



STATUTORY INSTRUMENTS.

**S.I. No. 130 of 2016**



NOTIFICATION AND CONTROL OF DISEASES AFFECTING  
TERRESTRIAL ANIMALS (NO.2) REGULATIONS 2016

NOTIFICATION AND CONTROL OF DISEASES AFFECTING  
TERRESTRIAL ANIMALS (NO.2) REGULATIONS 2016

I, SIMON COVENEY, Minister for Agriculture, Food and the Marine, in exercise of the powers conferred on me by section 36 of the Animal Health and Welfare Act 2013 (No. 15 of 2013), hereby make the following regulations:

*Citation*

1. These Regulations may be cited as the Notification and Control of Diseases affecting Terrestrial Animals (No.2) Regulations 2016

*Interpretation*

2. In these Regulations—

“Department” means Department of Agriculture, Food and the Marine.

“disease” means a disease mentioned in the Schedule;

“licence” means a licence under Regulation 4;

“notice” means notice under Regulation 3;

“thing” in Regulation 4 means a vehicle (including a hive) used to transport an animal, an animal product or animal feed.

*Notification of Disease*

3. (1) A person who has reasonable grounds to suspect that an animal or animal product is affected, or may be affected with a disease, whether by reason of an examination, test, including a laboratory test or otherwise, shall, without any delay, notify the fact or suspicion to an officer of the Minister at the local office of the Department or in cases where an official control programme is in place, to the persons or authority responsible for that control programme.

(2) A person who gives notice in accordance with paragraph (1) shall provide the details of the transponder or other identification mark of the animal where these details are available and shall also inform the Department of the name and address of the owner or person in possession or control of the animal or animal product if that person’s identity is known or may be ascertained after reasonable enquiry.

(3) Where a person giving notice under paragraph (1) is not the owner or keeper of the animal, he or she shall also notify the fact or suspicion to the owner or person in possession or control of the animal.

*Notice of the making of this Statutory Instrument was published in  
“Iris Oifigiúil” of 11th March, 2016.*

*Restriction on movement*

4. If notice of a disease listed in Part A of the Schedule is given under Regulation 3, a person shall not, for a period of 7 days, except in accordance with a licence granted by an authorised officer,

- (a) move or cause or permit another person to move an animal or animal product or a thing that has been used in connection with the animal or the animal product onto or from the land or premises on which it is located,
- (b) spread or cause or permit another person to spread slurry on any land or premises, or
- (c) otherwise dispose of or cause another person to dispose of an animal, animal product or a thing to which paragraph (a) relates,

*Restriction Notice*

5. (1) Without prejudice to Regulation 4, if an authorised officer has reasonable cause to suspect that—

- (a) an animal,
- (b) an animal product, or
- (c) a thing that has been used in connection with an animal,

is affected, has been affected or may have been exposed, by contact or otherwise, to a risk of being affected with a disease listed in Part A or Part B of the Schedule, he or she may serve a notice (“restriction notice”) in respect of—

- i. that animal, any other animal or animals, an animal product or other thing, or
- ii. the land or a premises.

(2) A restriction notice shall be expressed and have effect to prohibit an animal, animal product or other thing from being moved onto or from the land or premises to which the restriction notice relates except in accordance with a licence granted by an authorised officer.

(3) A person shall not contravene a restriction notice.

*Control plan*

6. (1) If the Minister has reasonable cause to believe that land or a premises is at risk of disease or that a disease is or may be present on the land or premises, he or she may serve a notice in writing (“direction”) and direct—

- (a) that a plan for the prevention, control and eradication of the disease (control plan) be put in place for the land or premises with immediate effect, and/or,

- (b) that a plan for ongoing surveillance and disease control (“containment plan”) be drawn up and put in place within 7 days of the issue of the direction, and
- (c) that the containment plan be submitted to the Minister within 14 days for review and approval.

(2) Without prejudice to the generality of paragraph (1), the Minister may direct that a control plan or a containment plan contains such provisions and complies with such requirements as are specified in the direction, including provisions and requirements relating to—

- (a) the taking of samples from animals, animal products or other things on the land or premises,
- (b) the testing of samples
- (c) a laboratory which must be used for testing,
- (d) the frequency with which tests are to be conducted,
- (e) the number, type and age of animal to be tested or subjected to other analysis,
- (f) the administration of vaccines,
- (g) bio-security measures,
- (h) isolation of animals, and
- (i) other measures to be taken by the person on whom the direction is served to control and eradicate the disease.

(3) A person on whom a direction is served shall comply with the direction.

(4) The Minister may within a period of 30 days of the submission of a containment plan require, by notice in writing, that the plan concerned be modified in such manner as he or she directs.

