

# **STATES OF JERSEY**



## **DRAFT ANIMAL HEALTH (JERSEY) LAW 201-**

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**Lodged au Greffe on 29th February 2016  
by the Minister for the Environment**

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**STATES GREFFE**





## **DRAFT ANIMAL HEALTH (JERSEY) LAW 201-**

### **European Convention on Human Rights**

In accordance with the provisions of Article 16 of the Human Rights (Jersey) Law 2000, the Minister for the Environment has made the following statement –

In the view of the Minister for the Environment, the provisions of the Draft Animal Health (Jersey) Law 201- are compatible with the Convention Rights.

Signed: **Deputy S.G. Luce of St. Martin**

*Minister for the Environment*

Dated: 26th February 2016

## **REPORT**

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### **Background**

In [MD-PE-2015-0047](#), the Minister decided to provide new primary legislation to enable application of proportionate controls to prevent introduction and spread of animal diseases which have major economic impact or can be transmitted to humans from animals, to carry out surveillance and sampling necessary to demonstrate disease freedom, and to introduce fees in accordance with User Pays policy.

Veterinary legislation is an essential element of legal infrastructure which enables veterinary services to efficiently carry out their key functions, including –

- epidemi-surveillance
- early detection and reporting of diseases, including zoonoses
- rapid response to and prevention and control of animal health emergencies
- safeguarding food safety of animal products
- promoting animal welfare
- relevant certification of animals and animal products for export.

In the face of increasing global trade, climate change, and the emergence and re-emergence of diseases that can be rapidly spread across international borders, the Veterinary Services must be supported by effective and modern legislation.

The Diseases of Animals (Jersey) Law 1956 established sound principles to apply animal disease control.

In the 60 years since the enactment of the Diseases of Animals (Jersey) Law 1956, the animal disease situation in Europe has changed significantly; for example Foot and Mouth Disease is eradicated, and many countries have achieved freedom from Rabies. However, Bluetongue and African Swine Fever, historically confined to the African continent, are now present in parts of Europe.

People, animals and goods now travel internationally, in a very short time creating challenges to disease control not envisaged in 1956. Since 1956, many discoveries and developments in the fields of veterinary medicine and epidemiology have informed and changed the ways in which some diseases of animals are controlled.

Internationally, legislation is based on standards and protocols established by agreement in the World Organisation for Animal Health (OIE), which has 175 member countries. Specific animal diseases are subject to government control because they have a serious impact on animal or human health or on the economic viability of businesses, including those not directly linked to animals and animal products, e.g. tourism.

The list of OIE notifiable diseases is regularly revised by experts, and updates are approved at the Annual General Assembly. Great Britain is an OIE founder member.

Since 1st September 1973, as a matter of European Union (EU) law for the purposes of trade in agricultural products and products processed therefrom, Jersey is treated as part of the same Member State of the European Union as the United Kingdom; and Jersey must apply rules in relation to such products on the same basis as the United Kingdom.

European Community rules in the field of veterinary legislation, animal health legislation, food legislation and feedingstuff legislation, as well as plant health

legislation, quality and marketing standards must, therefore, be part of the law of Jersey. European Community Regulations in these areas are of direct effect and application in Jersey. To comply with obligations for international trade, Jersey must implement European Community Directives in these subject areas, and administer and enforce Regulations under domestic law.

The Draft Animal Health (Jersey) Law 201- will add to existing provisions and promote standards based on EU legislation, OIE provisions and best practice reflecting current knowledge.

The Draft Animal Health (Jersey) Law 201- provides the framework enabling the Minister to administer and enforce controls governing a wide range of species, activities and businesses involving aquatic and terrestrial animals, animal carcasses and animal products. The controls are commensurate with international standards, and provide for implementation of relevant European legislation permitting lawful trade in animals and animal products.

The legislation provides Ministerial powers to enact subordinate legislation to meet Jersey's obligations under Protocol 3 of the United Kingdom's Treaty of Accession to the European Community, and to enact legislation based on best practice to protect animal health and welfare and human health.

The required powers fall into 2 broad categories –

- powers for disease prevention, surveillance and safeguarding food safety;
- powers to be applied when disease is suspected or confirmed.

