
STATUTORY INSTRUMENTS

1987 No. 790

ANIMALS

ANIMAL HEALTH

The Infectious Diseases of Horses Order 1987

Made - - - - *29th April 1987*

Coming into force - - *20th May 1987*

The Minister of Agriculture, Fisheries and Food, the Secretary of State for Scotland and the Secretary of State for Wales, acting jointly, in exercise of the powers conferred on them by sections 1, 7(1), 8(1), 15(4), 17(1), 17(2), 23, 28, 35(3), 72, 87(2) and 88(2) of the Animal Health Act 1981⁽¹⁾, and of all other powers enabling them in that behalf, hereby Order as follows:—

Title and commencement

1. This Order may be cited as the Infectious Diseases of Horses Order 1987 and shall come into force on 20th May 1987.

Extension of definitions of “animals” and “disease”

2. For the purposes of the Act in its application to this Order—
- (a) the definition of “animals” in section 87(1) of the Act is hereby extended so as to comprise horses, asses, jennets, mules, rhinoceroses, tapirs and zebras; and
 - (b) the definition of “disease” in section 88(1) of the Act is hereby extended so as to comprise African horse sickness, contagious equine metritis, dourine, epizootic lymphangitis, equine infectious anaemia, equine viral encephalo-myelitis and glanders (including the form of glanders commonly known as farcy).

Interpretation

- 3.—(1) In this Order, unless the context otherwise requires—
- “the Act” means the Animal Health Act 1981;
 - “the appropriate Minister” means, in relation to England, the Minister, and in relation to Scotland or to Wales, the Secretary of State;

(1) 1981 c. 22.

“approved disinfectant” means a disinfectant for the time being to receive information about horses and carcasses affected or suspected of being affected with disease for the area in which such horses or carcasses are;

“horse” means a horse, ass, jennet, mule, rhinoceros, tapir or zebra;

“infected place” means a place declared to be an infected place by a notice in Form A served under article 5;

“inspector” means a person appointed to be an inspector for the purposes of the Act by the Minister or by a local authority, and, when used in relation to an officer of the Ministry, includes a veterinary inspector;

“the Minister” and “the Ministry” means respectively the Minister and the Ministry of Agriculture, Fisheries and Food;

“premises” includes land;

“veterinary inspector” means a veterinary inspector appointed by the Minister;

“veterinary surgeon” means a person registered in the register of veterinary surgeons or in the supplementary veterinary register.

(2) Any reference in this Order—

(a) to a numbered article or Schedule, is a reference to the article or Schedule bearing that number in this Order, and

(b) to a lettered Form, is a reference to the Form bearing that letter in Schedule 1 to this Order.

Notification of disease

4.—(1) A person who has in his possession or under his charge any horse or carcass which is affected or suspected of being affected with disease (other than contagious equine metritis), and any veterinary surgeon or other person who in the course of his duties examines or inspects any such horse or carcass shall, with all practicable speed, notify the fact to a member of the police force for the area in which the horse or carcass is, or to an inspector, or to the Divisional Veterinary Officer.

(2) Where notification under paragraph (1) above is given to a member of a police force or to an inspector of the local authority he shall immediately transmit the information contained in the notification by the most expeditious means—

(a) in the case of a member of a police force to the Divisional Veterinary Officer and to an inspector of the local authority; and

(b) in the case of an inspector of the local authority, to the Divisional Veterinary Officer.

(3) Any person who, in the course of examining at a laboratory a sample of any kind originating from a horse or carcass, isolates an organism which he knows or suspects to be an organism which causes contagious equine metritis shall—

(a) with all practicable speed notify the fact to the Divisional Veterinary Officer;

(b) when giving such notice provide the Divisional Veterinary Officer (in so far as he is able to do so) with the following information—

(i) his name and address,

(ii) the name and address of the laboratory at which the organism, or suspected organism, was isolated,

(iii) the identity of the horse and the name and address of the person in possession or charge of the horse,

(iv) the date on which the sample was taken from the horse,

(v) the date on which the organism, or suspected organism, was isolated,

- (vi) such further information as the veterinary inspector may reasonably require; and
- (c) make available to the Divisional Veterinary Officer a culture of the organism.

