
STATUTORY RULES OF NORTHERN IRELAND

1997 No. 553

**Bovine Spongiform Encephalopathy
Order (Northern Ireland) 1997**

Part II

Existence of the Disease

Notification of disease in animals

4.—(1) A person who has in his possession or under his charge an affected or a suspected animal, or the carcase of such an animal, and any veterinary surgeon or other person who, in the course of his duties, examines or inspects any such animal or carcase shall, with all practicable speed, notify the fact to the Divisional Veterinary Officer or any member of the Royal Ulster Constabulary.

(2) A person who has in his possession or under his charge on any premises an affected or a suspected animal, or the carcase of such an animal, shall detain it on the premises until it has been examined by a veterinary inspector.

(3) The owner or occupier of premises on which an affected or suspected animal is or has been kept and his employees, and any person who is or has been in possession or charge of any animal or carcase which is or has been on such premises, shall if so required by an inspector give such information as he possesses as to—

- (a) any animal or carcase which is or has been on such premises;
- (b) any other animal or carcase with which any animal or carcase which is or has been on such premises may have come into contact; and
- (c) the location and movement of any animal or carcase which is or has been in his possession or charge.

(4) The Department may mark for identification purposes any animal or carcase on premises on which an affected or suspected animal is kept.

(5) Subject to paragraph (8), a person who, in the course of a laboratory examination of a sample of an animal or a carcase suspects the presence of the disease in that sample shall, with all practicable speed, notify the fact to the Divisional Veterinary Officer.

(6) Where a notice has been given under paragraph (5) in respect of any sample, a person shall not remove—

- (a) that sample from the laboratory in which it was examined for the presence of disease; or
- (b) any animal or carcase from which it was taken from the place where it is kept, except under and in accordance with a licence granted by the Department.

(7) A person shall, if so required by the Department, supply it with such samples as it may specify of any carcasses to which a notice given under paragraph (5) relates.

(8) Paragraph (5) shall not apply in relation to any sample—

- (a) into which disease was deliberately introduced for research purposes; or

- (b) taken from a carcase or animal into which disease was so introduced.

Veterinary enquiry as to existence of disease

5.—(1) If an inspector, on reasonable grounds, suspects that the disease exists or has within 56 days existed on any premises he shall, with all practicable speed, conduct any enquiry and take such further steps as may be necessary to establish the correctness of that suspicion.

(2) For the purposes of an enquiry conducted under paragraph (1) an inspector may, without prejudice to the generality of that paragraph or to his powers under Article 4—

- (a) examine any animal or carcase on any premises; and
- (b) carry out such tests on or take such samples from, any animal or carcase on any premises, as he may consider necessary for the purpose of diagnosis.

(3) The occupier of the premises on which an enquiry is conducted or any other steps taken by an inspector under paragraph (1), the employees of that occupier, and any person who is or has been in possession or charge of any animal or carcase which is or has been on the premises, shall provide such reasonable facilities for, and comply with such reasonable requirements of, the inspector as are necessary for the purposes of any such enquiry or further steps.

Affected or suspected and exposed animals

6.—(1) Where, in the opinion of the Department, there is an affected or suspected animal, or the carcase of such an animal, on any premises it may serve a notice in the form set out in Schedule 1, on the owner or person in charge of that animal or carcase.

(2) Where, in the opinion of the Department, there is an exposed animal or the carcase of such an animal, on any premises, it may serve a notice in the form set out in Schedule 2 on the owner or person in charge of that animal or carcase.

(3) Where a notice has been served on any person under paragraph (1) or (2), the requirements and prohibitions set out therein shall have effect and it shall be the duty of that person to ensure that they are complied with.

(4) Subject to paragraphs (5) and (7), a notice served under paragraph (1) or (2) shall remain in force for a period of 28 days beginning on and including the day on which it is served.

(5) The Department may, from time to time, in accordance with paragraph (6) renew or further renew, any notice served under paragraph (1) or (2) for, on each such occasion, a period of 28 days beginning on and including the day after that notice would otherwise have expired.

(6) A notice served on a person under paragraph (1) or (2) shall be renewed, or further renewed, by a notice in writing served on that person before the date on which the notice which it renews, or further renews, would otherwise have expired.

(7) A notice served on a person under paragraph (1) or (2) may be withdrawn at any time by a notice in the form set out in Schedule 3 served on that person.

Restrictions on the movement of other bovine animals

7.—(1) If the Department has reasonable grounds for supposing that the movement from any premises of any bovine animal (other than an affected, suspected or exposed animal) may give rise to the risk of the spread of the disease it may, by notice in writing served on the owner or person in charge of the animal, prohibit the movement of the animal off the premises, except under the authority of and in accordance with the conditions of a licence granted by the Department.

(2) A notice served under paragraph (1) shall continue in force until withdrawn by a further notice in writing served by the Department on the owner or person in charge of the animal to which that notice relates.

Carcases of affected, suspected or exposed animals

8.—(1) A person shall not remove the carcase of an affected, suspected or exposed animal from the premises where it died or was slaughtered except under the authority of and in accordance with the conditions of a licence granted by the Department.

(2) The carcase of an affected or suspected animal shall be buried or burnt.

Cleansing and disinfection

9.—(1) The Department may serve on the owner or occupier of any premises on which there is or has within 56 days been an affected, suspected or exposed animal or the carcase of such an animal, a notice requiring him to cleanse and disinfect, at his own expense, and in such manner and within such period as may be specified in the notice—

- (a) all or any part of the premises; and
- (b) any equipment, appliance, utensil or other thing used in connection with any such animal or carcase.

(2) Where any person on whom the notice served under paragraph (1) fails to comply with the requirements thereof the Department may, without prejudice to any proceedings for an offence arising out of such default, carry out or cause to be carried out such cleansing and disinfection as is required in the notice.