



Jersey

CATTLE PLAGUE (JERSEY) ORDER 1958

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CATTLE PLAGUE (JERSEY) ORDER 1958

Arrangement

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CATTLE PLAGUE (JERSEY) ORDER 1958¹

THE ECONOMIC DEVELOPMENT COMMITTEE, in pursuance of Articles 3, 6, 8, 10 and 42 of the Diseases of Animals (Jersey) Law 1956,² orders as follows –

Commencement [[see endnotes](#)]

1 Interpretation

In this Order –

“animals” means cattle, sheep and goats, and all other ruminating animals and swine;

“approved disinfectant” has the meaning assigned to it in the Diseases of Animals (Approved Disinfectants) (Jersey) Order 1958;³

“disease” means cattle plague;

“disinfect” means disinfect with an approved disinfectant;

“examine” includes the taking of specimens for laboratory examination;

“exhibition” includes a collective examination for the purposes of the Herd Book kept by the Royal Jersey Agricultural and Horticultural Society, Incorporated;

“Law” means the Diseases of Animals (Jersey) Law 1956;⁴

“owner” includes an authorized agent of the owner;

“premises” includes land.

2 Power to slaughter

The provisions of Article 8 of the Law shall apply to cattle plague.

3 Veterinary enquiry by the Minister

Where notice has been given under Article 4 of the Law that any animal is affected with disease or where there are reasonable grounds for suspecting that any animal is affected with disease, the Minister shall cause all the animals on the premises on which the diseased or suspected animal is to be found to be examined by the Veterinary Officer.

4 Declaration of an infected place

- (1) Where the examination under Article 3 shows that there is, or has been, within 28 days, on any premises a diseased animal, the Minister shall declare those premises to be an infected place:

Provided that no such declaration may be made in respect of the premises of the States' Slaughterhouse.

- (2) The Minister, as soon as may be after declaring any premises to be an infected place, shall cause to be served on the occupier of those premises a notice of such declaration.
- (3) The Minister may at any time vary a declaration under paragraph (1) and, in such a case, shall cause to be served on the occupier of the infected place a notice specifying the variation so made.
- (4) Where, under this Article, any premises have been declared to be an infected place, those premises shall forthwith upon such declaration become subject to the provisions of Article 5, and it shall be the duty of the occupier of the infected place to comply with such of the rules set out in Article 5(1) as apply to that place as well as such additional and modified rules as may be specified in a notice served under Article 5(2).
- (5) The Minister may cause notices to be affixed or exhibited on or about an infected place for ensuring notification that the premises have been declared to be an infected place.
- (6) The Minister, as soon as satisfied that any premises declared to be an infected place no longer constitute a danger of spreading the infection of disease, shall declare those premises no longer to be an infected place.
- (7) The Minister, as soon as may be after declaring any premises no longer to be an infected place, shall cause to be served on the occupier of those premises a notice of such declaration.

5 Rules applicable to an infected place

- (1) Subject as directed under paragraph (2), any premises declared to be an infected place under Article 4 shall, so long as those premises remain so declared, be subject to the following rules –
 - (a) except under and in accordance with a permit in writing granted by or on behalf of the Minister, no animals, horses or dogs shall be moved into or out of the infected place;
 - (b) except under and in accordance with a permit in writing granted by or on behalf of the Minister, no carcase, fodder, litter, dung,

utensil, pen, hurdle, or other thing shall be moved out of the infected place;

- (c) except under and in accordance with a permit in writing granted by or on behalf of the Minister, no person other than the person tending the animal shall enter any shed, field or other place, being part of the infected place, in which a diseased or suspected animal is or has recently been kept;
 - (d) every person, upon leaving any such shed, field or other place, shall thoroughly wash his or her hands with soap and water and disinfect his or her boots and clothes;
 - (e) all liquid manure, urine or shed washings shall be thoroughly disinfected to the satisfaction of an inspector before being permitted to drain or escape from any shed, yard or other like place in which a diseased or suspected animal is or has recently been kept;
 - (f) an inspector acting under the direction of the Minister may treat any animal in the infected place, and the owner of the animal and the occupier of the infected place shall afford all reasonable facilities for such treatment and for the movement of any such animal within the infected place, as may be required by the inspector, before or after such treatment;
 - (g) a receptacle containing an approved disinfectant shall be kept in some convenient place at all exits from the infected place, as may be required by the Veterinary Officer, and fresh disinfectant shall be placed in such receptacles as often as may be required by the Veterinary Officer.
- (2) The Minister may cause to be served on the occupier of the infected place a notice –
- (a) directing that such additional rules as may be specified in the notice shall apply to the infected place; or
 - (b) directing that any of the rules set out in paragraph (1) shall cease to apply to the infected place or shall be modified to the extent or in the manner specified in the notice.

6 Removal of dung or other things

Except under and in accordance with a permit in writing granted by or on behalf of the Minister, no person shall send or carry, or cause to be sent or carried, on any highway, road or lane, any dung, fodder, litter or other thing that has been in an infected place, or that has been in any place in contact with or used about a diseased or suspected animal.

7 Cleansing and disinfection

- (1) The Minister may require the occupier of any shed or other place which has been used for a diseased or suspected animal to cleanse and disinfect, under the supervision of an inspector, that shed or other place, and any utensil, pen, hurdle or other thing used for or about such animal.

- (2) Where the occupier as aforesaid fails to carry out the cleansing and disinfection required under this Article, within the time specified in the requirement, the Minister may, without prejudice to any proceedings in respect of such default, cause such cleansing and disinfection to be carried out and, in such a case, may recover from the occupier, as a civil debt, the expenses of such cleansing and disinfection.

