

S.I. No. 34/1996 — Diseases of Animals (Equine Viral Arteritis) Order, 1996

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I, Ivan Yates, Minister for Agriculture, Food and Forestry, in exercise of the powers conferred on me by sections 3, 13 and 27 of the Diseases of Animals Act, 1966 (No. 6 of 1966), as adapted by the Agriculture and Food (Alteration of Name of Department and Title of Minister) Order, 1993 (S.I. No. 11 of 1993), hereby order as follows:

Citation and commencement

1. (1) This Order may be cited as the Diseases of Animals (Equine Viral Arteritis) Order, 1996.

(2) This Order shall come into operation on the 20th day of February, 1996.

Interpretation

2. In this Order—

"the 1992 Order" means the Diseases of Animals (Notification of Infectious Diseases) Order, 1992 (S.I. No. 251 of 1992);

"disease" means equine viral arteritis;

"the Schedule" means the Schedule to this Order;

"stallion" means an uncastrated male horse;

"virus" means the virus of the disease.

Restrictions imposed where disease is suspected

3. (1) An inspector may, where a notification is made in respect of the disease in a stallion in accordance with the 1992 Order or where he has reasonable grounds for supposing that the disease or the virus exists or has within 56 days existed in a stallion —

(a) by a notice served on the person who appears to him to be the owner or person in charge for the time being of the stallion, impose the restrictions contained in Part I of the Schedule; and

(b) by a notice served on any person who is identified as having obtained semen collected from a stallion in relation to which a notice under subparagraph (a) above has been served, impose the restrictions contained in Part II of the Schedule.

(2) An inspector may, where a notification is made in respect of the disease in a mare in accordance with the 1992 Order or where he has reasonable grounds for supposing that the disease or the virus exists or has within 30 days existed in a mare, by a notice served on the person who appears to him to be the owner or person in charge for the time being of the mare, impose the restrictions contained in Part III of the Schedule.

(3) The person on whom a notice under paragraph (1) or (2) above is served shall take all reasonable steps to ensure that the notice is complied with, unless he is authorised by a permit issued by an inspector to do anything which would otherwise be a breach of this Order.

(4) A notice served under paragraph (1) or (2) above —

(a) shall remain in force until withdrawn by an inspector by a further notice served on the person who appears to him to be the owner or person in charge for the time being of the stallion, semen or mare, as the case may be, to which the notice served under paragraph (1) or (2) above relates; and

(b) shall not be withdrawn until the inspector is satisfied that the disease or the virus does not exist or no longer exists in the stallion, semen or mare.

(5) Until such time as a notice under this Article is served, a person who has in his possession or under his charge -

(a) a stallion or mare suspected of being diseased or of being a carrier of the virus, or

(b) semen collected from such a stallion,

shall take all reasonable steps to ensure that the relevant restrictions contained in the Schedule are complied with.

Veterinary inquiry as to the existence of the disease

4. (1) In order to ascertain whether or not the disease or the virus exists or has previously existed in a horse, an inspector may carry out such inquiries, examinations and tests and take such samples as may be necessary for that purpose.

(2) An inspector may mark or cause to be marked for identification purposes any horse in relation to which any of the powers under paragraph (1) above have been exercised.

(3) The owner or person in charge for the time being of the horse or any person in his employment shall provide such information and render such reasonable assistance to an inspector as may be required for the purposes of the inquiry.

Publication of results of veterinary inquiry

5. Where a veterinary inquiry under Article 4 above is carried out —

(a) upon confirmation being given that the disease or the virus exists or has within 56 days existed in a stallion or within 30 days existed in a mare, as the case may be, the Minister may publish, in such a manner as he thinks fit, the fact of confirmation and the name and location of the stallion or mare; and

(b) thereafter if an inspector is satisfied that the disease or the virus no longer exists in a stallion or mare, in respect of which publication has been made under subparagraph (a) above, the Minister may publish in the same manner that fact and the name and location of the stallion or mare.

Issue of permits

6. (1) An inspector may issue permits for the purposes of this Order, attach any conditions to any such permit, vary such conditions and revoke any such permit.

(2) Any permit issued for the purposes of this Order may be amended or revoked by an inspector by a notice served on the person to whom the permit was issued.

Exception for vaccinated horses

7. This Order shall not apply to horses which have been vaccinated against the disease and which, immediately prior to vaccination, have been tested for the disease with a negative result.

SCHEDULE

PART 1

1. No person shall use the stallion for the purposes of breeding except under the authority of a permit issued by an inspector.

2. No person shall collect semen from the stallion except under the authority of a permit issued by an inspector.

3. Semen which has previously been collected from the stallion and remains on the same premises as the stallion shall not be used for artificial insemination unless either it has been tested for the virus with negative results to the satisfaction of an inspector or it is used under the authority of a permit issued by an inspector.

4. No person shall transfer ownership of, or lease, the stallion except under the

authority of a permit issued by an inspector.

5. No person shall move the stallion out of the premises on which it happens to be at the time of issue of the notice except under the authority of a permit issued by an inspector.

6. The owner or person in charge of the stallion shall give all reasonable assistance to an inspector to facilitate any necessary tracing and testing of semen collected from the stallion.

PART II

1. Where by virtue of the assistance given to an inspector under paragraph 6 of Part I above or otherwise, semen collected from a stallion which is subject to the restrictions under Part 1 above is traced, such semen shall not be used for artificial insemination unless either it has been tested for the virus with negative results to the satisfaction of an inspector or it is used under the authority of a permit issued by an inspector.

PART III

1. No person shall use the mare for the purposes of breeding except under the authority of a permit issued by an inspector.

2. No person shall move the mare out of the premises on which it happens to be at the time of issue of the notice except under the authority of a permit issued by an inspector.

GIVEN under my Official Seal, this 12th day of February, 1996.

Ivan Yates,

Minister for Agriculture, Food and Forestry.

EXPLANATORY NOTE

This Order lays down certain restrictions on horses in which equine viral arteritis or the virus of that disease exists or is suspected to exist and on semen from such stallions and provides for a veterinary inquiry as to the existence of the disease or the virus.
