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STATUTORY INSTRUMENTS

1981 No. 1115

The Diseases of Animals (Northern Ireland) Order 1981

PART II

DISEASES OF ANIMALS AND POULTRY

Regulation of movement of animals and poultry, etc.

Regulation of movement of animals and poultry, etc.

19. ^{F1} . . . the Department may by order—

- (a) prohibit or regulate the exposure of diseased or suspected animals or poultry in markets, fairs or sale-yards, or other public or private places where animals or poultry are commonly exposed for sale, and the placing of such animals or poultry in lairs or other places adjacent to or connected with markets or fairs, or where animals or poultry are commonly placed before exposure for sale;
- (b) prohibit or regulate the sending or carrying of diseased or suspected animals or poultry, or of other things, whether animate or inanimate, likely to spread disease, or the causing of such animals or poultry or such other things to be sent or carried, on railways, canals, rivers, or inland navigations, or in coasting vessels, or in an aircraft which is engaged in a journey or a part of a journey beginning and ending in Northern Ireland, or otherwise;
- (c) prohibit or regulate the carrying, leading, or driving of diseased or suspected animals or poultry, or the causing of such animals or poultry to be carried, led or driven on highways or thoroughfares or elsewhere;
- (d) prohibit or regulate the placing or keeping of diseased or suspected animals or poultry on commons or unenclosed lands or in fields or other places insufficiently fenced, or on the sides of highways;
- (e) prohibit or regulate the movement of animals or poultry, and the removal of carcasses, or other things, whether animate or inanimate, and prescribe and regulate the isolation of animals or poultry newly purchased;
- (f) prescribe and regulate the issue and production of licences respecting movement and removal of animals, poultry and things;
- (g) prohibit or regulate the holding of markets, fairs, exhibitions and sales of animals or poultry;
- (h) prescribe and regulate the cleansing and disinfection of places used for the holding of markets, fairs, exhibitions or sales of animals or poultry, or for lairage of animals, and yards, sheds, stables and other places used for animals or poultry;
- (i) prescribe and regulate the cleansing and disinfection of vessels, aircraft, vehicles, and pens and other places, used for the carrying of animals or poultry or purposes connected with the carrying of animals or poultry;

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- (j) prohibit, absolutely or conditionally, the use for the carrying of animals or poultry or for any purpose connected with the carrying of animals or poultry, of a vessel, aircraft, vehicle, or pen or other place in respect of which, or of the use of which, a penalty has been imposed on any person for an offence against this Order; and
- (k) provide for the exemptions from any such prohibitions by means of the grant of licences^[F2] subject to such conditions as maybe specified in the licences].

F1 1994 NI 6

F2 1984 NI 2

VALID FROM 12/03/2010

^[F3]Registration and approval of livestock dealers

19A.—(1) The Department may by order—

- (a) regulate the possession, purchase, sale or supply of animals or poultry by livestock dealers for the purpose of preventing the outbreak or spread of disease or for the purpose of preventing injury or suffering to animals or poultry;
 - (b) provide for the approval and registration of livestock dealers and premises owned or occupied by livestock dealers.
- (2) In paragraph (1), “livestock dealer” means any person who—
- (a) buys and sells animals or poultry commercially, either on his own behalf or on behalf of another;
 - (b) does not generally retain such animals or poultry in his ownership for a period of more than 30 days; and
 - (c) in the course of his business moves animals or poultry purchased by him from premises owned or occupied by him to premises not owned or occupied by him.]

F3 Art. 19A inserted (12.3.2010) by Diseases of Animals Act (Northern Ireland) 2010 (c. 1), ss. 15, 22(1); S.R. 2010/70, art. 2

Disease found in animals in transit

20.—(1) The Department shall by order make such provision as it thinks necessary or expedient in relation to animals or poultry found to be affected with disease—

- (a) while exposed for sale or exhibited in a market, fair, sale-yard, place of exhibition, or other place; or
- (b) while placed in a lair or other place before exposure for sale; or
- (c) while in transit or in course of being moved by land or water, or by air; or
- (d) while being in a slaughter-house or place where animals or poultry are slaughtered or are kept with a view to slaughter; or
- (e) while being on common or unenclosed land; or
- (f) generally, while being in a place not in the possession of occupation or under the control of the owner of the animals or poultry.