The legislation –

- makes reporting suspicion of certain diseases mandatory, with a range of powers to enable government to take action to eradicate disease and prevent spread;
- gives the Minister powers to ensure that businesses operating in or from Jersey are compliant with required standards of production, handling, storage, disposal, transport and record-keeping, and the ability to quickly identify those at risk in the event of disease incursion;
- gives powers to carry out controls promptly and efficiently when a disease threat or incursion arises; for example, Avian Influenza or Foot and Mouth Disease;
- gives powers to prevent disease spread by appropriate imposition of movement controls, and for certain diseases, culling susceptible animals, followed by cleansing and disinfection of equipment and premises with strict rules on re-stocking. The Minister may be required to pay compensation for animals culled;
- gives powers to vaccinate. Certain diseases may be controlled by vaccination; for example, rabies, therefore power to require vaccination of eligible animals is included;
- gives powers to carry out detailed investigations to determine where disease came from and where it has spread to, and applies restrictions on premises and things which may have links to those with confirmed or suspected disease. For diseases such as Foot and Mouth, restrictions have to be applied in an area rather than to individual premises only;
- gives powers to carry out surveillance, including repeated sampling and testing for diseases which may or may not be present in Jersey.

Other examples of powers, in brief, but not all –

- require animal owners and keepers and those operating businesses handling animals or animal products to register;
- identify animals by prescribed means;
- attain and verify structural or production standards required;
- maintain records;
- appoint inspectors, including veterinary inspectors;
- enter land, premises, buildings, vehicles or vessels at all reasonable times to investigate suspicion of disease, failure to comply with controls, or the presence of a pathogen and to take samples and apply tests;
- apply time limits for compliance with required actions;
- regulate movements of animals, carcases, animal products, vehicles, equipment, feedingstuffs, or anything which may transmit disease into, within, or from Jersey;
- regulate gatherings of animals at shows, fairs, markets and exhibitions which may or may not be held for the purpose of selling animals, animal products and equipment;
- obtain information relevant to disease prevention and control;
- require cleansing and disinfection to specified standards of premises, vehicles and things;
- require isolation of an animal or group of animals;
- seize and detain any animals or things suspected of being infected with disease or capable of transmitting disease;
- regulate exhumation of animal carcases;
- issue licences to individuals or to classes of people permitting movements or actions otherwise prohibited, apply conditions to licences;
- compulsorily slaughter on suspicion or confirmation of disease;
- compulsorily destroy things which may transmit disease and cannot reasonably be cleansed and disinfected;
- when an exotic or emerging disease is suspected or confirmed, apply appropriate controls to people and inanimate objects.

Enforcement in support of the control measures is provided by power to apply penalties or sanctions, either criminal or administrative.

In accordance with States of Jersey User Pays policy, provision to levy fees for carrying out inspections, sampling, tests (whether or not these result in issuing of approval), and issue of approvals, licences, authorisations and certificates will be included.

A range of stakeholders has been consulted, with no concerns or adverse comment returned.

The Draft Animal Health (Jersey) Law 201- has been drafted to achieve the Minister's decision and is considered compliant with Human Rights legislation.

### **Financial and manpower implications**

For the Department of the Environment, routine work in administration and carrying out inspections will continue utilising existing staff and financial resources.

The staff and financial resources to investigate and, if confirmed, control an incursion of an exotic or emerging disease is likely to run to several thousand pounds. No contingency or emergency budget is identified, and resources would have to be agreed from within the Department of the Environment, or a request for funding made to the Treasury and Resources Department.

For an inspection, test or official examination and a licence, certificate, approval or authorization under the Law, a fee will be payable.

### **Human Rights**

The notes on the human rights aspects of the draft Law in the Appendix have been prepared by the Law Officers' Department and are included for the information of States Members. They are not, and should not be taken as, legal advice.

## APPENDIX TO REPORT

### **Human Rights Note on the Draft Animal Health (Jersey) Law 201-**

These notes have been prepared in respect of the Draft Animal Health (Jersey) Law 201- by the Law Officers' Department. They summarise the principal human rights issues arising from the contents of the draft Law and explain why, in the Law Officers' opinion, the draft Law is compatible with the European Convention on Human Rights ("ECHR") as implemented under the Human Rights (Jersey) Law 2000.

