

S.I. No. 487 of 2003

DISEASES OF ANIMALS (NOTIFICATION OF INFECTIOUS DISEASES) (AMENDMENT) ORDER 2003.

I, JOE WALSH, Minister for Agriculture and Food, in exercise of the powers conferred on me by section 3 of the Disease of Animals Act 1966 (No. 6 of 1966), as adapted by the Agriculture, Food and Rural Development (Alteration of Name of Department and Title of Minister) Order 2002 (S.I. No. 306 of 2002) hereby order as follows:-

1. This Order may be cited as the Diseases of Animals (Notification of Infectious Diseases) (Amendment) Order 2003.

2. The Diseases of Animals (Notification of Infectious Diseases) Order 1992 (S.I. No. 251 of 1992) as amended by the Diseases of Animals (Notification of Infectious Diseases Order) 1992 (Amendment Order) 1998 (S.I. No. 353 of 1998), the Diseases of Animals (Notification of Infectious Diseases) (Amendment)(No. 2) Order 1998 (S.I. No. 479 of 1998) and the Diseases of Animals (Notification of Infectious Diseases Order, 1992) (Amendment) Order 1999 (S.I. No. 8 of 1999) is amended:

(a) by substituting for Article 5 the following:

"5. In respect of transmissible spongiform encephalopathies, other than Bovine Spongiform Encephalopathy, the following shall apply:

Unless it is specifically accompanied by and is moved in accordance with conditions specified in a permit issued for its movement by a veterinary inspector, an animal or animal carcase which is diseased, is suspected of being diseased or has been exposed, by contact or otherwise to infection with a disease shall not be moved out of the premises or other land on which it happens to be on the date of the relevant notice given pursuant to Article 3 of this Order."

(b) by the addition of the following Article 6:

"6(1) If an authorised officer has reasonable cause to suspect that —

(i) a sheep or goat,

(ii) the carcase of a sheep or goat,

(iii) a product derived from a sheep or goat,

(iv) the faeces or waste of a sheep or goat,

(v) other material that consists of or contains any matter derived

from a sheep or goat,

is infected, has been infected, or may have been exposed, by contact or otherwise, to a risk of infection with Caseous Lymphadenitis, he or she may, by notice in writing, hereinafter referred to as a restriction notice, served on the person who appears to be the keeper of the sheep, goat or other thing, control the movement of a sheep, goat or thing onto or from a holding.

(2) An authorised officer may attach conditions to a restriction notice served under paragraph (1), vary a condition or, by further notice in writing, revoke a restriction notice.

(3) Without prejudice to the generality of paragraph (2), a restriction notice may require that

(a) no sheep or goat is present on the holding to which the notice relates for a period specified therein and

(b) a holding, buildings thereon, vehicles and other equipment be disinfected in a manner specified therein.

(4) A person shall comply with a restriction notice including a restriction notice varied in accordance with paragraph (2)."

GIVEN under my Official Seal,
20th October 2003.

A handwritten signature in black ink that reads "Joe Walsh." The signature is written in a cursive style with a period at the end.

Joe Walsh
Minister for Agriculture and Food

EXPLANATORY NOTE

This Order removes the requirement for compulsory restriction of sheep flocks in which Caseous Lymphadenitis has been confirmed, while retaining the power to impose restrictions where an authorised officer considers this to be necessary.