STATUTORY RULES OF NORTHERN IRELAND

1996 No. 593

ANIMALS

Bovine Spongiform Encephalopathy (Amendment) (No. 2) Order (Northern Ireland) 1996

Made - - - -	*18th December 1996*
Coming into operation	*8th January 1997*

The Department of Agriculture, in exercise of the powers conferred on it by Articles 2(3), 5(1), 10(6), 18(7), 19(*e*), (*f*) and (*k*), 44 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 Bovine Spongiform Encephalopathy (Amendment) (No. 2) Order (Northern Ireland) 1996 and shall come into operation on 8th January 1997.

Amendment of the Bovine Spongiform Encephalopathy Order (Northern Ireland) 1995

2. The Bovine Spongiform Encephalopathy Order (Northern Ireland) 1995(**2**) shall be amended as provided in Articles 3 to 7.

3. In Article 2 (Interpretation)—

(a) after the definition of "Divisional Veterinary Officer" there shall be inserted the following definition—

> ""exposed animal" means a bovine animal which has been exposed in any way to the infection of the disease;"; and

(b) after the definition of "premises" there shall be inserted the following definition—

> ""rendering plant" has the same meaning as in the Specified Bovine Material (No. 2) Order (Northern Ireland) 1996(**3**);".

4. For Article 6 there shall be substituted the following Article—

(**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, and 23
(**2**) S.R. 1995 No. 274 as amended by S.R. 1996 No. 362
(**3**) S.R. 1996 No. 360 as amended by S.R. 1996 No. 538

"**Affected or suspected and exposed animals**

6.—(1) Where, in the opinion of the Department, there is an affected or suspected animal, or the carcase of such an animal, on any premises it may serve a notice in the form set out in Schedule 1, on the owner or person in charge of that animal or carcase.

(2) Where, in the opinion of the Department, there is an exposed animal or the carcase of such an animal, on any premises, it may serve a notice in the form set out in Schedule 2 on the owner or person in charge of that animal or carcase.

(3) Where a notice has been served on any person under paragraph (1) or (2), the requirements and prohibitions set out therein shall have effect and it shall be the duty of that person to ensure that they are complied with.

(4) Subject to paragraphs (5) and (7), a notice served under paragraph (1) or (2) shall remain in force for a period of 28 days beginning on and including the day on which it is served.

(5) The Department may, from time to time, in accordance with paragraph (6) renew or further renew, any notice served under paragraph (1) or (2) for, on each such occasion, a period of 28 days beginning on and including the day after that notice would otherwise have expired.

(6) A notice served on a person under paragraph (1) or (2) shall be renewed, or further renewed, by a notice in writing served on that person before the date on which the notice which it renews, or further renews, would otherwise have expired.

(7) A notice served on a person under paragraph (1) or (2) may be withdrawn at any time by a notice in the form set out in Schedule 3 served on that person.".

5. For Article 8(1) there shall be substituted the following paragraph—

"**Restrictions on the movement of other bovine animals**

8.—(1) If the Department has reasonable grounds for supposing that the movement of any bovine animal, other than an affected, suspected or exposed animal from any premises may give rise to the risk of the spread of the disease it may, by notice in writing served on the owner or person in charge of the animal, prohibit the movement of the animal off the premises, except under the authority of and in accordance with the conditions of a licence granted by the Department.".

6. For Article 10(1) there shall be substituted the following paragraph—

"**Cleansing and disinfection**

10.—(1) The Department may serve on the owner or occupier of any premises on which there is or has within 56 days been an affected, suspected or exposed animal or the carcase of such an animal, a notice requiring him to cleanse and disinfect, at his own expense, and in such manner and within such period as may be specified in the notice—

(a) all or any part of the premises; and

(b) any equipment, appliance, utensil or other thing used in connection with any such animal or carcase.".

7. For Schedule 2 there shall be substituted the Schedules set out in the Schedule to this Order.

Sealed with the Official Seal of the Department of Agriculture on 18th December 1996.

P. T. Toal
Assistant Secretary