



STATUTORY INSTRUMENTS

**S.I. No. 676 of 2007**

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EUROPEAN COMMUNITIES (CONTROL OF BLUETONGUE)  
REGULATIONS 2007

**(Prn. A7/1781)**

EUROPEAN COMMUNITIES (CONTROL OF BLUETONGUE)  
REGULATIONS 2007

I, MARY COUGHLAN, Minister for Agriculture and Food, in exercise of the powers conferred on me by section 3 of the European Communities Act 1972 (No. 27 of 1972) for the purpose of giving effect to Council Directive 2000/75/EC of 20 November 2000<sup>1</sup>, Commission Decision 2005/393/EC of 23 May 2005<sup>2</sup>, Commission Decision 2005/434/EC of 9 June 2005<sup>3</sup>, Commission Decision 2006/633/EC of 15 September 2006<sup>4</sup>, Commission Decision 2006/693/EC of 13 October 2006<sup>5</sup>, Commission Decision 2007/146/EC of 28 February 2007<sup>6</sup> and Commission Decision 2007/354/EC of 21 May 2007<sup>7</sup>, hereby make the following regulations:

Part 1

*Citation*

1. (1) These Regulations may be cited as the European Communities (Control of Bluetongue) Regulations 2007.

*Interpretation*

2. (1) In these Regulations—

“animal” means all ruminants;

“the Act” means the Diseases of Animals Act 1966 (No. 6 of 1966);

“authorise” means to allow under licence or other written form;

“authorised Bluetongue vaccine” means an immunological animal remedy which is the subject of—

(a) an animal remedies authorisation within the meaning of Regulation 2(1) of the European Communities (Animal Remedies) Regulations 2007 (S.I. No. 144 of 2007), and

(b) a licence under Section 4(1) of the Diseases of Animals Act 1966 (Control on Animal and Poultry Vaccines) Order 2002 (S.I. No. 528 of 2002);

<sup>1</sup>O.J. No. L 327, 22.12.2000, p74

<sup>2</sup>O.J. No. L 151, 14.6.2005, p21.

<sup>3</sup>O.J. No. L 130, 24.5.2005, p22

<sup>4</sup>O.J. No. L 258, 21.9.2006, p.7

<sup>5</sup>O.J. No. L 283, 14.10.2006, p.52

<sup>6</sup>O.J. No. L 64, 2.3.2007, p37

<sup>7</sup>O.J. No. L 133, 25.5.2007, p37

*Notice of the making of this Statutory Instrument was published in  
“Iris Oifigiúil” of 5th October, 2007.*

“authorised insecticide” means

- (a) an animal remedy which is
  - (i) the subject of an animal remedies authorisation within the meaning of Regulation 2(1) of the European Communities (Animal Remedies) Regulations 2007 (S.I. No. 144 of 2007) for the purpose of administration to an animal for the control of ectoparasites, and
  - (ii) approved by the Minister for the purposes of these Regulations, or
- (b) a biocidal product for use on vehicles, buildings, habitats, places or things, approved in accordance with the European Communities (Authorisation, Placing on the Market, Use and Control of Biocidal Products) Regulations, 2001 for use as an insecticide for such use and approved by the Minister for the purposes of these Regulations;

“authorised officer” means—

- (a) an authorised officer within the meaning of section 17A (inserted by the Diseases of Animals (Amendment) Act 2001 (No. 3 of 2001)) of the Diseases of Animals Act 1966, or
- (b) a member of the Garda Síochána or an officer of Customs and Excise;

“Commission Decision” means Commission Decision 2005/393/EC of 23 May 2005, Commission Decision 2005/434/EC of 9 June 2005, Commission Decision 2006/633/EC of 15 September 2006, Commission Decision 2006/693/EC of 13 October 2006, Commission Decision 2007/146/EC of 28 February and Commission Decision 2007/354/EC of 21 May 2007;

“control zone” means a zone established in accordance with Regulation 6;

“Council Directive” means Council Directive 2000/75/EC of 20 November 2000;

“Minister” means Minister for Agriculture and Food;

“official veterinarian” means an inspector of the Minister under the Diseases of Animals Act 1966;

“protection zone” means a zone established in accordance with Regulation 7;

“surveillance zone” means a zone established in accordance with Regulation 7;

“restricted zone” means a zone encompassing a protection and surveillance zone.