Declaration of infected place

5.—(1) If an inspector has reasonable grounds for supposing that disease exists, or has within 56 days existed, on any premises he may serve a notice in Form A on the occupier or the person in charge of the premises declaring them to be an infected place.

(2) On the service of a notice in Form A under paragraph (1) above the premises shall become an infected place and be subject to such of the rules contained in article 7 as are set out in the notice and to any other rules set out in the notice for the purpose of preventing the spread of disease.

(3) The rules applied to an infected place by a notice in Form A served under paragraph (1) above shall continue in force until the notice in Form A is withdrawn by a notice in Form B served by an inspector of the Ministry on the occupier or person in charge of the premises in respect of which the notice in Form A was served.

(4) A veterinary inspector may at any time alter the limits of an infected place by the service of a further notice on the occupier or person in charge of such place.

Veterinary enquiry as to the existence of disease

6.—(1) If a veterinary inspector has reasonable grounds for supposing that disease exists or has within 56 days existed on any premises he shall, with all practicable speed, take such steps as may be necessary to establish the correctness of that supposition.

(2) For the purposes of such an enquiry a veterinary inspector may—

- (a) examine any horse or carcase on the premises;
- (b) make such tests and take such samples from any horse or carcase on the premises as he may consider necessary for the purpose of diagnosis; and
- (c) mark for identification purposes any horse or carcase on the premises.

(3) The occupier of the premises and his employees, and any person who is or has been in possession or charge of any horse or carcase which is or has been on the premises, shall—

- (a) provide such reasonable facilities and comply with such reasonable requirements as are necessary for the purposes of the enquiry; and
- (b) if so required by an inspector or by an officer of the appropriate Minister, give such information as he possesses as to—
 - (i) any horse or carcase which is or has been on the premises, and
 - (ii) any other horse or carcase with which any horse or carcase which is or has been on the premises may have come into contact.

(4) If, on completion of the enquiry, the veterinary inspector is of the opinion that disease exists, or has within 56 days existed, on the premises his opinion to that effect shall be subject to confirmation by or on behalf of the Chief Veterinary Officer.

(5) If, on completion of the enquiry, the veterinary inspector is of the opinion that disease does not exist, and has not within 56 days existed, on the premises, or if his opinion as to the existence of disease on the premises is not confirmed by or on behalf of the Chief Veterinary Officer in accordance with paragraph (4) above, then any notice in Form A declaring the premises to be an infected place shall immediately be withdrawn by a notice in Form B served by an inspector of the Ministry on the occupier or the person in charge of the premises.

Rules to be observed in an infected place

7.—(1) Any premises declared to be an infected place shall be subject to such of the following rules as are set out in the notice declaring them to be an infected place, namely—

Rule 1. Any horse or carcase which is affected or suspected of being affected with disease shall be isolated from all other horses in the infected place and detained there in such manner as may be directed by a veterinary inspector.

Rule 2. No person shall move a horse or carcase into or out of the infected place, or cause or permit a horse or carcase to be so moved, except under the authority of a licence issued by a veterinary inspector and in accordance with any conditions subject to which the licence is issued.

Rule 3. No person shall move out of the infected place, or cause or permit to be so moved, any fodder, manure, bedding, vehicle, equipment or other thing used or intended to be used for or in connection with horses except under the authority of a licence issued by an officer of the appropriate Minister and in accordance with any conditions subject to which the licence is issued.

Rule 4. No person shall—

- (a) enter any part of the infected place except under the authority of a licence issued by an officer of the appropriate Minister and in accordance with any conditions subject to which the licence is issued, and unless he is wearing overall clothing and boots which are capable of being disinfected or which are disposable; or
- (b) leave any part of the infected place without first washing his hands and either thoroughly cleansing and disinfecting with an approved disinfectant his overall clothing and boots or removing them and leaving them on the infected place.

Rule 5. The occupier or person in charge of the infected place shall maintain a footbath containing such disinfectant as shall be specified by an inspector in a convenient position at every exit from the infected place, and shall renew the disinfectant daily and whenever so directed by an inspector.

Rule 6. The occupier of the infected place shall, if so required by a veterinary inspector, erect and maintain to the satisfaction of a veterinary inspector fly-proof screens at any place in which any horse or carcase is isolated in accordance with Rule 1 above.