8 Prohibition on movement of animals exposed to infection and power to require isolation of animals

- (1) Where there is reason to suspect that there is on any premises an animal which has been exposed to the infection of disease, the Minister may cause to be served on the occupier of those premises a notice –
- (a) prohibiting the movement of that animal out of those premises;
 - (b) prohibiting the movement into or out of those premises of any other animal;
 - (c) requiring that animal, or any other animal on those premises, to be isolated from all other animals on those premises in such field, shed, stable, sty or other place forming part of those premises as may be specified in the notice,

and it shall be the duty of the occupier of those premises to comply with the terms of the notice.

- (2) A notice under this Article shall remain in force until withdrawn by or on behalf of the Minister.
- (3) The Minister may cause any animal on premises in respect of which a notice under paragraph (1) has been served to be examined by the Veterinary Officer for the purpose of determining whether or not that animal is diseased.

9 Power to require housing or removal of animals

- (1) The Minister, for the purpose of preventing the spreading of disease, may cause to be served on the occupier of any premises where animals are kept a notice requiring the removal of the animals –
- (a) from pasture to enclosed yards, sheds, stables, sties or other places forming part of those premises; or
 - (b) from pastures in which the animals are at the time when the notice is delivered to other pastures in the same occupation.
- (2) Where animals are moved in pursuance of a notice under paragraph (1), the occupier of the premises shall keep those animals in the place specified in the notice until the notice has been withdrawn by or on behalf of the Minister.

10 Prohibition on exposure or movement of diseased or suspected animals and of animals which have been exposed to infection

- (1) Save as authorized or directed under any other provision of this Order, no person shall –

- (a) expose a diseased or suspected animal, or an animal which has been exposed to the infection of disease, in a market, sale-yard, place of exhibition or other public or private place where animals are commonly exposed for sale or exhibition;
 - (b) place a diseased or suspected animal, or an animal which has been exposed to the infection of disease, in any place adjacent to or connected with a market, sale-yard or other place where animals are commonly placed before or after exposure for sale or exhibition;
 - (c) send, carry, lead or drive, or cause to be sent, carried, led or driven, a diseased or suspected animal, or an animal which has been exposed to the infection of disease, on any highway, road or lane;
 - (d) place or keep a diseased or suspected animal, or an animal which has been exposed to the infection of disease, on common or unenclosed land, or in any field or place insufficiently fenced, or in a field adjoining any highway, road or lane, unless that field or place is so fenced or situate that animals therein cannot in any manner come in contact with any animal on that highway, road or lane;
 - (e) allow a diseased or suspected animal, or an animal which has been exposed to the infection of disease, to be, or to stray on, any highway, road or lane, or on the sides thereof, or to stray on any common or unenclosed land or in any field or place insufficiently fenced.
- (2) Where an animal is exposed, sent, carried, led, driven, kept or otherwise dealt with in contravention of this Article, the Minister may cause that animal to be seized, removed to and detained in such place of detention as the Minister may appoint.
 - (3) Where a diseased or suspected animal, or an animal which has been exposed to the infection of disease, is found in or on any of the places specified in paragraph (1), the Minister may declare the place where that animal was found to be an infected place and, in such a case, the provisions of Articles 4 and 5 shall apply to that place.
 - (4) Where an animal is seized by virtue of paragraph (2), the Minister may recover from the owner, as a civil debt, the expenses incurred in the seizure, removal and detention of that animal.

11 Change of occupation of premises

- (1) Where on the termination of the owner's right of occupation of any premises, the owner of any animals on those premises is unable to remove them therefrom by reason of any restriction of movement imposed by or under this Order, the person entitled to the occupation of those premises on such termination –
 - (a) shall afford the owner of those animals, and any person authorized by the owner, all such facilities for feeding, tending or otherwise using those animals, or for the sale of those animals, as the owner thereof may reasonably require; or

- (b) where the owner of those animals is unable or unwilling to avail himself or herself of such facilities, shall take all such steps as are reasonably necessary for the proper feeding or tending of, or otherwise using, those animals.
- (2) The provisions of this Article shall continue to apply so long as the restriction on movement prevents the removal of those animals and for the 2 days next following the day on which those restrictions are removed.
- (3) The owner of the animals shall be liable to pay to the person who affords the facilities or renders the services to which this Article relates such sum by way of remuneration or re-imbursement of expenses as may be mutually agreed between them.
- (4) Where the parties are unable to agree the sum to be paid under paragraph (3), the sum to be so paid shall be determined by an arbitrator agreed upon between the parties or, in default of such agreement, nominated by the Minister on the application in writing of either of the parties.

12 Citation

This Order may be cited as the Cattle Plague (Jersey) Order 1958.

ENDNOTES

Table of Legislation History

| Legislation | Year and No | Commencement |
|---|--------------|-----------------|
| Cattle Plague (Jersey) Order 1958 | R&O.3973 | 1 December 1958 |
| States of Jersey (Amendments and Construction Provisions No. 3) (Jersey) Regulations 2005 | R&O.132/2005 | 9 December 2005 |

Table of Endnote References

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- ¹ *This Order has been amended by the States of Jersey (Amendments and Construction Provisions No. 3) (Jersey) Regulations 2005. The amendments replace all references to a Committee of the States of Jersey with a reference to a Minister of the States of Jersey, and remove and add defined terms appropriately, consequentially upon the move from a committee system of government to a ministerial system of government*
- ² *chapter 02.400*
- ³ *chapter 02.400.14*
- ⁴ *chapter 02.400*