
STATUTORY RULES OF NORTHERN IRELAND

2004 No. 361

Brucellosis Control Order (Northern Ireland) 2004

PART VI

GENERAL

Power to seize certain animals

18.—(1) The Department may seize, detain and dispose of an affected or suspected animal exposed for sale, carried, kept or otherwise dealt with in contravention of this Order or the Scheme, or of any notice served or licence issued under this Order or the Scheme, as the case may be.

(2) The amount of any expenses reasonably incurred by the Department in seizing, detaining or disposing of an animal under paragraph (1) shall be recoverable by it as a civil debt from the owner of that animal.

Information to be furnished to inspectors

19.—(1) The keeper of an affected or suspected animal or any animal which may have been exposed to the possibility of brucella infection shall, on demand by an inspector, give such information as he possesses as to –

- (a) that animal or any other animal or carcase which is or has been on his holding;
- (b) any other animal or carcase with which any animal or carcase mentioned in subparagraph (a), has or may have been in contact;
- (c) the location and movement of any animal or carcase which is or has been in his possession or charge; and
- (d) the location of all or any part of his holding.

(2) A person engaged in the purchase, sale, collection, transport or delivery of animals shall on demand by an inspector give such information as he possesses relating to any animal or carcase which is or has been in his possession or under his control.

Draft or dispersal sales

20.—(1) The keeper of any animal shall not hold or cause or permit to be held a sale by auction or otherwise of that animal –

- (a) on premises in which the animal is normally kept, unless those premises have been habitually used as a market, sale-yard, fairground or place of exhibition,
- (b) in any public place, other than premises habitually used as a market, sale-yard, fairground or place of exhibition,

except under and in accordance with the conditions of a licence issued by the Department.

(2) A licence under paragraph (1) may, where the Department considers it necessary, be subject to the condition that all of the animals in the sale to which it relates shall have undergone an official test during the period of 30 days prior to the holding of the sale, with negative results.

Compliance with licences, notices, approvals and authorisations

21.—(1) A licence, notice, approval or authorisation under this Order or the Scheme, as the case may be, shall be in writing, may be general or specific, may be subject to conditions and may be amended, suspended or revoked by notice at any time, and in particular may be suspended or revoked if the Department is of the reasonable opinion that the provisions of this Order or the Scheme are not being complied with.

(2) A person on whom a notice is served or to whom an approval or authorisation is granted under this Order or the Scheme shall comply with its requirements.

Action in case of default

22. Where a person fails to comply with any requirement imposed on him under this Order or by virtue of any licence, notice or approval issued under it, an inspector may, without prejudice to any proceedings arising out of such default, carry out or cause to be carried out those requirements.

Production of licences, etc

23. A person acting under the authority of a licence, notice, approval or authorisation under this Order or the Scheme, as the case may be, shall, on demand made by an inspector or a member of the Police Service of Northern Ireland, produce the licence, notice, approval or authorisation and allow a copy thereof or an extract therefrom to be taken and shall also on such demand, furnish his name and address.

Revocations

24. The statutory provisions listed in Schedule 2 are hereby revoked to the extent that they remain in operation.