(2) A notice, direction, exemption, authorisation or derogation provided for under these Regulations, the Commission Decision or the Council Directive may be granted by licence or otherwise as provided for in Regulation 20.

(3) A word or expression that is used in these Regulations and is also used in the Council Directive and the Commission Decision has, unless the contrary intention appears, the same meaning in these Regulations as it has in the Council Directive and the Commission Decision.

## PART 2

### OUTBREAK OR SUSPECTED OUTBREAK

#### *Notification of an outbreak or a suspected outbreak of bluetongue*

3. A person in possession of or in control of an animal and any other person who, by reason of an examination, laboratory test result or otherwise, becomes aware or suspects or who should reasonably be aware that there is an outbreak or a suspected outbreak of bluetongue in an animal shall immediately notify the Minister of the outbreak or suspected outbreak by contacting the Department of Agriculture and Food or a local District Veterinary Office of the Department of Agriculture and Food.

#### *Measures to be applied on holdings with a suspected outbreak*

4. (1) Where there is a suspected outbreak of bluetongue on a holding, an official veterinarian shall by notice declare that holding to be a suspected outbreak holding (“suspected bluetongue outbreak holding”).

(2) A person who owns or controls animals on a suspected outbreak holding shall ensure that—

- (a) no movement of animals takes place from or to the holding,
- (b) the animals on the holding are confined at times when the vectors are active where the means for this requirement are available,
- (c) when required by an authorised officer, the animals, the buildings used to house them and their surroundings (in particular habitats in which the *Culicoides* populations thrive) are regularly treated with authorised insecticides,
- (d) assistance is provided to the official veterinarian in—
  - (i) compiling an inventory of the animals on the holding and for each species, the number of animals already dead, infected or likely to be infected, and updating this inventory to take account of the animals which are born or die during the period in which the disease is suspected;
  - (ii) compiling an inventory of places likely to facilitate the survival of or to harbour the vector and, in particular, of the sites conducive to its reproduction,
  - (iii) carrying out an epidemiological survey or other investigations.

(3) The carcasses of the dead animals on the holding will be destroyed, eliminated, incinerated or buried in accordance with Council Regulation 1774/2002/EC of 3 October 2002<sup>8</sup>.

(4) The Minister may, by notice apply the measures in paragraphs (2) and (3) to other holdings in the event that their location, geographical situation or contacts with the holding where the disease is suspected provides him or her with grounds for suspecting the possibility of contamination.

(5) The Minister may by notice introduce additional measures under the procedure provided for in Article 20(2) of the Council Directive in relation to nature reserves where animals live freely.

(6) Measures introduced in accordance with this Regulation shall remain in place until they are withdrawn by notice from the Minister or an official veterinarian.

(7) An official veterinarian may, by notice, give a direction and amend or withdraw a direction in respect of any or all of the measures referred to in this Regulation.

### PART 3

#### CONFIRMED OUTBREAK OF BLUETONGUE

##### *Declaring a holding to be a holding with a confirmed outbreak of bluetongue*

5. Where an outbreak of bluetongue is confirmed on a holding, an official veterinarian shall by notice declare that holding to be a holding with a confirmed outbreak of bluetongue (“confirmed bluetongue outbreak holding”).

##### *Measures to be applied on holdings with a confirmed outbreak*

6. (1) Where a holding has been declared a confirmed bluetongue outbreak holding, an official veterinarian may direct by notice—

- (a) the slaughter of animals on the holding as he or she deems to be necessary to prevent spread of the epidemic,
- (b) the destruction, elimination, incineration or burial of the carcasses of those animals, in accordance with Council Regulation 1774/2002/EC of 3 October 2002,
- (c) implementation of any measures adopted in accordance with the procedure laid down in Article 20(2) of the Council Directive,
- (d) the carrying out of an epidemiological survey in accordance with Article 7 of the Council Directive or other appropriate investigations.

