
STATUTORY RULES OF NORTHERN IRELAND

1999 No. 323

Bovine Spongiform Encephalopathy (Feedingstuffs and Surveillance) Regulations (Northern Ireland) 1999

Investigation of the disease in bovine animals

4.—(1) When carrying out an investigation of the disease as part of a programme of monitoring by the Department under Article 4(1) of the Commission Decision, an authorised officer may—

- (a) inspect and examine any bovine animal or the carcase of any bovine animal on any premises;
- (b) make such tests in relation to, and take such samples from, any bovine animal or the carcase of any bovine animal on any premises as he may consider necessary for the purpose of diagnosis or research in relation to the disease;
- (c) mark for identification purposes any bovine animal or the carcase of any bovine animal on any premises; and
- (d) examine any record in whatever form on the premises, and take copies of those records, which he believes may be relevant to any such inspection, examination, test, sampling or marking.

(2) The occupier of any premises and his employees, and any person who is or has been in possession or charge of any animal or carcase which is or has been on any premises, shall—

- (a) provide such reasonable facilities and comply with such reasonable requirements as are necessary for an investigation of the disease as part of a programme of monitoring referred to in paragraph (1); and
- (b) if so required by an authorised officer, give such information as he possesses as to—
 - (i) any bovine animal or carcase which is or has been on the premises;
 - (ii) any other animal or carcase with which any bovine animal or carcase which is or has been on the premises may have come into contact; and
 - (iii) the location and movement of any bovine animal or carcase which is or has been in his possession or charge.

(3) An authorised officer shall, on producing, if required to do so, his authority, have a right at any reasonable time—

- (a) to enter any premises—
 - (i) for the purpose of ascertaining whether any bovine animal is being or has been kept on the premises; or
 - (ii) for any other purpose connected with an investigation of the disease as part of a programme of monitoring referred to in paragraph (1); or
- (b) to enter any premises for the purpose of ascertaining whether there is on the premises any evidence of any contravention of the provisions of this regulation.

(4) If a justice of the peace, on sworn information in writing, is satisfied that there is reasonable ground for entry into any premises for any of the purposes mentioned in paragraph (3) and that either—

- (a) admission to the premises has been refused, or a refusal is apprehended, and that notice of the intention to apply for a warrant has been given to the occupier; or
- (b) an application for admission, or the giving of such a notice, would defeat the object of the entry, or that the case is one of urgency, or that the premises are unoccupied or the occupier temporarily absent,

the justice may by warrant signed by him authorise an authorised officer to enter the premises, if need be by reasonable force.

(5) An authorised officer, when entering premises for any of the purposes mentioned in paragraph (3), or when on any premises for any such purpose, may—

- (a) examine any record in whatever form on the premises, and take copies of those records;
- (b) have access to, and inspect and check the operation of, any computer and any associated apparatus or material which is or has been used in connection with any records, and may require any person having charge of, or who is otherwise concerned with the operation of the computer, apparatus or material to afford him such assistance as he may reasonably require;
- (c) where records are kept by means of a computer, may require the records to be produced in a form in which they may be taken away;
- (d) take with him such other person as he considers necessary—
 - (i) to carry out any checks and examinations under these Regulations; or
 - (ii) for any purpose in relation to the enforcement of these Regulations; and
- (e) take with him a representative of the European Commission acting for any purposes in relation to the Commission Decision.