(5) If the Minister requires that a containment plan be modified, the owner or person in possession or control of the land or premises shall modify the plan in accordance with directions of the Minister, within a period of 14 days of service on him or her of a notice under paragraph (4), submit the plan as so modified to the Minister for approval by him or her.

#### *Offences*

7. Regulations 3, 4, 5 (2), 5 (3), 6(3) and 6 (5) are penal provisions to which section 36(4) (b) of the Animal Health and Welfare Act 2013 applies.

#### *Revocation*

8. The Notification and Control of Diseases affecting Terrestrial Animals Regulations 2016 (S.I. No. 50 of 2016) are revoked.

## Schedule

### Part A

African horse sickness  
 African swine fever  
 Anthrax  
 Avian influenza (including highly pathogenic avian influenza and low pathogenic avian influenza)  
 Avian paramyxovirus (including Newcastle disease and paramyxovirus of pigeons)  
 Bluetongue  
 Brucellosis in ruminants and swine  
 Classical swine fever  
 Contagious bovine pleuropneumonia  
 Dourine  
 Epizootic haemorrhagic disease  
 Equine encephalomyelitis (including Western Equine Encephalomyelitis and Eastern Equine Encephalomyelitis)  
 Equine infectious anaemia  
 Epizootic lymphangitis in equidae  
 Equine viral arteritis  
 Foot-and-Mouth disease  
 Glanders (farcy) in equidae  
 Goat pox  
 Hendra virus  
 Japanese encephalitis  
 Lumpy skin disease  
 Peste des petits ruminants  
 Rabies  
 Rift Valley fever  
 Rinderpest (cattle plague)  
 Sheep pox  
 Small hive beetle (*Aethina tumida*)  
 Surra (*Trypanosoma evansi*)  
 Swine vesicular disease  
 Transmissible spongiform encephalopathies, including bovine spongiform encephalopathy and scrapie  
 Tropilaelaps mite (*Tropilaelaps spp.*)  
 Tuberculosis in ruminants  
 Vesicular stomatitis  
 West Nile fever

### Part B

American Foulbrood  
 Arizona disease in poultry (*Salmonella arizoniae*)  
 Aujeszky's disease  
 Avian chlamydiosis (psittacosis)  
 Avian infectious laryngotracheitis

Avian mycoplasmosis (caused by or involving *Mycoplasma gallisepticum*, *Mycoplasma meleagridis* or *Mycoplasma synovia*)  
Bovine viral diarrhoea  
Caprine arthritis/encephalitis  
Contagious agalactia  
Contagious caprine pleuropneumonia  
Contagious equine metritis  
Echinococcosis (caused by *Echinococcus multilocularis*)  
Enzootic abortion of ewes  
Enzootic bovine leukosis  
European foulbrood  
Maedi Visna  
Ovine pulmonary adenomatosis (Jaagsiekte)  
Paratuberculosis in ruminating animals (Johnes disease)  
Porcine epidemic diarrhoea  
Salmonellosis (caused by or involving *Salmonella enteritidis* or *Salmonella typhimurium*)  
Salmonellosis in poultry (caused by or involving *Salmonella hadar*, *Salmonella infantis* or *Salmonella virchow*)  
Sheep scab  
Teschovirus encephalomyelitis  
Transmissible gastro-enteritis (porcine respiratory corona virus)  
Tuberculosis in non-ruminants  
Venezuelan Equine Encephalomyelitis  
Warble fly infestation

**Part C**

Crimean Congo haemorrhagic fever  
Equine piroplasmiasis  
Fowl typhoid (*Salmonella gallinarum*)  
Infectious bovine rhinotracheitis/ infectious pustular vulvovaginitis  
Monkey pox virus  
psoroptic mange in cattle  
Porcine reproductive and respiratory syndrome (PRRS or blue ear)  
Pullorum disease (*Salmonella pullorum*)  
Q fever  
Swine influenza  
Trichinellosis



GIVEN under my Official Seal,  
1 March 2016.

SIMON COVENEY,  
Minister for Agriculture, Food and the Marine.

BAILE ÁTHA CLIATH  
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR  
Le ceannach díreach ó  
FOILSEACHÁIN RIALTAIS,  
52 FAICHE STIABHNA, BAILE ÁTHA CLIATH 2  
(Teil: 01 - 6476834 nó 1890 213434; Fax: 01 - 6476843)  
nó trí aon díoltóir leabhar.

---

DUBLIN  
PUBLISHED BY THE STATIONERY OFFICE  
To be purchased from  
GOVERNMENT PUBLICATIONS,  
52 ST. STEPHEN'S GREEN, DUBLIN 2.  
(Tel: 01 - 6476834 or 1890 213434; Fax: 01 - 6476843)  
or through any bookseller.

---

€2.54



Wt. (B31929). 285. 3/16. Essentra. Gr 30-15.