



Jersey

ANIMAL HEALTH (AFRICAN HORSE SICKNESS) (JERSEY) ORDER 2017

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ANIMAL HEALTH (AFRICAN HORSE SICKNESS) (JERSEY) ORDER 2017

THE MINISTER FOR THE ENVIRONMENT, in pursuance of Articles 2(2), 4(2), 7, 17(8) and 32 of the [Animal Health \(Jersey\) Law 2016](#), orders as follows –

Commencement [[see endnotes](#)]

PART 1

INTRODUCTORY PROVISIONS

1 Interpretation

(1) In this Order –

“contact premises” means premises that have an epidemiological connection with infected premises, including those that, due to their proximity to infected premises, the States Veterinary Officer considers have an epidemiological connection with infected premises;

“equipment”, means any equipment that has been in contact with blood or other bodily fluids from a horse, including needles and surgical or dental equipment, unless that equipment has either been sterilised following such contact or is securely confined in a sharps container complying with the relevant British Standard (or equivalent standard);

“genetic material” means any semen, ovum or embryo of a horse;

“infected premises” means premises that have been declared as such under Article 6(1);

“Law” means the [Animal Health \(Jersey\) Law 2016](#);

“suspect premises” means premises that have been designated as such under Article 5(2);

“temporary movement restriction zone” means a controlled zone declared under Article 10(2) or 12(2);

“vector” means an insect of the genus *Culicoides* or any other species of arthropod capable of transmitting African horse sickness virus.

- (2) In this Order a reference to a notified horse or carcass is a reference to a horse or a carcass (as the case may be) that is the subject of a notification under Article 12(1) or 15(2) of the Law.

2 Application

- (1) This Order applies only to African horse sickness.
- (2) This Order does not apply to any specified animal pathogen that is the subject of a licence under Article 15(1) of the Law or to which that Article does not apply.

3 References to occupier, main occupier and additional obligations

- (1) In this Order a reference to –
- (a) an occupier of premises includes a reference to a person who has ownership or charge of a horse on the premises;
 - (b) the main occupier of premises is the person who has overall responsibility for the premises.
- (2) Any notice required or authorized under this Order –
- (a) to be served on the main occupier of premises may be served on any person appearing to the person serving the notice to be the main occupier;
 - (b) to be served on any other occupier of premises may be served on any person appearing to the person serving the notice to be such an occupier.
- (3) Where a notice has been served on a person referred to in paragraph (2), any reference in this Order to the main occupier or, as the case may be, any other occupier of the premises includes a reference to that person.
- (4) Where the main occupier of premises is required to comply with any obligation under or by virtue of this Order, any other occupier of the premises must give the main occupier such assistance as is reasonably required to enable such compliance.
- (5) Where the main occupier of premises has been served with a notice under this Order, the main occupier must take reasonable steps to inform (orally or otherwise) any other occupier of the premises and any other person entering the premises of any restrictions on the movement to or from the premises of any horse, carcass, equipment or genetic material arising from the service of the notice.
- (6) A notice required or authorized under this Order to be served on the main occupier of premises may (in addition to its being served on the main occupier) be served on any other occupier of the premises.

PART 2

SUSPICION AND CONFIRMATION OF AFRICAN HORSE SICKNESS

4 Initial investigation

- (1) This Article applies where the Minister receives a notification under Article 12(1) or 15(2) of the Law and cannot rule out the presence of African horse sickness.
- (2) A veterinary inspector must inform (orally or otherwise) the person who gave the notification that further investigation is necessary.

- (3) Where that person has been so informed, the controls in paragraph (6) apply in relation to the premises where the notified horse or carcase (as the case may be) is located.
- (4) Where those premises are not the premises where the notified horse is normally kept or, in the case of a notified carcase, the horse was normally kept before it died, a veterinary inspector may also inform (orally or otherwise) the main occupier of those other premises that further investigation is necessary.
- (5) Where that main occupier has been so informed, the controls in paragraph (6), other than in sub-paragraph (a)(i), apply in relation to those other premises.
- (6) The controls are that –
 - (a) any person in possession or charge of a notified horse or carcase must ensure that –
 - (i) the notified horse or carcase is not moved from the premises where it is located,
 - (ii) no equipment or genetic material is moved from the premises,
 - (iii) no other horse or carcase is moved from or to the premises, except that any horse normally kept on the premises may be returned there; and
 - (b) if required by a veterinary inspector and to the extent that it is practicable to do so the main occupier must ensure that –
 - (i) all horses are moved away from any part of the premises where vectors are most likely to be present,
 - (ii) areas which may be breeding grounds for vectors are identified and any available vector control measures directed by a veterinary inspector are implemented.
- (7) The controls imposed under this Article continue to apply until –
 - (a) a veterinary inspector confirms (orally or otherwise) to any occupier of the premises that the presence of African horse sickness virus on the premises is not suspected; or
 - (b) the premises become suspect premises.