Rule 7. The owner or person in charge of any horse in an infected place shall take all such steps as may be necessary to prevent it from straying from that place.

Rule 8. Notice of the death or slaughter of any horse in an infected place shall be given, with all practicable speed, to the Divisional Veterinary Officer. The carcase of any such horse shall be disposed of only with the consent, and under the direction, of the Divisional Veterinary Officer.

Rule 9. No person, other than a veterinary surgeon acting in accordance with an approval given by the Divisional Veterinary Officer, shall cut the skin of any carcase in an infected place.

Rule 10.—

- (1) A notice supplied by the appropriate Minister stating that the premises are an infected place shall be exhibited at every entrance to the infected place.
 - (2) No person shall alter, remove or deface such a notice.
- (2) A veterinary inspector may by notice in writing served on the occupier or the person in charge of the infected place direct that—
- (a) such additional rules as may be specified in the notice shall apply to the infected place; or
 - (b) any of the rules set out in the notice in Form A shall cease to apply to the infected place, or shall be modified to the extent or in the manner specified in the notice.

Disinfection or destruction of infected articles or materials

8. An inspector of the Ministry may, by notice in writing served on the owner or person in charge of any thing which is derived from or which has been used in connection with any horse or carcass in an infected place, require him to disinfect the thing with an approved disinfectant and to the inspector's satisfaction, or to destroy it, or to surrender it to the inspector who shall arrange for its disposal.

Disposal of carcasses

9. If so required by the Divisional Veterinary Officer, an inspector of the local authority shall, where there is on any premises a carcass which is affected or suspected of being affected with disease, immediately dispose of that carcass at the local authority's expense in such manner as the Divisional Veterinary Officer shall direct.

Restrictions on premises exposed to infection

- 10.—(1) If an inspector has reasonable grounds for supposing—
- (a) that disease may spread to any premises; or
 - (b) that there is or has within 56 days been on any premises a horse which has been exposed to disease, he may serve a notice in Form C on the occupier or person in charge of those premises.
- (2) on the service of a notice in Form C and until the notice expires or is withdrawn in accordance with paragraph (3) below—
- (a) no person shall move, or cause or permit to be moved, any horse or carcass on to or out of the premises to which the notice relates, except under the authority of a licence issued by an inspector of the Ministry and in accordance with any conditions subject to which the licence is issued;
 - (b) no person shall move out of the premises to which the notice relates, or cause or permit to be so moved, any fodder, manure, bedding, vehicle, equipment or other thing used for or about any horse except under the authority of a licence granted by an inspector of the Ministry and in accordance with any conditions subject to which the licence is issued;
 - (c) no person shall allow any horse to stray from the premises to which the notice relates; and
 - (d) the premises shall be subject to such other restrictions, specified in the notice, as the inspector may consider necessary for the purpose of preventing the spread of disease.
- (3) A notice in Form C shall remain in force for such period as may be specified therein or until it is withdrawn by a notice in Form D served by an inspector on the occupier or person in charge of the premises to which the notice in Form C relates.

Cleansing and disinfection

- 11.—(1) A veterinary inspector may, by notice in writing served on the occupier of any premises in which there is or has been within 56 days been a horse or carcass which is affected or suspected of being affected with disease, require him to cleanse and disinfect with an approved disinfectant those premises at his own expense, in accordance with the provisions of paragraphs 1 and 2 of Schedule 2 to this Order, and within such period as may be specified in the notice.
- (2) A veterinary inspector may by notice in writing served on the owner or person in charge of any vehicle which is used or has at any time during the previous 56 days been used for the carriage of a horse or carcass which is affected or suspected of being affected with disease, require him to cleanse and disinfect with an approved disinfectant at his own expense,—

- (a) the vehicle; and
- (b) any apparatus or other thing used in connection with the carriage of any such horse or carcase in the vehicle,

in accordance with the provisions of paragraph 3 of Schedule 2 to this Order, and within such period as may be specified in the notice.

(3) If any person on whom a notice is served under paragraph (1) or (2) above fails to comply with the requirements of the notice, an inspector or other officer of the Ministry or an inspector of the local authority may, without prejudice to any proceedings for an offence arising out of such default, carry out or cause to be carried out the requirements of the notice, and the amount of any reasonable expenses incurred by an inspector or other officer of the Ministry or by an inspector of the local authority shall be recoverable as a civil debt by the Minister, or, as the case may be, by the local authority from the person in default.

