



Jersey

PLEURO-PNEUMONIA (JERSEY) ORDER 1958

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PLEURO-PNEUMONIA (JERSEY) ORDER 1958

Arrangement

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PLEURO-PNEUMONIA (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 –

“animal” means cattle;

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

“disease” means pleuro-pneumonia;

“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 pleuro-pneumonia.

3 Veterinary enquiry by the Minister

Where notice has been given under Article 4 of the Law that any animal is, or within 56 days has been, affected with disease or where there are reasonable

grounds for suspecting that any animal is affected with disease, the Minister shall cause the diseased or suspected animal and any other animal and the carcase of any animal 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 an examination under Article 3 shows that there is, or has been, within 56 days on any premises a diseased animal or carcase, the Minister shall declare those premises to be an infected place:

Provided that no such declaration may be made in respect 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 rules set out in Article 5, and it shall be the duty of the occupier of the infected place to comply with those rules.
- (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, may 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, for so long as those premises remain so declared, be subject to the following rules, that is to say –
 - (a) except under and in accordance with a permit in writing granted by or on behalf of the Minister, no animals 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 diseased carcase or any fodder, litter, dung, utensil, pen, hurdle, vehicle or other thing shall be removed out of the infected place.
- (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 and 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, and the person having the charge of any utensil, pen, hurdle or other thing used for or about such animal to cleanse and disinfect under the supervision of an inspector, that shed or other place, or that utensil, pen, hurdle or other thing, as the case may be.
- (2) Where any cleansing and disinfection required under this Article is not carried out within the time specified in the requirement, the Minister may, without prejudice to any proceedings in respect of such offence, cause such cleansing and disinfection to be carried out and, in such a case, may recover, as a civil debt, from the person in default, 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 had 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 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) Where in the opinion of the Minister it is necessary so to do for determining whether or not an animal on any premises in respect of which a notice under paragraph (1) has been served is diseased, the Minister may cause any animal on those premises to be examined by the Veterinary Officer.

9 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 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 in 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.

10 Change of occupation of premises

- (1) Where on the termination of the person's right of occupation of any premises, the owner of any animals on those premises is unable to remove them from the premises by reason of any restrictions imposed 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 restrictions on movement prevent 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 reimbursement 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.

11 Citation

This Order may be cited as the Pleuro-Pneumonia (Jersey) Order 1958.

ENDNOTES**Table of Legislation History**

Legislation	Year and No	Commencement
Pleuro-Pneumonia (Jersey) Order 1958	R&O.3976	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 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*