(2) The Minister may, by notice, establish a control zone (“a control zone”) with a radius of 20 kilometres around the infected holding or holdings and

<sup>8</sup>O.J. No. L 273, 10.10.2002, p1

extend the measures provided for in Regulation 4 to all holdings (including the confirmed outbreak holding) located in this zone.

(3) The Minister may, by notice, extend or reduce the zone referred to in paragraph (2) on the basis of epidemiological, geographical, ecological or meteorological circumstances.

(4) Where a control zone established in Northern Ireland extends into the territory of the State, the measures provided for in these Regulations for such zones shall apply to the areas and holdings within the zones so established.

(5) By way of derogation from paragraph (2), the following animals may be exempted from the ban on movement—

- (a) animals destined for a holding within a radius of 20 km around an infected holding,
- (b) animals destined for direct transport to a slaughterhouse situated within the restricted zone around the holding of dispatch,
- (c) animals destined for a holding which is situated in the restricted zone around the holding of dispatch, and which is outside a radius of 20 km around an infected holding, subject to either—
  - (i) prior approvals of the relevant competent authorities of the place of the holdings of dispatch and destination and compliance with any animal health guarantees required by those authorities concerning measures against the spread of the bluetongue virus, and protection against an attack by a vector, or
  - (ii) an agent identification test as set out in Section A(1)(c) of Annex II to the Commission Decision carried out with negative results on a sample taken, within 48 hours prior to the time of dispatch, from the animal concerned which must be protected from attacks by vectors at least from the time that sample was taken and must not leave the holding of destination, except for direct slaughter or in accordance with Section A of that Annex,
- (d) animals destined for a holding or for direct transport to a slaughterhouse which is situated outside the restricted zone around the holding of dispatch, including animals for intra-Community trade or export, subject to—
  - (i) prior approvals of the relevant competent authorities where the holdings of dispatch and destination are located and compliance with any animal health guarantees required by those authorities concerning measures against the spread of the bluetongue virus, and protection against attacks by vectors; and
  - (ii) compliance at least with the conditions in Articles 3 or 4 of the Commission Decision; and where appropriate

- (iii) the following additional wording being added to the corresponding health certificates laid down in Council Directives 64/432/EEC<sup>9</sup>, 91/68/EEC<sup>10</sup> and 92/65/EEC<sup>11</sup>, or, where the animals are destined for export, the health certificate laid down in Decision 93/444/EEC<sup>12</sup>—

“Animals in compliance with Decision 2005/393/EC”.

(6) An official veterinarian may give a direction and amend or withdraw a direction in respect of any or all of the measures referred to in this Regulation.

(7) The measures provided for in this Regulation shall remain in place until such time as they are revoked by direction or in the case of a control zone by a notice.

## PART 4

### PROTECTION AND SURVEILLANCE

#### *Establishment of protection and surveillance zones*

7. (1) Following an outbreak of bluetongue, the Minister may, by notice, taking into account Article 8 of the Council Directive establish around the infected holding where the presence of bluetongue in animals is confirmed—

- (a) a protection zone with a radius of at least 100 kilometres, and
- (b) a surveillance zone with a radius of at least 50 kilometres extending beyond the limits of the protection zone and in which no vaccination has been carried out during the previous twelve months.

(2) The Minister may by notice, in accordance with the procedure laid down in Article 20(2) of the Council Directive, change the demarcation of the zones defined in paragraph (1), taking into account—

- (a) their geographical location and ecological factors;
- (b) meteorological conditions;
- (c) the presence and distribution of the vector;
- (d) the results of epizootiological studies carried out in accordance with Article 7 of the Council Directive;
- (e) the results of laboratory tests;
- (f) the application of countermeasures, in particular disinsectisation.

<sup>9</sup>O.J. No. L 121, 29.7.1964, p. 1977/64.

<sup>10</sup>O.J. No. L 46, 19.2.1991, p19

<sup>11</sup>O.J. No. L 268, 14.9.1992, p54

<sup>12</sup>O.J. No. L 208, 19.8.1993, p34

(3) A holding which is partly in one of the following zones is deemed to be wholly in the zone furthest up the following list—

- (a) control zone,
- (b) protection zone,
- (c) surveillance zone.

