

## STATUTORY INSTRUMENTS

# 2012 No. 2629

## The African Horse Sickness (England) Regulations 2012

### PART 6

#### Area controls

##### Temporary movement restriction zone

**17.**—(1) This regulation applies where premises are suspect premises or where a veterinary inspector has taken samples under regulation 15(3) from a horse or carcass at a slaughterhouse.

(2) Where the Secretary of State considers it necessary to reduce the risk of spread of African horse sickness virus, a temporary movement restriction zone may be declared by the Secretary of State around the suspect premises or the slaughterhouse (as the case may be).

(3) The temporary movement restriction zone must be of such size as the Secretary of State considers necessary having regard to the risk of spread of African horse sickness virus.

(4) Within the temporary movement restriction zone no person may move any horse or carcass to or from premises or any equipment or genetic material off premises, except under the authority of a licence granted by a veterinary inspector.

(5) If the Secretary of State considers it necessary to reduce the risk of spread of African horse sickness virus, the Secretary of State may in the declaration of the temporary movement restriction zone impose any other measures.

##### Commencement Information

**II** Reg. 17 in force at 21.11.2012, see **reg. 1(c)**

##### Control zone, protection zone and surveillance zone

**18.**—(1) This regulation applies where premises are infected premises or where tests under regulation 15 indicate the existence of African horse sickness virus in a horse or carcass at a slaughterhouse.

(2) The Secretary of State may declare a control zone, and in addition may declare a protection zone and surveillance zone, around the infected premises or the slaughterhouse (as the case may be).

(3) The control zone must have a radius of at least 20 kilometres, the protection zone must have a radius of at least 100 kilometres and the surveillance zone must have a radius of at least 150 kilometres, each centred on the part of the premises that the Secretary of State considers most appropriate for disease control.

(4) The Secretary of State must ensure that within those zones—

- (a) premises that contain horses are identified as far as is reasonably practicable and without unduly diverting resources from preventing the spread of disease,

- (b) a veterinary inspector visits in a systematic way as directed by the Chief Veterinary Officer any such identified premises, and—
  - (i) inspects and as necessary examines the horses; and
  - (ii) collects and tests such samples as the Chief Veterinary Officer considers necessary.
- (5) The Schedule sets out measures that apply in relation to premises in a control zone.
- (6) When the control zone is revoked, the measures in the Schedule cease to have effect, except for the purposes of paragraph 1(4)(a) of that Schedule.
- (7) No person may move any horse, or any semen, ovum or embryo of a horse—
  - (a) out of a protection zone, or
  - (b) out of a surveillance zone to an area outside any zone,except under the authority of a licence granted by a veterinary inspector.
- (8) No person may move from premises within a protection zone or a surveillance zone—
  - (a) any ass, donkey, zebra, mule or other hybrid of these except under the authority of a licence granted by a veterinary inspector;
  - (b) any other horse that shows clinical signs of African horse sickness on the day of the proposed move.
- (9) The Secretary of State may declare that any other measure considered necessary to reduce the risk of spread of African horse sickness virus applies in respect of the whole or any part of the control zone, protection zone or surveillance zone.

**Commencement Information**

**I2** [Reg. 18](#) in force at 21.11.2012, see [reg. 1\(c\)](#)

**Infection zones**

- 19.**—(1) This regulation applies where a veterinary inspector concludes that African horse sickness virus is likely to be present in a non-captive horse.
- (2) The Secretary of State may declare an infection zone of such size as the Secretary of State considers necessary to reduce the risk of spread of African horse sickness virus.
  - (3) The Secretary of State may declare—
    - (a) restrictions on the movement of horses into or out of the infection zone;
    - (b) that any other measure considered necessary to reduce the risk of spread of African horse sickness virus applies in respect of the whole or any part of the infection zone.

**Commencement Information**

**I3** [Reg. 19](#) in force at 21.11.2012, see [reg. 1\(c\)](#)

**Declaration of zones where African horse sickness suspected or confirmed outside England**

- 20.**—(1) This regulation applies where—

- (a) the presence of African horse sickness virus is suspected or officially confirmed for the purposes of Council Directive 92/35/EEC laying down control rules and measures to combat African horse sickness<sup>(1)</sup> outside England, and
  - (b) the Secretary of State considers that there is a risk of spread of African horse sickness virus to England.
- (2) The Secretary of State may declare in England any of the following—
- (a) a temporary movement restriction zone;
  - (b) a control zone;
  - (c) a protection zone;
  - (d) a surveillance zone;
  - (e) an infection zone.
- (3) Any zone declared under this regulation must be of such size as the Secretary of State considers necessary to reduce the risk of spread of African horse sickness virus.
- (4) Regulations 17(4) and (5), 18(5) to (9) and 19(3) apply to any zone declared under this regulation as if it were a zone declared under regulation 17, 18 or 19 (as applicable).

**Commencement Information**

**I4** Reg. 20 in force at 21.11.2012, see [reg. 1\(c\)](#)

**Declaration of zones**

- 21.—(1) A declaration of a zone under these Regulations—
- (a) must be in writing;
  - (b) must designate the extent of the zone being declared;
  - (c) may be amended or revoked by further declaration at any time.
- (2) Unless the Secretary of State states otherwise in any declaration of a zone, any movement which is prohibited but has already started when such a declaration comes into force may be completed.
- (3) Any person on whom a restriction or other measure is imposed by virtue of a declaration under regulation 17(5), 18(9), or 19(3) must comply with it.
- (4) In deciding to amend or revoke any declaration of a zone, the Secretary of State must have regard to the epidemiological situation and the measures necessary to control the spread of African horse sickness virus.

**Commencement Information**

**I5** Reg. 21 in force at 21.11.2012, see [reg. 1\(c\)](#)

**Premises straddling zones**

- 22.—(1) Premises partly inside and partly outside a temporary movement restriction zone declared under regulation 17 or 20 are treated as being inside the temporary movement restriction zone.

(1) OJ L No 157, 10.6.1992 p 19.

(2) Premises partly inside and partly outside a control zone declared under regulation 18 or 20 are treated as being inside the control zone.

(3) Premises partly inside and partly outside a protection zone declared under regulation 18 or 20 in an area other than in a control zone are treated as being inside the protection zone.

(4) Premises partly inside a surveillance zone declared under regulation 18 or 20 and partly in an area other than a protection zone are treated as being inside the surveillance zone.

(5) Premises partly inside and partly outside an infection zone declared under regulation 19 or 20 are treated as being inside the infection zone.

**Commencement Information**

**I6** Reg. 22 in force at 21.11.2012, see **reg. 1(c)**

**Publicity**

**23.** The Secretary of State must publicise—

- (a) the extent of any zone declared under these Regulations;
- (b) the nature of the restrictions and requirements relating to that zone; and
- (c) the dates of the declaration and ending of that zone.

**Commencement Information**

**I7** Reg. 23 in force at 21.11.2012, see **reg. 1(c)**

**Changes to legislation:**

There are currently no known outstanding effects for the The African Horse Sickness (England) Regulations 2012, PART 6.