Marking of horses

12. An inspector may, for the purposes of this Order, mark, or cause to be marked, any horse.

Power of Ministry inspectors to prohibit or control movement

13.—(1) If an inspector of the Ministry has reasonable grounds for supposing that the movement of any horse, carcase or other thing on to or out of any premises would give rise to the risk of the spread of disease he may—

- (a) by notice served on the occupier or person in charge of the premises, prohibit the movement of any horse, carcase or other thing on to or out of the premises; or
- (b) by notice served on the owner of the horse, carcase or other thing, impose such conditions in respect of its movement as he considers necessary.

(2) A notice served under paragraph (1) above shall remain in force for such period as may be specified therein or until it is withdrawn by a further notice served by an inspector of the Ministry on the person on whom the notice was served.

Offences

14. Any person who, without lawful authority or excuse, proof of which shall lie on him—

- (a) defaces, obliterates or removes any mark applied to any horse by or under any provision of this Order; or
- (b) contravenes any provision of this Order or any provision of a licence, approval or notice issued, granted or served under this Order; or
- (c) fails to comply with any such provision or with any condition of such a licence, approval or notice; or
- (d) knowingly causes or permits any such contravention or non-compliance, commits an offence against the Act.

Local authority to enforce Order

15. The provisions of this Order shall, except where otherwise provided, be executed and enforced by the local authority.

Revocation

16. The Orders listed in Schedule 3 are revoked.

In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 29th April 1987.

L.S.

Michael Jopling
Minister of Agriculture, Fisheries and Food

23rd April 1987

John J. Mackay
Parliamentary Under-Secretary of State, Scottish
Office

23rd April 1987

Nicholas Edwards
Secretary of State for Wales

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SCHEDULE 1

FORMS

FORM A ANIMAL HEALTH ACT 1981 THE INFECTIOUS DISEASES OF HORSES ORDER 1987 (Articles 5, 6 and 7) NOTICE DECLARING INFECTED PLACE

To
of

I, the undersigned, being an inspector of the Ministry of Agriculture, Fisheries and Food;* of the local authority for the
of hereby give you notice as the occupier;* person in charge of the premises described below that, in accordance with the provisions of the above Order, the premises are hereby declared to be an infected place for the purposes of the said Order and that the premises shall become subject to the Rules set out on the back of this notice.

Any infringement of these Rules may constitute an offence against the Animal Health Act 1981 and render a person liable to penalties on conviction.

This notice remains in force until it is withdrawn by a subsequent notice (Form B) served by an inspector of the Ministry.

Description of infected place, stating full postal address

Premises

Full postal address.....

Signed..... Dated.....

Name in block letters.....

Official address.....

Note—The inspector is with all practicable speed to send copies of this notice to the Divisional Veterinary Officer, to the local authority, to the police officer in charge of the nearest police station of the police force for the area and to the Secretary, Ministry of Agriculture, Fisheries and Food, Government Buildings, Block B, Hook Rise South, Surbiton, Surrey KT6 7NF.

*delete as appropriate.

RULES TO BE OBSERVED IN THE INFECTED PLACE (Article 7)

