

Schedule

Tuberculosis (Examination and Testing) Scheme (Northern Ireland) 1999

Citation and interpretation

1.—(1) This Scheme may be cited as the Tuberculosis (Examination and Testing) Scheme (Northern Ireland) 1999.

(2) In this Scheme—

“animal” means any bovine or non-bovine animal;

“authorised officer” means an inspector, a veterinary inspector or other person authorised by the Department for the purposes of this Scheme;

“carcase” means the carcase of an animal;

“disease” means bovine tuberculosis;

“official test” means any examination or test which an authorised officer is required or authorised to carry out under paragraph 2(1).

(3) Any other expression used in this Scheme that is also used in the Tuberculosis Control Order (Northern Ireland) 1999(1) shall have the same meaning as in that Order.

Examination and official tests

2.—(1) The Department may for the purposes of this Scheme require an authorised officer to carry out such examinations or tests as it may determine in relation to any bovine animals or herd kept on such holding or holdings as it may determine and upon being so required that officer—

(a) shall examine or carry out those examinations and tests on such bovine animals kept on the holding or holdings as the Department may require;

(b) may carry out those examinations and tests on such other animals or such carcasses on the holding as he may think fit; and

(c) may carry out such further examinations or tests and may take such further steps as he thinks fit to establish whether any animal on the holding is affected with disease.

(2) An authorised officer who carries out an official test on an animal or a carcase shall forward a report on the result of that test, and such other information as the Department may require, to the Divisional Veterinary Officer within such time as the Department may require.

(3) Where an authorised officer has submitted a report to a Divisional Veterinary Officer under sub-paragraph (2) that report shall contain the name and address of the keeper of the animal, herd or carcase to which the report relates.

(4) Where a report has been submitted to him under sub-paragraph (2), the Divisional Veterinary Officer shall, if he knows or suspects that any bovine animal or herd to which the report relates is affected with tuberculosis, notify the owner of that animal of the fact.

3.—(1) For the purpose of carrying out his functions under paragraph 2, an authorised officer may at any time, and on production if so required of his authority, enter onto any land, building, shed, place or pen where an animal or carcase is kept or suspected on reasonable grounds to be kept.

(2) The keeper of any animal or carcase and the owner or occupier of, and any person employed on or in, any land, building, shed, pen or place where it is kept shall, upon request by an authorised officer—

(1) [S.R. 1999 No. 263](#)

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- (a) provide facilities that in the opinion of a veterinary inspector are adequate to ensure both the safety of any person involved in the official testing of any animals and that of the animals being so tested;
- (b) present such animals or carcasses in his charge as the officer may require;
- (c) in the case of an animal, collect, pen, restrain or otherwise secure it in such manner as the officer may require so as to enable him to examine or officially test it; and
- (d) make clean water available to the officer for the cleansing and disinfection of any clothing and equipment used for the purposes of or in connection with any official test.

4. Where any person on whom a requirement is placed under paragraph 3 refuses or neglects to comply with these requirements without reasonable cause the Department may, without prejudice to any proceedings arising out of such default, carry out or cause to be carried out those requirements.

Prohibition on movement during testing

5. A person shall not, except with the prior permission of the Department, move or attempt to move or cause or permit to be moved any animal off any holding while animals on that holding continue to be officially tested or, where samples taken in the course of such testing are to be submitted to a laboratory for examination, until the result of that examination is known.

Prohibition on testing, vaccination and treatment

6.—(1) A person, other than an authorised officer, shall not carry out a test on any bovine animal for tuberculosis.

(2) A person, other than an authorised officer, shall not carry out a test on any non-bovine animal for tuberculosis without the permission of the Divisional Veterinary Officer for the area in which the animal is kept.

(3) A person shall not vaccinate any animal against tuberculosis except in accordance with the conditions of a licence issued by the Department.

(4) A person shall not treat any animal for tuberculosis except in accordance with the conditions of a licence issued by the Department.

(5) A licence issued under sub-paragraph (2), (3) or (4)—

- (a) shall be in writing;
- (b) may be granted subject to conditions; and
- (c) may be modified, suspended or revoked by notice in writing given to the holder thereof at any time.

Prohibition on tampering with official tests

7. A person shall not do any act or thing or attempt to do any act or thing or cause or permit any act or thing to be done whether before, during or after the carrying out of an official test, whereby the reaction of an animal or carcass to such a test is intended to be affected.