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(2) The Department shall by order under this Article make such provision as it thinks fit for the consequences under this Order of animals or poultry being found in any of the circumstances mentioned in paragraph (1), and any such order may, in addition to making provision with respect to the place where animals or poultry are so found make provision with respect to—

- (a) the animals or poultry so found;
- (b) other places;
- (c) other animals or poultry being or having been in contact with animals or poultry so found.

(3) Every order under this Article shall have full effect notwithstanding any provision of this Order requiring the declaration of a place infected with disease or relating to any consequence or, or to any matter connected with, such a declaration, and notwithstanding any other provision whatsoever of this Order.

Protection of animals and poultry from suffering, etc.

21. The Department may by order make provision—

- (a) for protecting animals and poultry from unnecessary suffering—
 - (i) during inland transit, or in an aircraft engaged in a journey or part of a journey or part of a journey beginning and ending in Northern Ireland;
 - (ii) during passage by sea or air and on landing;
 - (iii) in connection with their exposure for sale and their disposal after sale;
- (b) for securing a proper supply of water and food to animals and poultry during any period of their detention.

Provision of water and food at railway stations

22.—(1) Every person carrying on a railway undertaking (in this Article referred to as “the authority”) shall provide, to the satisfaction of the Department, water and food or either of them at such railway stations as the Department directs, for animals or poultry carried or about to be or having been carried on the railway of the authority.

(2) The water and food so provided, or either of them, shall be supplied by the authority to any such animals or poultry on the request of the consignor or of any person in charge of them.

(3) Subject to paragraph (4), as regards water, if as respects any animal or bird such a request is not made, so that the animal or bird remains without a supply of water for twenty-four consecutive hours, the consignor and the person in charge of the animal or bird shall each be guilty of an offence against this Order; and it shall lie on the person charged to prove such a request and the time within which the animal or bird had a supply of water.

(4) The Department may by order substitute for the period of twenty-four hours mentioned in paragraph (3) such other period being not less than twelve hours as may be specified in the order.

(5) The authority supplying water or food under this Article may make such reasonable charges, if any, as the Department by order approves, in addition to such charges as they are for the time being authorised to make in respect of the carriage of animals or poultry; and the amount of those additional charges shall be a debt recoverable summarily by the authority from the consignor and from the consignee.

(6) The authority shall have a lien for the amount of the additional charges mentioned in paragraph (5) on the animal or bird in respect of which those charges accrued due, and on any other animal or bird at any time consigned by or to the same consignor or consignee to be carried by the authority.

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Carriage of animals and poultry by sea or air

23. The Department may by order—

- (a) prohibit the conveyance of animals or poultry by any specified vessel or aircraft to or from any port or aerodrome in Northern Ireland for such time as the Department may consider expedient;
- (b) make provision for ensuring for animals and poultry carried by sea or air a proper supply of food and water and proper ventilation during the passage and on landing;
- (c) provide for exemptions from any such prohibition by means of the grant of licences^[F4] subject to such conditions as maybe specified in the licences].

F4 1984 NI 2

^[F5]Animal welfare in exportation

23A.—(1) The Department, in the interests of animal welfare, may by order—

- (a) regulate the exportation from Northern Ireland of animals or poultry, and, in particular, prohibit exportation without such licence or certificate as may be prescribed by the order;
- (b) make provision as to the circumstances in which, and the conditions on which, a certificate or licence may be obtained.

(2) Without prejudice to the generality of paragraph (1), an order under that paragraph may include provision for requiring persons proposing to export animals or poultry from Northern Ireland to furnish information about—

- (a) the intended ultimate destination of the animals or poultry;
- (b) the arrangements for conveying them to that destination; and
- (c) any other matters which may be specified in the order.]

F5 1984 NI 2

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