
STATUTORY RULES OF NORTHERN IRELAND

2009 No. 129

**The Aquatic Animal Health
Regulations (Northern Ireland) 2009**

PART 4

NOTIFICATION AND CONTROL OF DISEASE OUTBREAKS

Powers of inspectors in confirmed designation area

- 33.**—(1) This regulation applies where the Department has made a confirmed designation.
- (2) An inspector may—
- (a) remove, slaughter, destroy or dispose of any aquatic animal suspected of being infected in the confirmed designation area;
 - (b) cleanse and disinfect any premises in the confirmed designation area or any thing on those premises liable to transmit disease.
- (3) An inspector may, by notice served on the occupier of any premises in the confirmed designation area, require that person to—
- (a) take such measures as are specified in the notice to secure the slaughter, destruction, removal or disposal of any aquatic animal on the premises;
 - (b) provide and operate a disinfection facility at the entrances and exits of the premises in such manner as may be specified in the notice;
 - (c) cleanse and disinfect any premises or any thing on those premises liable to transmit disease in such manner as may be specified in the notice;
 - (d) empty, cleanse and disinfect any pool, pond or cage on the premises in such manner as may be specified in the notice;
 - (e) take such other measures as are specified in the notice as the inspector considers necessary to eradicate the disease or to prevent or limit the spread of the disease to other aquatic animals.
- (4) An inspector may, by notice served on the occupier of any premises in the confirmed designation area, permit the harvesting of aquaculture animals, which have reached commercial size and show no clinical signs of disease, for human consumption or for further processing in a processing establishment authorised under Part 2.
- (5) An inspector may, by notice served on the occupier of any premises in the confirmed designation area, prohibit that person from repopulating the premises with any aquatic animal for such period as may be determined by the inspector.
- (6) An inspector may, by notice, prohibit any person from entering any farm or mollusc farming area in the confirmed designation area.

(7) Where an inspector considers that any requirement imposed by a notice under paragraph (3) has not been complied with, the inspector may, without prejudice to any proceedings under paragraph (8),—

- (a) enter any premises in the confirmed designation area to which the notice relates;
- (b) take, or cause to be taken, such steps as the inspector considers necessary to—
 - (i) ensure compliance with the requirement; or
 - (ii) remedy the consequences of the failure to comply with the requirement; and
- (c) recover any expenses reasonably incurred in so doing from the person who has failed to comply with the requirement.

(8) It is an offence for a person to fail to comply with any requirement or prohibition imposed under paragraph (3), (5) or (6).

Commencement Information

II Reg. 33 in operation at 27.3.2009, see [reg. 1\(1\)](#)

Changes to legislation:

There are currently no known outstanding effects for the The Aquatic Animal Health Regulations (Northern Ireland) 2009, Section 33.