(4) Holdings which are only partly in a zone established under these Regulations are deemed to be wholly in the zone.

(5) Where a protection, or surveillance zone established in Northern Ireland extends into the territory of the State, the measures provided for in these Regulations for such zones shall apply to the areas, holdings and persons within the zones so established.

(6) The measures provided for in Regulation 8, which are additional to those provided for in Regulation 6, apply to zones established under paragraph (1) and will remain in force until such time as they are withdrawn by notice.

*Measures for protection and surveillance zones*

8. (1) The owner or person in charge of a holding or animals in a protection or surveillance zone (“restricted zone”) shall, where directed, cooperate with the official veterinarian in relation to—

- (a) the identification of all holdings with animals inside the zones;
- (b) the implementation of an epidemio-surveillance programme based on the monitoring of sentinel groups of bovine animals (or, in their absence, of other species of ruminant) and vector populations.

(2) A person shall not undertake or permit the movement or transport of animals from a restricted zone except in accordance with the arrangements provided for in these Regulations.

(3) The Minister may, by notice, extend some or all of the measures provided for in Regulation 4(2) to holdings located in all or in parts of the protection or surveillance zones.

*Exemptions/Derogations from ban on movements*

9. By way of derogation from Regulation 8(2), the movement of animals, from a zone established under Regulation 7 may be permitted in accordance with the procedure laid down in Article 20(2) of the Council Directive and as provided for in Regulations 10 to 13.

*Exemption from the exit ban for domestic movements*

10. (1) The movement within the State of animals, their sperm, ova and embryos, from a restricted zone may be exempted from the exit ban provided that they comply with the conditions set out in the Annex II to the Commission Decision or that they comply with paragraphs (2) or (3) of this Regulation.



(2) The movement referred to in paragraph (1) may be exempted from the exit ban if—

- (a) the animals originate from a herd vaccinated according to a vaccination programme adopted by the Minister, and
- (b) the animals—
  - (i) have been vaccinated more than 30 days but less than 12 months before the date of the movement against the serotype(s) present or possibly present in an epidemiologically relevant area of origin, or
  - (ii) are less than two months old at the date of movement and are destined for a holding for fattening, and such holding is protected against vector attacks and registered by the Minister for purpose of fattening.

(3) Where, in an epidemiological relevant area of the restricted zones, more than 40 days have elapsed from the date when the vector ceased to be active, the Minister or an official veterinarian may grant exemptions from the exit ban for movements within the State of the following—

- (a) animals which are destined for holdings registered for this purpose with the District Veterinary Office for the holding of destination and which may subsequently only be moved from such holdings for direct slaughter,
- (b) animals which are serologically (ELISA or AGID\*) negative or serologically positive but virologically (PCR\*) negative, or
- (c) animals born after the date of cessation of the vector's activity.

(4) The exemptions provided for in paragraph (3) may be granted only during the period of cessation of the vector's activity.

(5) Where on the basis of the epidemiosurveillance programme, as provided for in Article 9(1)(b) of the Council Directive, it is detected that the vector's activity in the restricted zone concerned has restarted, exemptions provided for in this Regulation will no longer apply.

*Exemption from the exit ban for domestic movements for slaughter*

11. The movement of animals from a restricted zone for immediate slaughter within the State may be exempted from the exit ban if—

- (a) a case-by-case risk assessment is carried out with favourable results on the possible contact between the animals and the vectors during transport to the slaughterhouse, taking into consideration—
  - (i) the data available through the surveillance programme as provided for in Regulation 8(1)(b) on the vector's activity,

- (ii) the distance from the point of entry in the non-restricted zone to the slaughterhouse,
  - (iii) the entomological data on the route referred to in point (ii),
  - (iv) the period of the day during which the transport takes place in relation to the hours of activity of the vectors,
  - (v) the possible use of insecticides in compliance with Council Directive 96/23/EC of 29 April 1996<sup>13</sup>
- (b) the animals to be moved do not show any sign of bluetongue on the day of transport,
  - (c) the animals are transported in vehicles sealed by an authorised officer and moved directly to the slaughterhouse under official supervision,
  - (d) the official veterinarian responsible for the slaughterhouse is informed of the intention to send animals to the slaughterhouse prior to transport and notifies the dispatching official veterinarian of their arrival.

