
STATUTORY INSTRUMENTS

1981 No. 1115

The Diseases of Animals (Northern Ireland) Order 1981

PART II

DISEASES OF ANIMALS AND POULTRY

Infected places and areas

General provisions as to infected places and areas

12.—(1) ^{F1} . . . the Department may by order, prescribe—

- (a) the cases in which places and areas are to be declared to be infected with a disease,
- (b) the authority, mode, and conditions by, in, and on which such declarations are to be made;
- (c) the effect and consequence of such declarations;
- (d) the duration and discontinuance of such declarations; and
- (e) any other matters connected with such declarations.

(2) An order under paragraph (1) prescribing the cases in which areas are to be declared to be infected with rabies may—

- (a) provide for the destruction in an area declared to be so infected, by persons authorised in accordance with the order, of foxes and such other wild animals as may be prescribed by the order (not in either case being animals held in captivity);
- (b) authorise any person to enter any land (other than a dwelling-house) for the purpose of carrying out, or of deciding whether to carry out, the destruction there of animals in accordance with the order;
- (c) authorise the erection of fences or other obstacles to restrict the movement of animals into and out of an area where destruction is or will be carried out;
- (d) regulate the ownership and disposal of the carcasses of animals destroyed in accordance with the order;
- (e) prohibit any person from obstructing the destruction of animals in accordance with the order and from interfering with the carcasses of animals destroyed;
- (f) authorise the use of methods of destruction which would otherwise be unlawful;
- (g) require notice to be served, in such circumstances as may be prescribed by the order, of the death in an area declared to be so infected of such domestic or wild animals as may be prescribed;
- (h) regulate the ownership and disposal of the carcasses of animals whose deaths are required to be notified under sub-paragraph (g);
- (i) require and regulate the vaccination, confinement and control in such an area of such domestic animals and animals held in captivity as may be prescribed by the order;

Changes to legislation: *The Diseases of Animals (Northern Ireland) Order 1981, Section 12 is up to date with all changes known to be in force on or before 06 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

- (j) authorise the seizure and detention and the disposal or destruction of any animal in respect of which any provision made under sub-paragraph (i) is not complied with;
- (k) authorise any person to enter any land for the purpose of seizing or destroying any animal in pursuance of the order; and
- (l) provide for the division of an area into zones (whether defined by reference to distance from the places within the area where diseased animals have been found or otherwise) and for the consequences which may follow a declaration to be different for different zones;

and such an order shall make provision as to the steps to be taken to inform the occupier of any land where it is proposed that animals should be destroyed and other persons who may be there, of the proposal and of the methods of destruction to be used.

(3) Every place or area declared to be infected with a disease shall be an infected place or area for the purposes of this Order.

(4) Where, in accordance with the provisions of this Order, a place or an area or a portion of an area is declared free from a disease, then, from the time specified in that behalf by the Department, the place or area or that portion of the area shall cease to be, or to be in, an infected place or area.

(5) Any declaration or notice of the following description shall be conclusive evidence to all intents of the existence or past existence or cessation of the disease and of any other matter on which the declaration or notice proceeds—

- (a) a declaration of the Department declaring a place or area to be an infected place or area, or declaring a place or area, or a portion of an area, to be free from disease; or
- (b) a notice served in pursuance of directions of the Department under an order made under this Article.

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Changes and effects yet to be applied to :

- Instrument am (pt prosp) by [S.I. 1994/1891 \(N.I.\) arts.19-23](#)
- Instrument rep in pt by [S.I. 1994/1891 \(N.I.\) art.24\(1\)Sch](#)