**These notes are included for the information of States Members. They are not, and should not be taken as, legal advice.**

#### ***Background***

1. The draft Law is as stated in the long title: "A LAW to control certain diseases of animals and birds and for connected purposes". The protection of animals and birds from infection is plainly an important goal in a small island jurisdiction where agriculture is important to the economy and the Island's identity, and where the natural habitat is important to public amenity and to tourism. It is also the case that animals can be the carriers of dangerous diseases to humans, and these too need to be prevented or contained. The Law provides the Minister and veterinary inspectors with powers designed to prevent infections coming to Jersey, and to contain them should they arrive.
2. The powers given are quite sweeping, and include:
  - (a) Order-making powers for the purposes of disease control and prevention, Articles 7, 9 and 10.
  - (b) Ministerial power to take samples, Article 8.
  - (c) Obligations to use certain disinfectants, Article 11.
  - (d) Duty to notify certain diseases, Article 12.
  - (e) Duty not to spread infections, Article 13.
  - (f) Prohibition on importing cattle, Article 14.
  - (g) Measures to control pathogens, Article 15.
  - (h) Power of inspectors to seize anything that might spread disease, Article 16.
  - (i) Power to kill animals and birds, but also compensation provisions, Articles 17 and 18.
  - (j) Powers of entry, Article 19.
  - (k) Powers for inspectors to undertake inquiries, identify animals and birds, take samples, detain, isolate, clean, undertake surveillance, capture, kill a wild animal or bird, or require action to be taken by an occupier of premises or a person in charge of vehicles, Article 20.
  - (l) Issue licences, Article 25.
  - (m) Declare controlled zones, Article 26.

### ***Relevant Convention Rights***

3. Such powers may impact on 2 particular European Convention rights. Firstly, insofar as information may be required and property may be searched, the right to privacy under Article 8 of the Convention may be affected. Secondly, the right to peaceful enjoyment of possessions under Article 1 of Protocol 1 to the Convention (i.e. the right to property) will frequently be disrupted.
4. Both of the relevant Convention rights are qualified rights, meaning that they may be infringed if for good public policy reasons such infringements are proportionate. This means (*see Huang v Secretary of State for the Home Department* [2007] UKHL 11 [19]):
  - (a) Is the infringement for a legitimate end?
  - (b) Is the infringement rationally connected with that end?
  - (c) Could the end be achieved by less intrusive means?
  - (d) Is the measure proportionate in the sense of striking a fair balance?
5. What will be obvious in the present context is that the question of what is justified is intimately related to the degree that risk needs to be eliminated. In the context of preventing and controlling the risk to animal and bird health in Jersey, it is plain that almost any appreciable risk could legitimately be seen as too great.
6. It is noted that the only requirement for prior judicial consent is in respect of entry into premises wholly or mainly used as a private dwelling (see Article 19(5)). But the lack of judicial control for state power in this area is understandable and proportionate. The European Court of Justice in the equivalent context of fundamental rights under EU law noted the following in the case of *Dokter v Minister van Landbouw* (C-28/05):

“76... [I]t must be concluded that, if the competent authority were not able to take measures against foot-and-mouth disease unless all potentially concerned parties had previously been given the opportunity to familiarise themselves with the facts and documents on which those measures are based and had expressed a view on those facts and documents, that authority could be prevented from acting promptly and effectively. Accordingly, the protection of public health justifies, in principle, that that authority adopts those measures, even without first obtaining the views of interested parties on the elements on which the measures are based. Such a restriction would, moreover, be a disproportionate and intolerable intervention infringing upon the very substance of the rights of the defence only if the interested parties were given no opportunity to contest those measures in subsequent proceedings and to make their views known effectively at that stage.

77 Moreover, given the imperative need to act promptly against foot-and-mouth disease, the principle of respect for the rights of the defence does not necessarily require that the implementation of those measures be postponed until those proceedings have come to an end.”  
[Emphasis added].

The point is that this is an area where the authorities need to be able to act first, and deal with justifications later.

