STATUTORY RULES OF NORTHERN IRELAND

1998 No. 367

ANIMALS
EUROPEAN COMMUNITIES

Sheep and Goats (Spongiform Encephalopathy) Regulations (Northern Ireland) 1998

Made - - - -	*21st October 1998*
Coming into operation	*7th December 1998*

The Department of Agriculture, being a Department designated(**1**) for the purposes of section 2(2) of the European Communities Act 1972(**2**) in relation to the common agricultural policy of the European Community, in exercise of the powers conferred on it by the said section 2(2), and of every other power enabling it in that behalf, hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Sheep and Goats (Spongiform Encephalopathy) Regulations (Northern Ireland) 1998 and shall come into operation on 7th December 1998.

Interpretation

2.—(1) The Interpretation Act (Northern Ireland) 1954(**3**) shall apply to these Regulations as it applies to a Measure of the Northern Ireland Assembly.

(2) In these Regulations—

"carcase" means a carcase of a sheep or goat;

"the Commission Decision" means Commission Decision 98/272/EEC(**4**) on epidemio-surveillance for transmissible spongiform encephalopathies;

"the Department" means the Department of Agriculture for Northern Ireland;

"the disease" means any transmissible spongiform encephalopathy in sheep and goats;

"premises" means any place (including any structure or vehicle) in which sheep, goats or carcases may be handled, held or kept;

(**1**) S.I.1972/1811
(**2**) 1972 c. 68; section 2 is subject to Schedule 2 to that Act and is to be read with S.I. 1984/703 (N.I. 3) and S. I. 1994/2795 (N.I. 15)
(**3**) 1954 c. 33 (N.I.)
(**4**) O.J. No. L122, 24.4.98, p. 59

"the Sheep and Goats Order" means the Sheep and Goats (Spongiform Encephalopathy) Order (Northern Ireland) 1998(**5**);

"transmissible spongiform encephalopathy" has the same meaning as in the Commission Decision; and

"veterinary inspector" means a veterinary inspector appointed by the Department.

Investigation of the disease in sheep and goats

3.—(1) If a veterinary inspector has reasonable grounds for supposing that the disease exists or has existed on any premises, he shall, with all practicable speed, carry out any investigation he believes may be necessary to establish the correctness of that supposition.

(2) For the purposes of such an investigation in relation to any premises, a veterinary inspector or an officer of the Department may—

(a) inspect and examine any sheep, goat or carcase on the premises;

(b) make such tests in relation to, and take such samples from, any sheep, goat or carcase on the premises as he may consider necessary for the purpose of diagnosis or research in relation to the disease;

(c) apply a mark for identification purposes to any sheep, goat or carcase on the premises; and

(d) examine any record on the premises, and any information relating to sheep, goats or carcases contained in any computer accessible from the premises, which he believes may be relevant to any test, sampling, marking or examination under these Regulations.

(3) The occupier of the premises and his employees, and any person who is or has been in possession or charge of any sheep, goat or carcase which is or has been on the premises, shall—

(a) provide such reasonable facilities and comply with such reasonable requirements as are necessary for the purposes of any investigation of the disease under this regulation; and

(b) if so required by a veterinary inspector or an officer of the Department, give such information as he possesses as to—

(i) any sheep, goat or carcase which is or has been on the premises;

(ii) any other animal or carcase of such other animal with which any sheep, goat or carcase which is or has been on the premises may have come into contact; and

(iii) the location and movement of any sheep, goat or carcase which is or has been in his possession or charge.

(4) A veterinary inspector or an officer of the Department may, on producing if so required, some duly authenticated document showing his authority, at all reasonable hours—

(a) enter any premises, including any part of any premises occupied as or contiguously with a private dwelling—

(i) for the purpose of ascertaining whether any sheep, goat or carcase is being or has been kept on the premises;

(ii) for any other purpose connected with an investigation of the disease under this regulation;

(iii) for any purpose connected with the imposition of restrictions on movement of any sheep or goats under Articles 4, 5 and 6 of the Sheep and Goats Order; or

(**5**) S.R. 1998 No. 366