5 Measures on suspicion of African horse sickness

- (1) This Article applies where an inspector suspects that a horse or carcase that is or has been infected with African horse sickness virus is or has been on any premises, whether or not those premises are contact premises.
- (2) An inspector may serve a notice on the main occupier designating those premises as suspect premises, at which point the measures in the Schedule have effect.
- (3) A notice served under paragraph (2) may require the main occupier to erect and maintain such signs on the premises as may be required by a veterinary inspector.
- (4) If the States Veterinary Officer is satisfied following investigation that it is no longer appropriate for the premises to remain designated as suspect premises, a veterinary inspector must revoke the notice served under paragraph (2).
- (5) Where that notice is revoked, the measures in the Schedule cease to have effect, except for the purposes of the record-keeping duty under paragraph 1(4)(a) and any requirement for signs under paragraph (3) unless that notice is replaced by a notice served under Article 6(1).

6 Confirmation of African horse sickness

- (1) Where the States Veterinary Officer is satisfied as a result of –
 - (a) any test carried out;
 - (b) any clinical signs in any horse on premises; or
 - (c) any epidemiological connection to any other infected premises,that African horse sickness virus is present in a horse or carcase or on any premises, a veterinary inspector may serve a notice on the main occupier declaring the premises to be infected premises.
- (2) Where a notice has been served under paragraph (1), the measures in the Schedule have effect or continue to have effect as the case may be.
- (3) The notice served under paragraph (1) may require the main occupier to erect and maintain such signs on the premises as may be required by a veterinary inspector.
- (4) If the States Veterinary Officer considers it necessary to reduce the risk of spread of African horse sickness virus, the notice served under paragraph (1) may require measures additional to those in the Schedule and paragraph (3).
- (5) If the States Veterinary Officer is satisfied that further notification of suspicion of African horse sickness in horses on the premises under Article 12(1) of the Law will not contribute to the epidemiological knowledge of, or control of the outbreak of, African horse sickness, the notice may state that such further notification is not necessary.

7 Powers to prevent horses from being brought onto other premises

- (1) This Article applies where premises are infected premises and the States Veterinary Officer considers that due to the risk of African horse sickness virus spreading it is appropriate to prevent horses from being brought onto other premises.
- (2) An inspector may serve a notice on the main occupier of those other premises imposing the prohibition in paragraph (3).
- (3) The prohibition is that no person may move any horse onto the premises for such period as may be specified in the notice, except under the authority of a licence granted by a veterinary inspector.
- (4) The notice may require the main occupier to erect and maintain such signs on the premises as may be required by a veterinary inspector.
- (5) A veterinary inspector must revoke any notice served under paragraph (2) if satisfied, having regard to the epidemiological risk, that the prohibition is no longer necessary to reduce the risk of the spread of African horse sickness virus.

8 Killing and disposal of carcases

- (1) Article 17 of the Law applies to African Horse Sickness.
- (2) The Minister may arrange, in accordance with Article 17(1) of the Law, for the killing of all horses infected with African horse sickness virus or that present clinical signs of African horse sickness where those horses are –
 - (a) on suspect premises that are contact premises; or
 - (b) on infected premises.
- (3) If any horse is killed under paragraph (1) the Minister –

- (a) must arrange for the disposal of its carcase; and
 - (b) may arrange for the disposal of the carcase of any other horse that has died on those premises.
- (4) The Minister must ensure that any such disposal is carried out in such a way as to avoid the risk of spread of African horse sickness virus.

9 Revocation of notices declaring premises to be infected premises

- (1) A veterinary inspector must not revoke a notice declaring premises to be infected premises unless the States Veterinary Officer is satisfied that there is minimal risk of further infection from those premises.
- (2) If not already revoked by a veterinary inspector, a notice declaring premises to be infected premises is revoked when the premises to which the notice relates cease to be within any zone declared under Part 3.
- (3) Where a revocation under this Article takes effect the measures in the Schedule cease to have effect, except for the purposes of the record-keeping duty under paragraph 1(4)(a).

PART 3

AREA CONTROLS

10 Temporary movement restriction zone

- (1) This Article applies where premises are suspect premises.
- (2) Where the Minister considers it necessary to reduce the risk of spread of African horse sickness virus, the Minister may declare a temporary movement restriction zone around the suspect premises.
- (3) The temporary movement restriction zone must be of such size as the Minister considers necessary having regard to the risk of spread of African horse sickness virus.
- (4) A person must not move any horse or carcase to or from premises, or any equipment or genetic material off premises, within the temporary movement restriction zone except under the authority of a licence granted by a veterinary inspector.
- (5) If the Minister considers it necessary to reduce the risk of spread of African horse sickness virus, the Minister may impose any other measures in the declaration of the temporary movement restriction zone.