7. The fact that such a power could be misused does not of itself make legislation non-compliant, see for example, *Tigere v Secretary of State* [2015] UKSC 57. In the present circumstances, the point is even clearer. It seems fairly clear that the powers given are reasonable ones which if used according to their terms will be used justifiably. Creating such powers without putting in place prior judicial restraints may on occasions amount to unjustifiable infringements of rights, but as we see:
  - (a) The lack of prior judicial restraint is entirely understandable, see the ECJ case of *Dokter*.
  - (b) Prior judicial restraint is required for access to premises, the importance of which is emphasized in the case of *Funke v France* (1993) 16 EHRR 297.
8. The Minister, the States Veterinary Officer and any veterinary officers must act within the powers given to them. Hence, for example, if an inspector lacks any “reason to suspect” the matters listed in Article 19(1), any search carried out under that provision would be unlawful. A failure to act lawfully within the legislation would mean both that the Law would not provide a defence to any cause of action under the Jersey law of tort, and there would be the possibility of damages under Article 9(3) the Human Rights (Jersey) Law 2000 if this is necessary “to afford just satisfaction” to those who have lost.
9. Property rights under Article 1 of Protocol 1 to the Convention are most likely to be materially affected by the Law when animals are killed. Here, the Law gives the power for the Minister to create a scheme of compensation (see Article 18 of the draft Law). There is no positive obligation to create such a scheme of compensation, but the Law cannot be seen as incompatible with Convention rights on the basis of an assumption that the Minister would act so as to leave open the possibility of unjustified and uncompensated destruction of animals. In any case, if the proper application of the European Convention requires compensation to be given as “just satisfaction”, then any failure to create a scheme of compensation under Article 18 would not be a bar to damages under the Human Rights (Jersey) Law 2000.

### ***Criminal offences***

10. Article 29 creates the offences for non-compliance with the legislation. The penalty is up to 2 years in prison, which is commensurate with the seriousness of the subject-matter. The offence is not one of strict liability, but follows the Animal Health Act 1981, section 73, in providing for a defence of having “lawful authority or excuse” for non-compliance with the legislation. This does not give rise to any human rights issues.

### ***Conclusion***

11. For the above reasons, the draft Law is human rights compatible.

## **Explanatory Note**

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This Law, if passed, would set out a new framework for the control of diseases in animals and birds.

### Part 1 – Introductory provisions

*Part 1* contains the defined terms. *Article 1* contains the general definitions. Most notable are the definitions of “bird” which is restricted broadly to captive birds, pet birds, and birds kept for farming or show or racing purposes and “relevant legislation” which means this Law, Orders made under it and EU legislation on matters capable of regulation by the Law.

*Article 2* defines “disease” by reference to the diseases set out in *Schedule 1*, but also gives a power to amend that Schedule and also for the Minister for the Environment (“the Minister”) to extend or restrict the definition by Order. *Article 3* defines “specified pathogen” by reference to the list in *Schedule 2*, which is also amendable by Order. *Article 4* limits the definition of “animal” to a ruminating animal, swine, horse or honey bee. However the definition can be amended by Order and can be restricted, or extended to any animal other than a human.

### Part 2 – General powers of Minister

*Article 5* provides for the appointment by the Minister of the States Veterinary Officer and *Article 6* for the appointment of inspectors, to carry out their respective functions under the relevant legislation. The Minister may designate inspectors who are veterinary surgeons as veterinary inspectors and the States Veterinary Officer is ex officio both a veterinary inspector and an inspector.

*Article 7* gives the Minister power to make Orders for the execution of the Law or to protect animal health and to reduce the risk to human health from the spread of zoonotic diseases. *Schedule 3* particularises the purposes for which Orders may be made and they may also be made to give effect to EU provisions on the same topic as the Law and to prescribe and regulate the payment and recovery of expenses. The Schedule also contains specific provisions applying only to rabies but the Article contains a power to extend these to other diseases.

*Article 8* empowers the Minister to use any samples taken from animals or birds for any purpose relating to the protection or enhancement of animal or human health.

*Article 9* enables the Minister by Order to designate any disease of, or organism carried in, animals or birds that he or she thinks constitutes a risk to human health and to apply provisions of the Law to assist in controlling its spread.

### Part 3 – Disease control

*Article 10* enables the Minister to take preventive measures, including those set out in *Schedule 4*, where there is a risk of the spread of disease into Jersey or from wild animals within Jersey.