*Exemption from the exit ban for animals leaving the restricted zones for intra-Community trade*

12. (1) The movement of animals, their semen, ova and embryos from the restricted zones may be exempted from the exit ban for intra-Community trade if—

- (a) the animals, their semen, ova and embryos comply with Regulations 10 and 11, and
- (b) except in the case of frozen semen ova and embryos, the Member State of destination gives its approval prior to the movement.

(2) The following additional wording shall be added to the corresponding health certificates laid down in Directives 64/432/EEC, 88/407/EEC<sup>14</sup> and 89/556/EEC<sup>15</sup>, 91/68/EEC and 92/65/EEC for all animals moved in accordance with paragraph (1)—

‘animals/semen/ova/embryos (\*) in compliance with Decision 2005/393 EC.’

(3) This Regulation shall not apply to the movement of animals as provided for in the derogation in Regulation 6(4).

*Transit of animals*

13. (1) An official veterinarian may by notice direct that—

- (a) animals from a restricted zone destined for or in transit through areas outside a restricted zone and the means in which they are transported,

<sup>13</sup>O.J. No. L 125, 23.5.1996, p.10.

<sup>14</sup>O.J. No. L 194, 22.7.1988, p.10.

<sup>15</sup>O.J. No. L 302, 19.10.1989, p.1.

must be treated with authorised insecticides at the place of loading or in any case prior to transiting the areas outside restricted zone,

- (b) animals dispatched from an area outside a restricted zone in transit through a restricted zone and the means in which they are transported must be treated with authorised insecticides at the place of loading or in any case prior to entry into the restricted zone.

(2) An official veterinarian may direct that, when during transit through a restricted zone, a rest period is foreseen in a control post, the animals must be protected from any attack by vectors.

(3) The following additional wording shall, where appropriate, be added to the corresponding health certificates laid down in Directives 64/432/EEC, 91/68/EEC and 92/65/EEC, in the case of intra-Community trade, or to the health certificate in accordance with Decision 93/444/EEC if the animals are intended for export—

‘Insecticide treatment with ..... (insert name of the product) on..... (insert date) at..... (insert time) in conformity with the Commission Decision.’

(4) Where in an epidemiological relevant area of the restricted zones, more than 40 days have elapsed from the date when the vector ceased to be active, the provisions of paragraphs (1), (2) and (3) shall no longer apply.

(5) The exemption in paragraph (4) will cease to apply where on the basis of the epidemiosurveillance programme provided for in Regulation 8(1)(b), it is detected that the vector’s activity in the restricted zone concerned has restarted.

## PART 5

### VACCINATION

#### *General prohibitions of vaccination*

14. (1) Subject to paragraph (2), a person shall not administer a vaccine to an animal unless it is an authorised Bluetongue vaccine and such administration is in accordance with a vaccination notice issued by the Minister.

(2) A person shall not administer a vaccine against bluetongue to an animal in a surveillance zone.

## PART 6

### COMPENSATION

15. (1) The Minister may, subject to this Part, pay compensation (“compensation”) to the beneficial owner for—

- (a) animals kept on holdings which are killed or slaughtered in accordance with the provisions of these Regulations, and
- (b) the product of animals,

if the animals or animal products are required by an official veterinarian to be killed or destroyed to alleviate the risk of bluetongue, to prevent the spread of that disease or to eradicate that disease or are affected with that disease.

(2) Compensation payable will not exceed the open market value of the animal or animal products immediately before killing or destruction as if not affected with disease.

(3) In the interests of disease control and curtailing the spread of disease, the determination of compensation or ownership shall not delay the killing or slaughter of animals which shall proceed in accordance with the direction of an official veterinarian.

(4) If a person is convicted of an offence under these Regulations or under legislation giving effect to an act of an institution of the European Communities relating to animals or animal products, as a statutory consequence of conviction, he or she shall not be entitled to compensation in respect of the animals or animal products.

