



Jersey

# **SHEEP-POX (JERSEY) ORDER 1958**

**Revised Edition**

02.400.74

Showing the law as at 1 January 2006

This is a revised edition of the law





Jersey

## SHEEP-POX (JERSEY) ORDER 1958

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Jersey

## **SHEEP-POX (JERSEY) ORDER 1958<sup>1</sup>**

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

Commencement [[see endnotes](#)]

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### **1 Interpretation**

In this Order –

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

“disease” means sheep-pox;

“disinfect” means disinfect with an approved disinfectant;

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

“Law” means the Diseases of Animals (Jersey) Law 1956;<sup>4</sup>

“premises” includes land;

“sheep” includes lambs.

### **2 Power to slaughter**

The provisions of Article 8 of the Law shall apply to sheep-pox.

### **3 Veterinary enquiry by the Minister**

Where notice has been given under Article 4 of the Law that any sheep are affected with disease or where there are reasonable grounds for believing that there is, or within 56 days has been, any sheep affected with disease, the Minister shall cause all the sheep and the carcase of any sheep on the premises on which the diseased or suspected sheep 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 56 days, on any premises a diseased sheep, 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 paragraph (1) as apply to that place as well as with such additional and modified rules as may be specified in a notice served under paragraph (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 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, 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 sheep 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, the carcase of a diseased sheep and any fodder, litter, dung, utensil, pen, hurdle, vehicle or other thing shall not be moved out of the infected place;
  - (c) a skin, fleece or wool separate from the rest of the carcase shall not be moved from the infected place unless the Veterinary Officer has certified in writing that the skin, fleece or wool has been disinfected to the Veterinary Officer's satisfaction;
  - (d) except under and in accordance with a permit in writing granted by or on behalf of the Minister, no person, other than the occupier of

the infected place, members of the occupier's household or an inspector, shall enter or leave the infected place;

- (e) any person whatsoever entering any shed, field or other place in which a diseased or suspected sheep is or has recently been kept shall wear suitable overall clothing and boots which are capable of being disinfected and shall, before leaving such place, thoroughly cleanse and disinfect such clothing and boots and also the person's hands;
  - (f) except under and in accordance with a permit in writing granted by on behalf of the Minister, no person tending a diseased or suspected sheep shall tend any sheep which is not diseased or suspected;
  - (g) a receptacle containing an approved disinfectant shall be kept in some convenient place at every exit 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 this Article 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 sheep.

## **7 Cleansing and disinfection**

- (1) The Minister may require –
- (a) the occupier of any shed or other place which has been used for a diseased or suspected sheep; and
  - (b) the person having the charge of any utensil, pen, hurdle or other thing used for or about a diseased or suspected sheep,
- to cleanse and disinfect that shed or other place, or that utensil, pen, hurdle or other thing, as the case may be, under the supervision of an inspector.
- (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**

- (1) Where there is reason to suspect that there are on any premises any sheep which have 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 such sheep out of those premises or out of any field, shed or other place on those premises;
  - (b) prohibiting the movement out of such place as aforesaid of any other sheep which may be thereon or therein;
  - (c) prohibiting the movement of any other sheep on to or out of such premises or place as aforesaid;
  - (d) requiring the occupier of those premises to prevent any sheep to which a notice under this Article applies from straying out of such premises or to come into contact with any other sheep,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.

## **9 Power to require housing or removal of sheep**

- (1) The Minister, for the purpose of preventing the spreading of the infection of disease, may cause to be served on the occupier of any premises where sheep are kept a notice requiring the removal of the sheep –
  - (a) from pasture to any enclosed yard, shed, stable or other place forming part of such premises;
  - (b) from pastures in which the sheep 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 sheep**

- (1) Save as authorized or directed under any other provision of this Order, no person shall –
  - (a) expose a diseased or suspected sheep in a market, sale-yard, place of exhibition or other public or private place where sheep are commonly exposed for sale or exhibition;
  - (b) place a diseased or suspected sheep in any place adjacent to or connected with a market, sale-yard or other place where sheep 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 sheep on any highway, road or lane;
  - (d) place or keep diseased or suspected sheep on common or unenclosed land, or in a field or place insufficiently fenced or in a field adjoining any highway, road or lane, unless that field is so fenced or situate that sheep therein cannot in any manner come in contact with sheep on that highway, road or lane;
  - (e) allow a diseased or suspected sheep 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 a diseased or suspected sheep is exposed, sent, carried, led, driven, kept or otherwise dealt with in contravention of this Article, the Minister may cause that sheep to be seized and removed to and detained in such place of detention as the Minister may appoint.
  - (3) Where a diseased or suspected sheep, or a sheep which has been exposed to the infection of disease, is found in or on any place specified in paragraph (1)(a) to (e) inclusive, the Minister may declare that place to be an infected place and, in such a case, the provisions of Articles 4 and 5 shall apply to that place.
  - (4) The Minister may recover, as a civil debt, from the owner of a sheep seized under the powers conferred by paragraph (2) of this Article the expenses incurred in putting the provisions of this Article into execution.

## **11 Change of occupation of premises**

- (1) Where, on the termination of his or her right of occupation of any premises, the owner of any sheep on those premises is unable to remove them therefrom by reason of any restrictions on movement imposed by or on under this Order, the person entitled to the occupation of those premises on such termination –
  - (a) shall afford the owner of those sheep, and any person authorized by the owner, all such facilities for feeding, tending or otherwise using those sheep, or for the sale of those sheep, as the owner thereof may reasonably require; or
  - (b) where the owner of those sheep 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 sheep.
- (2) The provisions of this Article shall continue to apply so long as the restrictions on movement prevent the removal of those sheep and for the 2 days next following the day on which those restrictions are removed.
- (3) The owner of the sheep 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 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 Sheep-Pox (Jersey) Order 1958.

## ENDNOTES

### Table of Legislation History

Legislation	Year and No	Commencement
Sheep-Pox (Jersey) Order 1958	R&O.3979	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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- <sup>1</sup> *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*
- <sup>2</sup> *chapter 02.400*
- <sup>3</sup> *chapter 02.400.14*
- <sup>4</sup> *chapter 02.400*