*Article 11* states that when the relevant legislation requires the use of an approved disinfectant unless otherwise stated it must be a disinfectant approved and published in accordance with the English legislation (as defined). The Article also imposes restrictions and requirements as to the dealing with disinfectants.

*Article 12* imposes a requirement on a person who suspects an animal or bird or its carcase is affected by disease to notify the Minister and requirements on occupiers of premises which the suspect animal, bird or carcase is to take certain steps to minimise

the risk of spreading disease. There are also duties imposed on the operator of a slaughterhouse to minimise contamination.

*Article 13* prohibits the doing of anything to cause any animal or bird (of any kind) to become infected, that might interfere with an official test for a disease or to cause symptoms similar to, or that masks the symptoms of, a disease.

*Article 14* prohibits the importation of any bovine animal.

*Article 15* prohibits the possession of certain specified pathogens and carriers in which such a pathogen is present and the introduction of a specified pathogen into an animal or bird without a licence from the Minister. There are also provisions about notifying the Minister if a person possesses something containing a specified pathogen, and a duty on a veterinary inspector then to investigate the premises concerned and impose restrictions if appropriate. An inspector may seize the pathogen or carrier or any material in which the pathogen has been kept or introduced, and if appropriate treat or destroy the pathogen or carrier. The inspector may also require the cleansing and disinfection of premises and vehicles.

*Article 16* gives an inspector power to seize any thing that the inspector considers is at risk of carrying or spreading disease and to arrange for the destruction, burial, treatment, etc. of the thing so seized. Compensation may be payable.

#### Part 4 – Killing and compensation

*Article 17* empowers the Minister to cause to be killed any animal or bird suspected of being diseased or that has been in contact with a diseased animal or bird or exposed to the infection. Where EU legislation would otherwise require the Minister to kill animals or birds the Minister may decide not to in the case of an animal or bird kept in a wildlife park or for educational, research or conservation purposes. The Article contains certain notice requirements and applies to such diseases as the Minister may by Order direct.

*Article 18* provides for the payment of compensation to the owner of an animal or bird killed under Article 17 and enables the Minister to establish schemes or other methodology for paying compensation.

#### Part 5 – Powers of inspectors

*Article 19* sets out powers for inspectors to enter premises and to stop and enter vehicles for the purpose of enforcing any relevant legislation. There is power for the Bailiff or a Jurat to grant a warrant in specified circumstances.

*Article 20* sets out other powers of inspectors when entering any premises or vehicle and *Article 21* enables inspectors to take necessary steps where the relevant legislation has been contravened and the cost of such action is recoverable from the person who contravened the legislation and enforceable as a debt owed to the Minister.

*Article 22* enables veterinary inspectors to carry out risk assessments to consider whether exceptional measures are necessary to ensure the health of any animal, bird or human. If exceptional measures are necessary the veterinary inspector may licence action otherwise prohibited, exempt a person from a requirement or ban a person from carrying out an action otherwise permitted.

#### Part 6 – Proceedings

*Article 23* sets out the common requirements applying to the service of notices. *Article 24* provides what is to happen where an animal or bird is suspected of having been moved contrary to the relevant legislation.

*Article 25* sets out the common requirements applicable to licences. *Article 26* enables the Minister to declare any land to be a controlled zone and sets out the mechanics of so doing.

*Article 27* prohibits the doing of certain actions that obstruct the enforcement of the relevant legislation.

*Article 28* provides what is to happen when there is a change of occupation of any premises subject to a control or restriction under the relevant legislation.

#### Part 7 – Offences and penalties

*Article 29* makes provision for offences under the Law and for a penalty of up to 2 years' imprisonment and/or a fine, and a power to disqualify a person for keeping an animal.

*Article 30* contains standard provisions as offences committed by corporate bodies and partnerships.

*Article 31* protects inspectors from personal liability when acting under the relevant legislation and within the scope of their employment.

#### Part 8 – Closing provisions

*Article 32* contains general provisions about Orders. It also enables Orders to make provision by reference to and may incorporate any EU provision relating to matters capable of regulation by the Law.