(5) The Minister may postpone consideration or determination of an application for compensation pending the institution or determination of a prosecution for an offence in relation to animals or animal products that are the subject of the application.

#### *Valuers*

16. (1) The Minister may appoint persons who, in his or her opinion, have experience in valuing or knowledge of the current value of animals or animal products to carry out valuations for the purposes of assessing compensation.

(2) The owners or persons in charge of the animals or animal products which are subject to a claim for compensation, their employees, servants or agents shall give all assistance required and co-operate with a valuer or a person accompanying a valuer.

(3) If the Minister or owner of the animals or animal products is dissatisfied with the determination of a valuer, he or she may, within 7 days of the date of the valuation, request a second valuation. However, slaughter of the animals shall proceed forthwith notwithstanding the appeal.

(4) If a person requests a second valuation, the valuation shall be carried out by a valuer chosen by the Minister.

#### *Arbitration*

17. If the Minister or owner of the animals or animal products is dissatisfied with the determination of the second valuer, he or she may, within 7 days, request that the matter be settled by arbitration in accordance with the Arbitration Acts 1954 and 1980.

#### *Abatement of Compensation*

18. The Minister may reduce or refuse to pay compensation provided for under this Part, if in his or her opinion—

- (a) the applicant had failed to implement reasonable measures to alleviate the risk or spread of disease,
- (b) the applicant had failed to take appropriate biosecurity measures including failure to apply an authorised insecticide,
- (c) the applicant has failed to provide assistance required by or has obstructed or impeded an authorised officer,
- (d) the applicant has delayed the slaughter of animals or the destruction of animals products,
- (e) the applicant is not the owner of the animals or animal products to which the application relates,
- (f) the applicant has been convicted of an offence under—
  - (i) these Regulations,
  - (ii) the Animal Remedies Act 1993, or
  - (iii) regulations made under the European Communities Act 1972 relating to animals or animal products,
- (g) animals or animal products to which an application for compensation relates have been imported, sold, supplied, moved or otherwise dealt with in contravention of an enactment to which (f) refers.

## PART 7

### AUTHORISED OFFICERS, NOTICES, OFFENCES, PENALTIES AND SAVER

#### *Powers of authorised officer*

19. (1) An authorised officer may, for the purpose of enforcing these Regulations, the Commission Decision and the Council Directive, exercise all or any of the powers conferred on an authorised officer under section 17A of the Diseases of Animals Act 1966 and any reference in that section to disease includes a reference to bluetongue.

(2) An authorised officer, being an inspector of the Minister, in exercising his or her powers under section 17A of the Diseases of Animals Act 1966 may, in making a clinical inspection of animals, collect samples for laboratory examination.

(3) A member of the Garda Síochána or an officer of Customs and Excise may for the purposes of these Regulations exercise any of the powers conferred on an authorised officer under section 17A of the Diseases of Animals Act 1966 or these Regulations.

(3) An authorised officer may enter a holding or premises to—

- (a) take samples for the purposes of a surveillance programme to detect the prevalence of bluetongue, or
- (b) set permanent traps to—
  - (i) determine the geographical distribution, abundance, population, dynamics, and over wintering features of the *Culicoides* species,
  - (ii) provide additional information on the competence of *Culicoides* species, and
  - (iii) assess the circulation of BTV in the *Culicoides* population

*Notices, Directions, Derogations, Exemptions, Authorisations*

20. (1) Where a notice is issued under Regulation 4(4) and (5), 6(2) and (3), 7 and 8(3), notice of it shall be published in the *Iris Oifigiúil* and in at least one newspaper published in the State and circulating in the areas referred to in the notice and by any other method the Minister considers appropriate.

(2) A notice, direction, derogation, exemption or authorisation under Regulation 4(1), (6) and (7), 5, 6(1), (5), (6) and (7), 8(1), 9, 10, 11, 12, and 13, may be given generally by publishing notice of it in the *Iris Oifigiúil* and in at least one newspaper published in the State and circulating in the area to which the notice, direction, derogation, exemption or authorisation relates and by such other means as the Minister considers appropriate, or by an authorised officer giving it directly to a person or owner in charge of a holding, or by leaving it at the holding or premises concerned.

