STATUTORY RULES OF NORTHERN IRELAND

2004 No. 492

ANIMALS

Disease Control (Standstill) Order (Northern Ireland) 2004

Made - - - - 30th November 2004

The Department of Agriculture and Rural Development(**1**), in exercise of the powers conferred on it by Articles 5(1), 19, 44 and 60(1) of the Diseases of Animals (Northern Ireland) Order 1981(**2**), and of every other power enabling it in that behalf, hereby makes the following Order:

PART I

INTRODUCTION

Citation

1. This Order may be cited as the Disease Control (Standstill) Order (Northern Ireland) 2004.

Interpretation and application

2.—(1) In this Order –

"animal" means any livestock, deer, llama or alpaca;

"collecting centre" means any premises used by a dealer for the intermediate reception of animals intended to be moved elsewhere (but does not include a market);

"dealer" means any person who –

(a) buys and sells animals commercially either on his own behalf or on behalf of another; and

(b) does not generally retain such animals in his ownership for a period of more than 30 days; and

(c) in the course of that business moves animals purchased by him from trading premises operated by him to other premises not operated by him;

"general licence" means a licence issued under this Order which applies to all persons, or any class of persons specified therein;

(**1**) Formerly the Department of Agriculture for Northern Ireland. *See*S.I.1999/283 (N.I. 1) Article 3(4)
(**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) Article 23

"holding" means any establishment, construction or, in the case of an open-air farm, place (including land with or without buildings) occupied by the same person and in which animals are held, kept or handled;

"holding number" has the same meaning as in the Aujeszky's Disease Scheme Order (Northern Ireland) 1994(**3**) and Identification and Movement of Sheep and Goats Order (Northern Ireland) 2004(**4**);

"individual animal identification number" means –

(a) in relation to a bovine animal, the unique identification code on an eartag approved by the Department under the Cattle Identification (No. 2) Regulations (Northern Ireland) 1998(**5**);

(b) in relation to a sheep or goat, the unique numeric sequence on an eartag approved by the Department under the Identification and Movement of Sheep and Goats Order (Northern Ireland) 2004;

(c) in relation to a pig, the individual number marked on it in accordance with the Aujeszky's Disease Order (Northern Ireland) 1994;

"keeper" means any natural or legal person responsible for animals on a permanent or temporary basis;

"land" includes common or unenclosed land;

"licensed isolation facility" means a facility on a holding which is intended for the keeping of animals and for effectively isolating them from any other animal and which is operated for that purpose under and in accordance with the conditions of a licence granted by the Department;

"livestock" means any bovine animal (excluding bison and yak), goat, pig or sheep;

"market" means a market place, sale yard or other premises or place in or upon which animals are exhibited for the purpose of public sale;

"premises" includes land, with or without buildings;

"specific licence" means a licence issued under this Order which only applies to the applicant therefor; and

"trading premises" means a premises which a dealer operates as a collecting centre which is a separate epidemiological unit from any other premises on which animals are kept.

(2) The provisions of this Order are without prejudice to the requirements or prohibitions imposed by or under any other statutory provision relating to the movement of animals.

Exception

3. This Order shall not apply in relation to the movement of an animal to or from a zoo licensed under the Welfare of Animals Act (Northern Ireland) 1972(**6**).

(**3**) S.R. 1994 No. 199
(**4**) S.R. 2004 No. 491
(**5**) S.R. 1998 No. 279 as amended by S.R. 1999 No. 324 and S.R. 2004 No. 420
(**6**) 1972 c. 7 (N.I.)

PART II

MOVEMENT RESTRICTIONS

Requirement for a licence to move animals

4. A person shall not move or cause or permit to be moved an animal from any holding except under and in accordance with the conditions of a licence issued by the Department.

Restriction on the movement of livestock

5. A person shall not move or cause or permit to be moved any livestock from a holding in relation to which any other livestock or any deer, llama or alpaca has made a relevant movement during the previous 6 days.

Meaning of relevant movements

6. For the purposes of Article 5, a relevant movement in relation to any holding means any movement onto the holding other than –

(a) a movement directly to a licensed isolation facility situated on the holding, in the course of which the animal does not come into contact with any other animal on the holding outside the isolation facility; or

(b) a movement under and in accordance with the conditions of a licence issued by the Department under Article 4.

Isolation facilities

7. A person shall not move or cause or permit to be moved an animal into or out of a licensed isolation facility except under and in accordance with the conditions of a licence issued by the Department.

PART III

DEALERS

Movement of an animal by a dealer to or from trading premises

8. The prohibition in Article 5 shall not apply where a dealer moves livestock or causes it to be moved to or from trading premises operated by him, provided that –

(a) such movement is made under and in accordance with the conditions of a licence issued by the Department under Article 4;

(b) the livestock is moved directly from the trading premises to its premises of destination (not being a market, collecting centre, other trading premises or any other place used for the sale or trading of animals) within 6 days of its arrival at the trading premises; and

(c) the dealer complies with the requirements of this Part.

Requirement for dealers to keep records

9.—(1) A dealer shall keep a record of the movement of any animal to or from trading premises operated by him and such record shall include –