*Article 33* repeals existing legislation relating to diseases or animals and other related legislation replaced by this Law or otherwise redundant. However, Orders made under these Laws (other than the Fertilisers and Feeding Stuffs (Jersey) Law 1950) as they were in force immediately before the coming into force of the Article are treated as having been made under the Law, so far as they are consistent with it.

*Article 34* introduces *Schedule 5* which contains minor and consequential amendments to other enactments. In particular the opportunity is taken to add an exception to a provision in the Medicines (Jersey) Law 1995 and repeal a provision in the Animal Welfare (Jersey) Law 2004. This is to facilitate the making of Regulations establishing a scheme under the 2004 Law to make lawful the carrying out of certain experimental or other scientific procedures on animals, thereby removing a possible conflict between these separate provisions.

*Article 35* provides for the Law's short title and for it to come into force on such day or days as the States may by Act appoint.





## **DRAFT ANIMAL HEALTH (JERSEY) LAW 201-**

### **Arrangement**

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## DRAFT ANIMAL HEALTH (JERSEY) LAW 201-

A LAW to control certain diseases of animals and birds and for connected purposes.

*Adopted by the States*

*[date to be inserted]*

*Sanctioned by Order of Her Majesty in Council*

*[date to be inserted]*

*Registered by the Royal Court*

*[date to be inserted]*

THE STATES, subject to the sanction of Her Most Excellent Majesty in Council, have adopted the following Law –

## PART 1

### INTRODUCTORY PROVISIONS

#### 1 Interpretation

- (1) In this Law, unless the context otherwise requires –
- “animal” has the meaning assigned by Article 4;
  - “animal by-product” has the definition set out in Regulation (EC) No. 1069/2009 (OJ No L 300 14.11.2009) as that definition may be amended, extended, applied under another EU provision substituted or re-enacted from time to time;
  - “biosecurity” means the measures to reduce the risk of introduction or transmission of a disease;
  - “bird” means any bird that is kept –
    - (a) in captivity (including by treating it in any way designed to restrict its ability to fly);
    - (b) as a pet;
    - (c) for the production of meat or eggs for consumption, the production of other products, for restocking supplies of game or for the purposes of any breeding programme for the reasons of such production; or
    - (d) for shows, races, exhibitions, competitions, breeding or sale;

“carcase” means a carcase or part of a carcase but does not include a sample taken from a carcase;

“carrier” means –

- (a) any creature (except man) that may carry or transmit a specified pathogen; or
- (b) the tissue, cell culture, body fluid, excreta or carcase of a creature by or by means of which such a pathogen may be carried or transmitted;

“controlled zone” means an area of land, declared under Article 26(1) or any Order, to which restrictions apply;

“disease” has the meaning assigned by Article 2;

“EU Law” means the European Union Legislation (Implementation) (Jersey) Law 2014<sup>1</sup>;

“EU legislation” means Regulations or Orders made under Article 2 of the EU Law or any EU provision that is directly applicable in or binding upon Jersey where such Regulations, Order or provision relates to matters capable of regulation by this Law;

“EU provision” has the same meaning as in Article 1(3) of the EU Law;

“horse” means any animal of the family *Equidae*, including crossings of species within that family;

“inspector” means a person appointed as such under Article 6(1);

“keeper” means any person who owns or has custody of an animal or bird, whether on a permanent or temporary basis or whether or not for financial reward, or who is concerned in the management or control of any body whose activities include keeping or dealing in animals or birds;

“Minister” means Minister for the Environment;

“occupier” means any person having day-to-day responsibility for any premises or for any animals or birds on any premises;

“premises” includes any land, building or other place;

“product of animal origin” means any product of animal origin from time to time listed in the Annex to Commission Decision 2002/349/EC (laying down the list of products to be examined at border inspector posts under Council Directive 97/78/EC (OJ L 121, 8.5.2002, p. 6 as read with Commission Regulations (EC) No. 136/2004 (OJ L 21, 28.1.2004, p. 11) and (EC) No. 745/2004 (OJ L 122, 26.4.2004, p. 1));

“relevant legislation” means this Law, any Order made under this Law or any EU legislation;

“sentinel” means an animal or bird kept on premises to facilitate the detection of disease or other risk to animal or human health;

“specified pathogen” has the meaning assigned by Article 3;

“States Veterinary Officer” means a person appointed as such under Article 5;

“vector” means a tick of the species *Ornithodoros erraticus*, insect of the genus *Culicoides* or any other arthropod or insect capable of transmitting disease;

“vehicle” includes any means of transport by land, sea or air, its fittings, its detachable parts and any containers (whether detachable or not) used with it;

“veterinary inspector” means an inspector designated as such under Article 6(2);

“wild”, in relation to an animal or bird, means non-captive and living in the wild, and “wild animal” is not limited by the definition “animal”.

