parva
46. Trichinella spiralis
47. Trypanosoma brucei
48. Trypanosoma congolense
49. Trypanosoma equiperdum
50. Trypanosoma evansi
51. Trypanosoma simiae
52. Trypanosoma vivax
53. Venezuelan equine encephalomyelitis virus
54. Vesicular stomatitis virus
55. West Nile virus

PART II

56. The live virus causing viral hæmorrhagic disease of rabbits

SCHEDULE 2

Article 6

Powers of inspectors

General powers of inspectors

1.—(1) The inspector may be accompanied by such other persons as the inspector considers necessary.

(2) For the purposes of enforcing this Order an inspector may—

- (a) take any necessary equipment or materials on to the premises;
- (b) make such examination and investigation as may in any circumstances be necessary, and may direct that the premises, any part of the premises or anything in the premises be left undisturbed (whether generally or in particular respects) for so long as is reasonably necessary for the purpose of any examination or investigation;
- (c) take measurements or photographs or make recordings;
- (d) take samples of any articles or substances, or the atmosphere (both on the premises and in the vicinity of the premises);
- (e) cause any article or substance to be dismantled or subjected to any process or test (but not so as to damage or destroy it unless this is in the circumstances necessary for the purpose of the process or test);
- (f) take possession of any article or substance and detain it for so long as is necessary—
 - (i) to examine it and do to it anything that the inspector has power to do;
 - (ii) to ensure that it is not tampered with before the examination is completed;
 - (iii) to ensure that it is available for use as evidence in any civil or criminal proceedings;
- (g) require any person whom the inspector has reasonable cause to believe to be able to give any information (including that person's name and address) relevant to any examination or investigation, to answer (in the absence of persons other than a person nominated by that person to be present and any persons whom the inspector may allow to be present) such questions as the inspector thinks fit to ask and to sign a declaration of the truth of the answers;
- (h) require the production of, inspect, and take copies of any licence issued under this Order or any record, or remove it to enable it to be copied and examined;
- (i) require any person to afford such facilities and assistance with respect to any matters or things within that person's control or in relation to which that person has responsibilities as are necessary to enable the inspector to exercise any of the powers conferred by this Schedule;
- (j) have access to, inspect and check the operation of any computer and any associated apparatus or material that is or has been in use in connection with the records; and for this purpose may require any person having charge of, or otherwise concerned with the operation of, the computer, apparatus or material to afford such assistance as may reasonably be required and, where a record is kept by means of a computer, may require the records to be produced in a form in which they may be taken away.

(3) An inspector who proposes to exercise the power conferred by sub-paragraph (2)(e) in the case of an article or substance found in any premises must, if so requested by a person who at the time is present in and has responsibilities in relation to those premises, cause anything which is to be done by virtue of that power to be done in the presence of that person.

(4) Before exercising the power conferred by sub-paragraph (2)(e) in the case of any article or substance, an inspector must consult such persons as appear appropriate for the purpose of

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ascertaining what dangers, if any, there may be in doing anything proposed to be done under that power.

(5) Where an inspector takes possession of any article or substance found in any premises, the inspector must leave there, either with a responsible person or, if that is impracticable, fixed in a conspicuous position, a notice giving particulars of that article or substance sufficient to identify it and stating that it has been taken under that power; and before taking possession of any such substance under that power an inspector must, if it is practicable to do so, take a sample of it and give to a responsible person at the premises a portion of the sample marked in a manner sufficient to identify it.

(6) No answer given by a person in pursuance of a requirement imposed under sub-paragraph (2) (g) is admissible in evidence against that person or the spouse or civil partner of that person in any proceedings.

Seizure of pathogens

2.—(1) Where an inspector has reasonable grounds for suspecting that a specified animal pathogen or a carrier is in the possession of a person who does not hold a licence required by this Order or in contravention of a condition of a licence granted under this Order, that inspector may at any time seize, or caused to be seized, such pathogen, carrier or any material in which the inspector reasonably suspects such pathogen to have been kept or into which they reasonably suspect it to be introduced.

(2) If the inspector considers it expedient to do so, that inspector may for the purpose of preventing the introduction or spreading of disease, detain, treat or destroy any pathogen, carrier or material seized.

Cleansing and disinfection

3.—(1) An inspector may, by notice served upon the occupier of any premises (including a dwelling house) or upon the owner or person in charge of any vehicle by which a specified pathogen, carrier or material is or has been present in contravention of this Order or of a licence issued under it, require the person on whom the notice was served to cleanse and disinfect such premises, place or vehicle in such manner as that inspector may by such notice specify at the expense of the person on whom the notice is served.

(2) Where the requirements of such a notice have not been complied with, the inspector may carry out or cause to be carried out the cleansing and disinfection specified in the notice at the expense of the person on whom the notice has been served.

Production of licences

4. Any person acting under the authority of a licence issued under this Order, shall on demand made by an officer of Her Majesty's Customs and Excise, an inspector or by a member of the Police Service of Northern Ireland produce the licence and allow a copy thereof or an extract therefrom to be taken and shall, also on such demand, furnish his name and address.