STATUTORY RULES OF NORTHERN IRELAND

1999 No. 433

ANIMALS

Importation of Animal Pathogens Order (Northern Ireland) 1999

Made - - - -	*25th October 1999*
Coming into operation	*15th November 1999*

The Department of Agriculture, in exercise of the powers conferred on it by Articles 2(3), 5(1), 19, 24(1), 29, 52(6) and 60(1) of the Diseases of Animals (Northern Ireland) Order 1981(**1**), and of every other power enabling it in that behalf, hereby makes the following Order:

Citation and commencement

1. This Order may be cited as the Importation of Animal Pathogens Order (Northern Ireland) 1999 and shall come into operation on 15th November 1999.

Interpretation

2. In this Order—

"animal" includes poultry;

"animal pathogen" means any collection or culture of organisms or any derivative either on its own or in recombinant form of such collection or culture of organisms which may cause disease in animals;

"another Member State" means any Member State of the European Communities other than the United Kingdom;

"carrier" means any living creature except man which may carry or transmit an animal pathogen or the tissue, cell culture, body fluid, excreta, carcase or part of a carcase of such creature by or by means of which an animal pathogen may be carried or transmitted;

"general licence" means a licence issued under Article 4(1) which applies in relation to all persons, or any class of persons, who import into Northern Ireland an animal pathogen or carrier;

"importation" includes the importation of an animal pathogen in combination or admixture with any other material or in any living creature except man being used as a carrier of that pathogen for the purpose of importation;

(**1**) S.I.1981/1115 (N.I. 22) as amended by S.I. 1984/702 (N.I. 2)Art. 17 and S.I. 1994/1891 (N.I. 6) Arts. 19, 20, 22 to 24 and Schedule

"specific licence" means a licence issued under Article 4(1) which only applies to the applicant therefor;

"the 1981 Order" means the Diseases of Animals (Northern Ireland) Order 1981;

"vehicle" includes any vessel, boat, hovercraft, aircraft and any other description of vehicle or any part thereof.

Extension of definitions of "animals", "poultry" and "disease"

3. For the purposes of the 1981 Order in its application to this Order—

(a) the list of animals in Part I of Schedule 1 to the 1981 Order is hereby extended so as to comprise—

(i) any kind of mammal except man, and

(ii) any kind of four-footed beast which is not a mammal;

(b) the list of poultry in Part II of Schedule 1 to the 1981 Order is hereby extended so as to comprise birds of any kind; and

(c) the lists of diseases in Parts III and IV of Schedule 1 to the 1981 Order are hereby extended so as to comprise any disease of animals and poultry.

Prohibition on importation of animal pathogens and carriers

4.—(1) Subject to Articles 5 and 6, the importation into Northern Ireland of an animal pathogen or carrier is hereby prohibited except under the authority of and in accordance with the conditions of a licence issued by the Department.

(2) A licence issued under paragraph (1) may be either a general licence or a specific licence.

(3) A general licence shall be issued by the publication of it in such manner and to such extent as appears to the Department to be sufficient to bring it to the notice of those persons likely to be affected by it.

(4) An application for a specific licence shall be in writing and shall contain such particulars as the Department may require.

(5) The Department may vary, revoke or suspend any licence issued under paragraph (1)—

(a) in the case of a general licence by a notice, published, so far as is practicable, in the same manner and to the same extent as the licence; and

(b) in the case of a specific licence, by a notice in writing served on the person to whom the licence was issued.

(6) The Department may vary, revoke or suspend a general licence in so far as it applies to any particular person by notice in writing served on that person.

(7) A person who has in his possession an animal pathogen or carrier which he knows to have been imported in contravention of the provisions of this Order shall, with all practicable speed, report the fact to the Department.

Exceptions to prohibition

5. The prohibition contained in Article 4(1) shall not apply to the importation of any animal pathogen or carrier contained in a product—