1979 No. 374

ANIMALS

Rabies Virus Order (Northern Ireland) 1979

Made . . . . . 16*th October* 1979

Coming into operation . . . 26*th November* 1979

The Department(a) of Agriculture, in exercise of the powers conferred on it by sections 5(b), 13(1)(c), 18(1)(d), 23(1)(e) and 53(1)(f) of the Diseases of Animals Act (Northern Ireland) 1958(g), and Article 8A(h) of the Diseases of Animals (Northern Ireland) Order 1975(i), and of every other power enabling it in that behalf, for the purpose of preventing the introduction or spreading of rabies into or within Northern Ireland, hereby makes the following Order:

Citation and commencement

1. This Order may be cited as the Rabies Virus Order (Northern Ireland) 1979 and shall come into operation on 26th November 1979.

Interpretation

2. In this Order—

"the Act" means the Diseases of Animals Act (Northern Ireland) 1958;

"animal" means a member of any species of the orders of mammals except *Homo sapiens* (man) listed in Part I(j) of the First Schedule to the Act;

"importation" includes the importation of rabies virus in combination or admixture with any other material or in any living creature (including eggs) being used as a carrier of the virus for the purpose of importation;

"keeping" includes the keeping of rabies virus in combination or admixture with any other material or in any living creature (including eggs) but does not include the presence of rabies virus resulting from natural or accidental infection with that virus;

"licence" means a licence issued by the Department under Article 3(1);

"rabies virus" means virus of the genus lyssavirus of the family Rhabdoviridae including whole virus, attenuated or otherwise genetically altered virus and any fraction thereof;

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

(a) Formerly Ministry: *see* 1973 c. 36 s. 40 and Sch. 5 para. 8(1)
(b) As extended by S.I. 1975/1307 (N.I. 12) Art. 4
(c) As modified by S.I. 1975/1307 (N.I. 12) Art. 8(1) and Sch. 1 para. 3
(d) As extended by S.I. 1975/418 (N.I. 3) Art. 7 and S.I. 1975/1307 (N.I. 12) Art. 3(1)
(e) As extended by S.I. 1975/1307 (N.I. 12) Arts. 3(2) and 8(1) and Sch. 1 para. 4
(f) As extended by S.I. 1975/418 (N.I. 3) Art. 5 and S.I. 1977/1245 (N.I. 12) Art. 13
(g) 1958 c. 13 (N.I.)
(h) As inserted by 1977 c. 45 s. 55 (6)
(i) S.I. 1975/418 (N.I. 3)
(j) As substituted by S.R. & O. (N.I.) 1972 No. 17 (p. 58)

Prohibition on importation, keeping or deliberate introduction into animals of rabies virus

3.—(1) Subject to Article 4, the importation, the keeping or the deliberate introduction into animals of any rabies virus are hereby prohibited, except under the authority of a licence issued by the Department and in accordance with the conditions of that licence.

(2) The Department may, by notice, vary, revoke or suspend a licence.

Exceptions to prohibitions

4. The prohibitions contained in Article 3(1) shall not apply to the importation, the keeping or the deliberate introduction into animals of any rabies virus contained in a medicinal product which may be imported, kept or introduced into animals in accordance with the provisions of sections 7 and 32 of the Medicines Act 1968(k).

Powers of inspectors

5.—(1) Where an inspector has reasonable grounds for suspecting that a rabies virus has been imported, kept or deliberately introduced into an animal in contravention of this Order or of a licence he may—

(*a*) serve a notice on the owner or person in charge of the virus or the animal requiring the person on whom the notice was served to detain the virus or the animal in such manner, for such period, and at such place, as may be specified in such notice; or

(*b*) at any time seize or cause the virus or the animal to be seized.

(2) A veterinary inspector may thereafter destroy or cause to be destroyed without compensation the virus or animal detained or seized in accordance with paragraph (1).

(3) In this Article the powers of an inspector in relation to rabies virus extend to any material or living creature (including eggs) being used as a carrier of the virus.

(4) A veterinary inspector may serve a notice on the occupier of any premises or place, or on the owner or person in charge of any vehicle, in which rabies virus is or has been present in contravention of this Order or of a licence, requiring such person upon whom such notice was served at his own expense to cleanse and disinfect such premises, place or vehicle, in such manner as may be specified in such notice.

(5) Where, by virtue of a notice served under paragraph (4), any vehicle is required to be cleansed and disinfected, a veterinary inspector may detain that vehicle until the requirements of the notice have been complied with.

(6) Where the requirements of a notice served under paragraph (4) have not been complied with, a veterinary inspector may carry out or cause to be carried out the cleansing and disinfection specified in the notice and for this purpose a veterinary inspector may enter any premises, place or vehicle taking with him such persons as he considers requisite.

(7) Any expenses reasonably incurred in the exercise of the powers conferred on an inspector or veterinary inspector by paragraphs (1), (2), (3), (5) and (6) shall be recoverable on demand by the Department as a civil debt from the person on whom the notice was served.

(k) 1968 c. 67