STATUTORY RULES OF NORTHERN IRELAND

2006 No. 241

ANIMALS

The Sales, Markets and Lairs (Amendment) Order (Northern Ireland) 2006

Made - - - -	*2nd June 2006*
Coming into operation	*28th June 2006*

The Department of Agriculture and Rural Development(**1**), makes the following Order in exercise of the powers conferred on it by Articles 19, 21 and 60(1) of the Diseases of Animals (Northern Ireland) Order 1981(**2**).

Citation and commencement

1. This Order may be cited as the Sales, Markets and Lairs (Amendment) Order (Northern Ireland) 2006 and shall come into operation on 28th June 2006.

Amendment of the Sales, Markets and Lairs Order (Northern Ireland) 1975

2.—(1) The Sales, Markets and Lairs Order (Northern Ireland) 1975(**3**) shall be amended in accordance with this Order.

3. In Article 3 (Interpretation)—

(a) for the definition of "animals" there shall be substituted—

> ""animals" means bovine animals, swine, sheep or goats and in Parts III and IV is extended to include equidae;"

(b) for the definition of "draft sale", there shall be substituted—

> ""draft sale" means a sale held on private premises of surplus stock from not more than 3 herds of bovine animals, swine or goats;"

(c) for the definition of "herd" there shall be substituted—

> ""herd" means any animal of the same species kept as an epidemiological unit and for this purpose "animal" shall include bovine animals, swine or goats;"

4. In Article 5—

(**1**) The Department of Agriculture for Northern Ireland was renamed the Department of Agriculture and Rural Development by Article 3(4) of the Departments Order 1999 (S.I.1999/283 (N.I. 1))
(**2**) S.I. 1981/1115 (N.I. 22) as amended by S.I. 1984/702 (N.I. 2) Article 17 and S.I. 1994/1891 (N.I. 6)Art. 23
(**3**) S.R. 1975 No. 294 as amended by S.R. 1993 No. 371, S.R. 2004 No. 488 and S.R. 2005 No. 78

(a) the word "either" shall be omitted;

(b) for the words "or swine" there shall be substituted the words—

", swine or goats".

5. In paragraphs (1) and (2) of Article 8 the word "livestock" shall be substituted by the word "animals".

6. For Article 9 (Provision of covered accommodation for calves, dairy cows in milk and swine) there shall be substituted—

"**Provision of covered accommodation for calves, dairy cows in milk, swine, sheep and goats**

9.—(1) Subject to the provisions of Article 11 a person shall not keep or permit to be kept a calf, dairy cow in milk, swine, sheep or goat in a market or lair otherwise than in accommodation approved under this Article.

(2) Subject to the provisions of Article 11 the market authority of every market in which a calf, dairy cow in milk, swine, sheep or goat are exposed for sale, and the lairage authority of every lair at a port or airport shall, for the purpose of protecting such animals from unnecessary suffering by exposure to adverse weather including excessive exposure to direct sunlight, provide or cause to be provided for them in the market or lair adequate covered accommodation, with adjustable ventilation, approved by the Department in accordance with the provisions of this Article.

(3) Before granting approval, the Department shall be satisfied that the accommodation is adequate in design, construction and extent for the purpose referred to in paragraph (2) and for the number of calves, dairy cows in milk, swine, sheep or goats presented for sale in the market or held in the lair at any one time.".

7. In Article 13 (Notice of approval of markets)—

(a) in paragraph (3)(b) the words "or swine" shall be substituted by the words—

", swine, sheep or goats".

(b) after paragraph (4)(b) there shall be inserted—

"(c) in relation to sheep and goats, under the Diseases of Animals (Northern Ireland) Order 1981 for contravention of The Sheep and Goats (Records, Identification and Movement) Order (Northern Ireland) 2005(**4**).".

8. After Article 13 (Notice of approval of markets), there shall be inserted—

"**Notice of approval of a sheep sale other than in an approved market**

13A.—(1) A person shall not hold or organise or advertise or permit to be held a sale of sheep to which the public has access other than in an approved market, except in accordance with a specific notice of approval issued by the Department under this Article.

(2) A notice of approval issued to any person under paragraph (1) may be—

(a) issued subject to conditions; and

(b) amended, suspended or revoked by further notice in writing issued to the same person.

(3) A notice of approval under paragraph (1) may be—

(**4**) S.R. 2005 No. 535