- (2) Unless the context otherwise requires, expressions used in any Order that is treated under Article 33(2) as having been made under this Law have the same respective meanings as in this Law.
- (3) For the purposes of the relevant legislation –
  - (a) common or unenclosed land forms separate premises from other land unless the parcels of land adjoin and all animals kept on each parcel of land are in charge of the same keeper;
  - (b) a notice that is to be served on the occupier of premises wholly or partially comprising any common or unenclosed land is validly served if served on every keeper of animals kept there who is reasonably ascertainable;
  - (c) a requirement or restriction imposed on the occupier of premises wholly or partially comprising any common or unenclosed land applies to every keeper of animals kept there.

## **2 Meaning of “disease”**

- (1) Subject to this Article, in this Law “disease” means a disease or pest specified in Schedule 1.
- (2) The Minister may, by Order –
  - (a) amend Schedule 1;
  - (b) for the purposes of any other relevant legislation and the applicability of this Law to it, restrict the definition in paragraph (1) so as to exclude any disease specified in that Schedule or extend the definition to apply to any other disease.

## **3 Meaning of “specified pathogen”**

- (1) In this Law “specified pathogen” means a pathogen listed in Schedule 2, including any –
  - (a) intact pathogen;
  - (b) pathogen that has been attenuated or genetically modified by any means; and
  - (c) any nucleic acid derived from a pathogen listed in that Schedule that could produce that pathogen when introduced into a biological system in which the nucleic acid is capable of replicating.

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- (2) The Minister may, by Order, amend Schedule 2.

#### **4 Meaning of “animal”**

- (1) In this Law, unless the context otherwise requires, “animal” means any ruminating animal, swine, horse or honey bee (at any stage of life).
- (2) However, the Minister may, by Order –
  - (a) amend the definition in paragraph (1); or
  - (b) for the purposes of any other relevant legislation and the applicability of this Law to it, restrict that definition or extend it to include any living being of the kingdom *Animalia* other than a human being.

### **PART 2**

#### **GENERAL POWERS OF MINISTER**

#### **5 Appointment of States Veterinary Officer**

- (1) The Minister must appoint a veterinary surgeon to the post of States Veterinary Officer to carry out the functions of the States Veterinary Officer under the relevant legislation and such other functions relating to veterinary matters as the Minister may specify.
- (2) The Minister may make temporary arrangements for another veterinary surgeon to carry out any or all of the functions of the States Veterinary Officer.

#### **6 Appointment of inspectors and other officers**

- (1) The Minister may appoint persons to be inspectors to carry out the functions of inspectors specified under the relevant legislation.
- (2) The Minister may designate any inspector who is a veterinary surgeon to be a veterinary inspector to carry out, additionally, the functions of veterinary inspectors specified in the relevant legislation.
- (3) The States Veterinary Officer is ex officio both a veterinary inspector and an inspector.
- (4) The Minister may appoint persons to carry out such functions required by EU legislation as the Minister considers appropriate.
- (5) The Minister may impose such conditions as he or she considers appropriate on any person appointed under this Article.

#### **7 Orders in relation to animal health, etc.**

- (1) The Minister may make such Orders as he or she thinks fit –

- (a) generally for the execution of this Law or for the purposes of protecting animal health and reducing the risk to human health from the spread of zoonotic diseases;
  - (b) in particular (but without limiting sub-paragraph (a)) for any of the purposes set out in Part 1 of Schedule 3, and, where the Minister considers it necessary for the prevention or control of rabies, for any of the purposes set out in Part 1 and Part 2 of that Schedule;
  - (c) for giving effect or further effect to, or dealing with matters arising out of or related to any EU provision dealing with matters capable of regulation by this Law; and
  - (d) for prescribing and regulating the payment and recovery of expenses.
- (2) The Minister may, by Order, amend paragraph (1)(b) so as to extend the Order-making powers in Part 2 of Schedule 3 to diseases other than rabies.