- Rule 1.** Any horse or carcass which is affected or suspected of being affected with disease shall be isolated from all other horses in the infected place and detained there in such manner as may be directed by a veterinary inspector.
- Rule 2.** No person shall move a horse or carcass into or out of the infected place, or cause or permit a horse or carcass to be so moved, except under the authority of a licence issued by a veterinary inspector and in accordance with any conditions subject to which the licence is issued.
- Rule 3.** No person shall move out of the infected place, or cause or permit to be so moved, any fodder, manure, bedding, vehicle, equipment or other thing used or intended to be used for or in connection with horses except under the authority of a licence issued by an officer of the appropriate Minister and in accordance with any conditions subject to which the licence is issued.
- Rule 4.** No person shall
 - (a) enter any part of the infected place except under the authority of a licence issued by an officer of the appropriate Minister and in accordance with any conditions subject to which the licence is issued, and unless he is wearing overall clothing and boots which are capable of being disinfected or which are disposable; or
 - (b) leave any part of the infected place without first washing his hands and either thoroughly cleansing and disinfecting with an approved disinfectant his overall clothing and boots or removing them and leaving them on the infected place.
- Rule 5.** The occupier or person in charge of the infected place shall maintain a footbath containing such disinfectant as shall be specified by an inspector in a convenient position at every exit from the infected place, and shall renew the disinfectant daily and whenever so directed by an inspector.
- Rule 6.** The occupier of the infected place shall, if so required by a veterinary inspector, erect and maintain to the satisfaction of a veterinary inspector, fly-proof screens around at any place in which any horse or carcass is isolated in accordance with Rule 1 above.
- Rule 7.** The owner or person in charge of any horse in an infected place shall take all such steps as may be necessary to prevent it from straying from that place.
- Rule 8.** Notice of the death or slaughter of any horse in an infected place shall be given, with all practicable speed, to the Divisional Veterinary Officer. The carcass of any such horse shall be disposed of only with the consent, and under the direction, of the Divisional Veterinary Officer.
- Rule 9.** No person, other than a veterinary surgeon acting in accordance with an approval given by the Divisional Veterinary Officer, shall cut the skin of any carcass in an infected place.
- Rule 10.**-(1) A notice supplied by the appropriate Minister stating that the premises are an infected place shall be exhibited at every entrance to the infected place.
(2) No person shall alter, remove or deface such a notice.

[ADDITIONAL RULES]

FORM BANIMAL HEALTH ACT 1981 THE INFECTIOUS DISEASES OF HORSES ORDER 1987 (Articles 5 and 6) Withdrawal of Notice Declaring Infected Place (Form A)

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WITHDRAWAL OF NOTICE DECLARING INFECTED PLACE (FORM A)

To

of

.....

I, the undersigned, being an inspector of the Ministry of Agriculture, Fisheries and Food hereby withdraw, as from the date of this notice, the Infected Place Notice (Form A) signed by and served on you on the day of 19.....

Signed..... Dated

Name in block letters.....

Official address.....

.....

Note:—The inspector is with all practicable speed to send copies of this notice to the Divisional Veterinary Officer, to the local authority, to the police officer in charge of the nearest police station of the police force for the area and to the Secretary, Ministry of Agriculture, Fisheries and Food, Government Buildings, Block B, Hook Rise South, Surbiton, Surrey KT6 7NF.

FORM CANIMAL HEALTH ACT 1981THE INFECTIOUS DISEASES OF HORSES ORDER 1987(Article 10)Notice Imposing Restrictions on Premises Exposed to Infection

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To
of

I, the undersigned, being an inspector of the Ministry of Agriculture, Fisheries and Food/*of the local authority for the
of hereby give you notice as the occupier or person in charge of the premises described below that, in accordance with the provisions of the above Order,-

- (a) no person shall move, or cause or permit to be moved, any horse or carcass into or out of the premises to which the notice relates, except under the authority of a licence issued by an inspector of the Ministry and in accordance with any conditions subject to which the licence is issued;
- (b) no person shall move out of the premises to which the notice relates, or cause or permit to be so moved, any fodder, manure, bedding, vehicle, equipment or other thing used for or about any horse, except under the authority of a licence granted by an inspector of the Ministry and in accordance with any conditions subject to which the licence is issued;
- (c) no person shall allow any horse to stray from the premises to which the notice relates; and
- (d) (other restrictions).

These restrictions imposed by this notice apply until

- (a) *midnight on 19
- (b) *this notice is withdrawn by a further notice (Form D) served on you by an inspector of the Ministry or of the local authority.

Description of premises, stating full postal address

Premises

Full postal address.....

Signed..... Dated.....

Name in block letters.....

Official address.....

Note: The inspector is with all practicable speed to send copies of this notice to the Divisional Veterinary Officer, to the local authority, to the police officer in charge of the nearest police station of the police force for the area and to the Secretary, Ministry of Agriculture, Fisheries and Food, Government Buildings, Block B, Hook Rise South, Surbiton, Surrey KT6 7NF; in these copies there should be added the name and address of any person (as specified below) whose premises have been declared an infected place and from which there is or has been a risk of spread of infection to the premises described in this notice.

