
STATUTORY RULES OF NORTHERN IRELAND

2000 No. 225

ANIMALS

Anthrax (Vaccination) Scheme Order (Northern Ireland) 2000

Made - - - - *6th July 2000*
Coming into operation *22nd August 2000*

The Department of Agriculture and Rural Development(1), in exercise of the powers conferred on it by Article 8 of the Diseases of Animals (Northern Ireland) Order 1981(2) and of every other power enabling it in that behalf, having consulted with the bodies which appeared to it to be substantially representative of the interests concerned and with the approval of the Department of Finance and Personnel(3), hereby makes the following Order:

Citation and commencement

1. This Order may be cited as the Anthrax (Vaccination) Scheme Order (Northern Ireland) 2000 and shall come into operation on 22nd August 2000.

Anthrax Scheme

2.—(1) For the purposes of keeping animals, so far as practicable, free from anthrax and controlling that disease, the Department hereby makes the Scheme set out in the Schedule.

(2) In paragraph (1) “animals” means cattle, sheep, goats, all other ruminating animals, swine, dogs, horses, asses and mules.

Sealed with the Official Seal of the Department of Agriculture and Rural Development on 6th July 2000.

L.S.

R. Jordan
A senior officer of the
Department of Agriculture and Rural
Development

(1) Formerly the Department of Agriculture for Northern Ireland; see S.I. 1999/283 (N.I. 1) Art. 3(4)
(2) S.I. 1981/1115 (N.I. 22)
(3) Formerly the Department of Finance; see S.I. 1982/338 (N.I. 6) Art. 3

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The Department of Finance and Personnel hereby approves the foregoing Order.
Sealed with the Official Seal of the Department of Finance and Personnel on 6th July 2000.

L.S.

J. Layberry
A senior officer of the
Department of Finance and Personnel

SCHEDULE

Article 2

Anthrax (Vaccination) Scheme (Northern Ireland) 2000

Citation and interpretation

1.—(1) This Scheme may be cited as the Anthrax (Vaccination) Scheme (Northern Ireland) 2000.

(2) In this Scheme—

“animals” means cattle, sheep, goats, all other ruminating animals, swine, dogs, horses, asses and mules;

“authorised officer” means an inspector authorised by the Department to exercise powers under this Scheme;

“disease” means anthrax;

“premises” includes land, with or without buildings;

“vaccination” means the administration to an animal of a vaccine against anthrax.

Vaccination and treatment

2.—(1) An authorised officer may serve on the occupier or person in charge of any premises a notice requiring him to arrange for the vaccination or the vaccination and treatment of animals kept on the premises to be carried out in such a manner and within such a period as may be specified in the notice.

(2) A notice served under sub-paragraph (1) may be amended or revoked at any time by a further notice served by an authorised officer on the person on whom the notice under sub-paragraph (1) was served.

(3) Where a notice is served on any person under sub-paragraph (1) he shall comply with the requirements thereof.

(4) If the requirements of a notice served under sub-paragraph (1) are not complied with the Department may, without prejudice to any proceedings for an offence arising out of the default, carry out or cause to be carried out those requirements, and any expenses reasonably incurred by the Department in doing so shall be recoverable from the occupier of the premises as a civil debt.

(5) In sub-paragraphs (3) and (4) the references to a notice served under sub-paragraph (1) shall include a reference to a notice served under that sub-paragraph which has been amended by a notice served under sub-paragraph (2).

Record keeping

3.—(1) The owner or person in charge of an animal which has been vaccinated (whether under and in accordance with this Scheme or otherwise) shall make a record, in permanent and legible form, of any movement of such an animal on to or off any premises which takes place during the period of one year beginning on the day before the date of vaccination of that animal.

(2) A record made under sub-paragraph (1) shall be kept by the person making it until the expiration of a period of five years beginning on the last day before the date of the vaccination.

(3) Records kept under this paragraph shall at all reasonable times be produced on demand to an authorised officer who may take a copy or extract therefrom.

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Powers of an authorised officer

4.—(1) For the purposes of carrying out functions under this Scheme, an authorised officer may at any reasonable time, and upon production, if so required, of his authority, enter any premises where an animal is kept or is suspected on reasonable grounds to be kept.

(2) The owner or person in charge of any animal kept on premises entered under sub-paragraph (1) and the owner or occupier of, and any person employed on or in, such premises shall, upon request by an authorised officer—

- (a) present all animals in his charge;
- (b) pen, restrain or otherwise secure such animals in such manner as the officer may require so as to enable him to carry out functions under this Scheme; and
- (c) inform the officer, in writing if so required, of the number of animals of each species in his charge.

(3) An authorised officer may for identification purposes, paint, stamp or clip any mark on any animal kept on premises entered under sub-paragraph (1) or cause such an animal to be so marked.

(4) A person shall not alter, remove, obliterate, deface or duplicate any mark applied under sub-paragraph (3).

EXPLANATORY NOTE

(This note is not part of the Order.)

This Order introduces a Scheme for keeping animals in Northern Ireland free from anthrax and for the control of that disease.

The main provisions of the Scheme are as follows—

- (a) paragraph 2 enables an authorised officer (as defined in paragraph 1) to serve a notice on the occupier or person in charge of premises requiring him to arrange for the vaccination or vaccination and treatment of animals kept on the premises;
- (b) paragraph 2 further provides that where the requirements of such a notice are not complied with, the Department of Agriculture and Rural Development may carry out those requirements and also provides for the recovery by the Department of any expenses reasonably incurred in doing so;
- (c) paragraph 3 provides that the owner or person in charge of any animal which has been vaccinated against anthrax shall make a record of the movements of such an animal occurring during the period of one year beginning with the date of vaccination;
- (d) paragraph 4 confers powers of entry on an authorised officer for the purpose of carrying out his functions under the Scheme.

Any person who, without lawful authority or excuse, proof of which shall lie on him, contravenes any provision of this Order shall be guilty of an offence against the Diseases of Animals (Northern Ireland) Order 1981. The penalty on summary conviction for such an offence is a fine not exceeding level 5 on the standard scale (currently £5,000) or in the case of an offence committed in respect of more than 5 animals, a fine not exceeding level 3 on the standard scale (currently £1,000) for each animal.

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