(3) Where not explicitly provided for in a Regulation, an official veterinarian may, nevertheless, issue a direction to a person relating to a requirement in the Regulation, either by giving it directly to the person concerned or leaving it at the holding or premises concerned or by any other method as the Minister considers appropriate.

(4) The Minister may authorise in writing an officer of the Minister to issue a notice under these Regulations.

*Forgery*

21. (1) A person shall not forge or use, knowing it to be forged, any notice, direction, authorisation, exemption or derogation issued under these Regulations (hereafter in this Regulation referred to as “a forged document”).

(2) A person shall not alter with intent to defraud, deceive, or use, knowing it to be altered, a notice, direction, authorisation, exemption or derogation issued under these Regulations, (in this Regulation referred to as “an altered document”).

(3) A person shall not have, without lawful authority, in his or her possession or under his or her control a forged document or an altered document.

*Offences*

22. A person who fails to comply with a requirement of these Regulations including any requirement in a notice, direction, derogation, exemption or an authorisation issued under them commits an offence.

*Penalties, etc*

23. (1) A person guilty of an offence under these Regulations is liable, on summary conviction, to a fine not exceeding €5,000 or to imprisonment for a term not exceeding 3 months, or to both.

(2) An offence under these Regulations may be prosecuted by the Minister.

(3) Where an offence under these Regulations has been committed by a body corporate and it is proved to have been so committed with the consent or connivance of or to be attributable to any neglect on the part of any person who, when the offence was committed, was a director, manager, secretary or other officer of the body corporate, or a person purporting to act in any such capacity, that person, as well as the body corporate, commits an offence and is liable to be proceeded against and punished as if he or she committed the first-mentioned offence.

(4) If the affairs of a body corporate are managed by its members, paragraph (3) applies in relation to the acts and defaults of a member in connection with the functions of management as if such a member were a director or manager of the body corporate.

*Production of notice in legal proceedings, etc.*

24. (1) A copy of the *Iris Oifigiúil* purporting to contain a notice, direction, derogation, exemption or authorisation under these Regulations may be produced in every court and in all legal proceedings and is evidence, unless the contrary is shown, of the notice, direction, derogation, exemption or authorisation.

(2) A copy of a notice under these Regulations, which has endorsed on it a certificate purporting to be signed by an officer of the Minister (authorised in that behalf by the Minister) stating that the copy is a true copy of the notice may, without proof of signature of that officer, be produced in every court and in all legal proceedings and is evidence, unless the contrary is shown, of the notice.

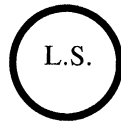
*Amendment*

25. (1) The European Communities (Control of Infectious Animal Diseases) Regulations 1994 (S.I. No. 317 of 1994) are amended by the deletion of “bluetongue”.

(2) The Diseases of Animals Act 1966 (Notification and Control of Infectious Animal Diseases) Order 2006 (S.I. No. 359 of 2006) are amended in the first schedule by the deletion of the words “Avian Influenza (fowl plague)” and “bluetongue”.

*Revocation*

26. The European Communities (Control of Infectious Animal Diseases) (Amendment) Regulations, (S.I. No. 125 of 2002) are hereby revoked.



GIVEN under my Official Seal,  
26 September 2007

MARY COUGHLAN.  
Minister for Agriculture and Food.



EXPLANATORY NOTE.

*(This note is not part of the Instrument and does not purport to be a legal interpretation.)*

These Regulations transpose the measures provided for in Council Directive 2000/75/EC of 20 November 2000 and Commission Decision 2005/393/EC of 23 May 2005 (as amended) relating to Bluetongue and for related matters.

BAILE ÁTHA CLIATH  
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR  
Le ceannach díreach ón  
OIFIG DHÍOLTA FOILSEACHÁN RIALTAIS,  
TEACH SUN ALLIANCE, SRÁID THEACH LAIGHEAN, BAILE ÁTHA CLIATH 2  
nó tríd an bpost ó  
FOILSEACHÁIN RIALTAIS, AN RANNÓG POST-TRÁCHTA,  
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