Name.....

Address.....

*delete as appropriate.

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FORM DANIMAL HEALTH ACT 1981 THE INFECTIOUS DISEASES OF HORSES ORDER 1987 (Article 10) Notice Withdrawing Restrictions on Premises Exposed to Infection

To
of

I, the undersigned, being an inspector of the Ministry of Agriculture, Fisheries and Food;* of the local authority for the
of hereby withdraw as from the date of this notice the notice (Form C) signed by and served on you on the day of 19

Signed Dated

Name in block letters

Official address

.....

Note:—The inspector is with all practicable speed to send copies of this notice to the Divisional Veterinary Officer, to the local authority, to the police officer in charge of the nearest police station of the police force for the area and to the Secretary, Ministry of Agriculture, Fisheries and Food, Government Buildings, Block B, Hook Rise South, Surbiton, Surrey KT6 7NF.

*delete as appropriate.

SCHEDULE 2

CLEANSING AND DISINFECTION

(Article 11)

Cleansing and disinfection of premises

1. Where any premises are required to be cleansed and disinfected under article 11(1) of this Order, such cleansing and disinfection shall be carried out in the following manner, that is to say—

- (a) the floor and all parts of the premises which have been in contact with any horse or carcase shall first be thoroughly saturated with an approved disinfectant;
- (b) the floor and all other such parts of the premises shall be swept or scraped and the sweepings and scrapings shall be removed from the premises and forthwith be buried or destroyed;
- (c) any thing on the premises which has been in contact with any horse or carcase on the premises shall be thoroughly saturated with an approved disinfectant;
- (d) the floor and all other such parts of the premises shall again be thoroughly saturated with an approved disinfectant.

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2. In the case of a field or other open space which is not capable of being treated in the manner described in paragraph 1 above, cleansing and disinfection shall be carried out so far as is practicable and to the satisfaction of an inspector of the Ministry.

Cleansing and disinfection of vehicles

3. When a vehicle is required to be cleansed and disinfected under article 11(2) of this Order, such cleansing and disinfection shall be carried out in the following manner, that is to say—

- (a) the whole of the interior of the vehicle and such parts of the outside of the vehicle as a veterinary inspector may direct shall first be thoroughly saturated with an approved disinfectant;
- (b) the whole of the interior of the vehicle shall be swept or scraped and the sweepings and scrapings, and any manure, litter or dung in the vehicle, shall be removed from the vehicle and forthwith be buried or destroyed;
- (c) those parts of the vehicle described in sub-paragraph (a) above shall again be thoroughly saturated with an approved disinfectant;
- (d) any apparatus, equipment or other thing used in connection with the carriage of any horse or carcase in the vehicle shall be thoroughly saturated with disinfectant, effectively cleansed and then again saturated with an approved disinfectant.

SCHEDULE 3

REVOCATION

Article 16

| Orders revoked | References |
|--|-----------------------|
| The Epizootic Lymphangitis Order of 1938 | S.R. and O. 1938/193. |
| The Glanders or Farcy Order of 1938 | S.R. and O. 1938/228. |
| The Infectious Diseases of Horses Order 1975 | S.I. 1975/888. |
| The Dourine Order 1975 | S.I. 1975/889. |

EXPLANATORY NOTE

(This note is not part of the Order)

This Order consolidates, with amendments, the provisions of various orders relating to diseases of horses listed in Schedule 3 to the Order, which are revoked.

The Order continues to provide for—

- (a) the compulsory notification of diseases of horses (as defined in article 3(1)) (article 4);

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- (b) the declaration as an infected place of premises where diseases of horses are suspected to exist (article 5) and rules to be observed in respect of an infected place (article 7);
- (c) the investigation by a veterinary inspector into the existence of diseases of horses and the examination by him of horses or carcasses for this purpose (article 6);
- (d) the prohibition of the movement of horses, carcasses and other things on to or out of premises exposed to infection (article 10); and
- (e) the cleansing and disinfection of premises and vehicles (article 11).

The only changes of substance are that the provisions of this Order apply to the disease known as contagious equine metritis in addition to the diseases of horses referred to in the Orders listed in Schedule 3 and that there is no longer any provision relating to the compulsory slaughter of horses suspected of being affected with glanders.