11 Controlled zone

- (1) This Article applies where premises are infected premises.
- (2) The Minister may declare a controlled zone, which must cover the whole of Jersey.
- (3) The Minister must ensure that within the controlled zone –
 - (a) premises that contain horses are identified as far as is reasonably practicable;
 - (b) a veterinary inspector visits in a systematic way as directed by the States Veterinary Officer any such identified premises, and –

- (i) inspects and as necessary examines the horses, and
 - (ii) collects and tests such samples as the States Veterinary Officer considers necessary.
- (4) The Schedule sets out measures that apply in relation to premises containing horses in a controlled zone.
- (5) The Minister may declare that any other measure considered necessary to reduce the risk of spread of African horse sickness virus applies in respect of the whole or any part of the controlled zone.
- (6) When the controlled zone is revoked, the measures in the Schedule and any other measures declared by the Minister cease to have effect, except for the purposes of the record-keeping duty under paragraph 1(4)(a).

12 Declaration of zones where African horse sickness suspected or confirmed outside Jersey

- (1) This Article applies where –
 - (a) the presence of African horse sickness virus is suspected or confirmed officially outside Jersey; and
 - (b) the Minister considers that there is a risk of spread of African horse sickness virus to Jersey.
- (2) The Minister may declare a temporary movement restriction zone or a controlled zone of such size as the Minister considers necessary to reduce the risk of spread of African horse sickness virus.
- (3) Articles 10(4) and (5), and 11(3) to (6) apply to any zone declared under this Article as if it were a zone declared under Article 10 or 11 (as applicable).
- (4) In deciding whether or not to amend or revoke any declaration of a zone, the Minister must have regard to the epidemiological situation and the measures necessary to control the spread of African horse sickness virus.

PART 4

VACCINATION

13 Prohibition on vaccination except in certain cases

A person must not vaccinate a horse against African horse sickness except in accordance with this Part or under the authority of a licence granted by a veterinary inspector.

14 Compulsory vaccination

- (1) The Minister may declare a vaccination zone.
- (2) When a vaccination zone has been declared, any occupier of premises inside that zone must ensure the vaccination of horses on their premises in accordance with that declaration.
- (3) A veterinary inspector may serve a notice on any person in possession or charge of a horse requiring that person to vaccinate the horse in accordance with the notice (whether or not a vaccination zone has been declared under paragraph (1)).

- (4) Where a horse is vaccinated under paragraph (3) the keeper must ensure that it is identified by way of a transponder prior to vaccination and a record is kept of the vaccination for 12 months after the date of the vaccination.
- (5) The cost of any vaccination under this Article is to be borne by the keeper unless the declaration or notice, as the case may be, states otherwise.

15 Movement of vaccinated horses

A person must not move a vaccinated horse from the premises where it was vaccinated until at least 60 days have elapsed since –

- (a) the date of the vaccination; or
- (b) if the vaccination includes a course of doses, the date of the final dose, except under the authority of a licence granted by a veterinary inspector.

PART 5

CLOSING PROVISION

16 Citation

This Order may be cited as the Animal Health (African Horse Sickness) (Jersey) Order 2017.

SCHEDULE

(Articles 5, 6 and 11)

MEASURES ON SUSPECT AND INFECTED PREMISES AND ON PREMISES IN A CONTROLLED ZONE

1 Records

- (1) The main occupier must keep a record of every horse on the premises.
- (2) The main occupier must take all reasonable steps to update the record to show the number of horses on the premises that –
 - (a) have died;
 - (b) show clinical signs of African horse sickness;
 - (c) have been born since restrictions under this Order were placed on the premises; and
 - (d) enter or leave the premises under licence.
- (3) The main occupier must ask any other occupier to report any changes in the details of their horses on the premises that are relevant to the record.
- (4) The main occupier must keep the record for at least 6 months after (as the case may be) –
 - (a) the revocation of the notice served under Articles 5(2), 6(1) or 7(2); or
 - (b) the premises ceasing to be within the controlled zone,whichever is the later.

2 Housing of horses

An occupier must ensure that every horse on the premises is kept –

- (a) so far as is practicable on the part or parts of the premises where they may be less exposed to vectors; or
- (b) as directed by a veterinary inspector.

3 Restriction on movement of horses, carcasses, equipment or genetic material

A person must not move any horse or carcase to or from the premises or any equipment or genetic material from the premises, except under the authority of a licence granted by a veterinary inspector.

4 Control of vectors

The main occupier must implement such practicable vector control measures as a veterinary inspector may require.

ENDNOTES

Table of Legislation History

Legislation	Year and No	Commencement
Animal Health (African Horse Sickness) (Jersey) Order 2017	R&O.7/2017	1 February 2017

Table of Renumbered Provisions

Original	Current
16	Spent, omitted
17	16

Table of Endnote References

There are currently no endnote references