
STATUTORY INSTRUMENTS

2003 No. 1729

The Disease Control (England) Order 2003

PART 4

Miscellaneous and enforcement

Licences, permits and authorisations

19.—(1) Any licence, permit or authorisation under this Order shall be in writing, may be general or specific, may be subject to conditions and may be varied, suspended or revoked at any time by notice in writing issued—

- (a) by the Secretary of State, in the case of a licence, permit or authorisation issued by the Secretary of State or an inspector of any kind;
- (b) by a veterinary inspector, in the case of a licence or permit issued by a veterinary inspector or any other inspector of the Secretary of State;
- (c) by an inspector of the Secretary of State (other than a veterinary inspector), in the case of a licence issued by any such inspector; or
- (d) by an inspector of a local authority, in the case of a licence issued by an inspector of that local authority.

(2) In deciding whether to issue a licence under article 12(1) or a permit under article 6(b) an inspector or a veterinary inspector shall comply with any instructions issued by the Secretary of State.

Cleansing and disinfection

20.—(1) A licence issued under article 12(1), a permit issued under article 6(b) or an authorisation under article 11 may specify requirements for the cleansing and disinfection of any vehicle used for moving animals additional to the requirements of the Transport of Animals (Cleansing and Disinfection) (England) Order 2003(1).

(2) Where animals are moved under a licence, the occupier of the premises which they are moved on to shall provide adequate facilities, equipment and materials for any cleansing and disinfection required by the licence.

Change of occupation of premises

21.—(1) Where, on the termination of his right of occupation of any premises, the owner of any animal on those premises is unable to remove it from those premises by reason of any restriction imposed by or under this Order, the person entitled to the occupation of those premises shall—

- (a) afford the owner of that animal and any person authorised by him for the purpose, all such facilities as may be necessary for feeding, tending or otherwise using that animal (including selling it) as the owner may reasonably require; or

(b) where the owner of that animal is unable or unwilling to avail himself of such facilities, take all such steps as may be necessary to ensure that the animal is properly fed, tended and kept.

(2) The provisions of paragraph (1) shall continue to apply until the expiry of a period of 7 days from the date on which any restriction on the movement of the animal off the premises ceases to apply and the owner of the animal shall be liable to pay to the person who affords any facilities or feeds, tends or otherwise keeps that animal, in accordance with those provisions, such sums by way of remuneration and reimbursement of expenses as may be just and reasonable in all the circumstances.

Enforcement

22.—(1) This Order shall be enforced by the local authority.

(2) The Secretary of State may direct, in relation to cases of a particular description or any particular case, that an enforcement duty imposed on a local authority under this regulation shall be discharged by the Secretary of State and not by the local authority.

Revocations

23. The Disease Control (Interim Measures) (England) (No. 2) Order 2003(2) is revoked.