## **8      Use of samples taken by Minister**

Where the Minister has taken or caused to be taken a sample from an animal or bird (including any wild animal or bird), vector or the environment, the Minister may use that sample for any purpose relating to the protection or enhancement of animal or human health.

## **9      Control of zoonoses**

- (1) The Minister may by Order designate any disease of, or organism carried in, any animal or bird that in the opinion of the Minister constitutes a risk to human health.
- (2) Where any disease or organism is for the time being designated under this Article, the Minister may by Order –
  - (a) provide that any provision of this Law having effect in relation to the disease is to have effect subject to such modifications as may be specified in the Order;
  - (b) apply any provision of this Law, subject to any modifications so specified, in relation to the presence of such an organism in an animal or bird as if the presence of the organism were a disease; and
  - (c) require any person who possesses any animal or bird that the person knows or suspects is affected with such a disease to notify the Minister.
- (3) If it appears to an inspector that a person may have information relating to an animal or bird (including any wild animal or bird) that is –
  - (a) affected with a disease designated under this Article; or
  - (b) a carrier of an organism so designated,the inspector may by notice require the person to furnish such information relating to the animal or bird as the person possesses to the

- inspector and in such form and within such period as the notice may specify.
- (4) In this Article “disease” is not limited by the definition in, or restricted or extended under, Article 2.

## PART 3

### DISEASE CONTROL

#### **10 Preventive measures**

- (1) Where the Minister is satisfied that there is a risk of a disease spreading to Jersey or from wild animals within Jersey the Minister may take any reasonable measures to reduce that risk or to contain the disease.
- (2) The measures may include, but are not limited to, any of the measures listed in Schedule 4.
- (3) The measures may be imposed or facilitated by the service of a notice or the declaration of a controlled zone, or in such manner as the Minister considers appropriate.
- (4) Orders under Article 7 may prescribe the measures to be taken in the case of any particular disease and the matters the Minister must take into account.

#### **11 Use of disinfectants**

- (1) Where the use of an approved disinfectant is required in accordance with any relevant legislation, the disinfectant to be used must, unless otherwise expressly stated in that legislation, be a disinfectant approved from time to time in England for the purposes of, and published as an approved disinfectants product in accordance with, the English Disinfectants Order.
- (2) Every vessel, container or package containing an approved disinfectant must, before being sold or offered for sale for use in connection with the provisions of relevant legislation, bear a label that complies with the English Disinfectants Order.
- (3) Where a sample of disinfectant is taken by an inspector in accordance with this Law, the person from whom the sample is taken must give the inspector all such particulars as the inspector reasonably requires as to the name and composition of the disinfectant used.
- (4) A person must not –
- sell or offer for sale an approved disinfectant in relation to which there has been a failure to comply with paragraph (2);
  - mark any vessel, container or package containing a disinfectant that is not an approved disinfectant with any label, statement or indication that it is an approved disinfectant; or
  - sell or offer for sale a disinfectant that has been marked in contravention of sub-paragraph (b).

- (5) In this Article (and any in other relevant legislation) –  
“English Disinfectants Order” means the Diseases of Animals (Approved Disinfectants) (England) Order 2007 or any enactment revoking and re-enacting that Order with or without further amendment.
- (6) The Minister may by Order amend this Article so as to ensure that the requirements of this Article continue to reflect the requirements for approved disinfectants in England.

## 12 Notification of suspected disease

- (1) A person who suspects that an animal or bird or its carcase is affected by disease must immediately notify the Minister.
- (2) The occupier of the premises where the suspect animal or bird or its carcase is located, being premises other than a slaughterhouse, must immediately –
- (a) refrain from moving or permitting to be moved any animal or bird, or its carcase or any other thing from the premises;
  - (b) require any person who has been in contact with any animal or bird or its carcase, or who has been on any part of the premises that may be contaminated with disease, to take all necessary biosecurity precautions to reduce the risk of spreading disease before leaving the premises; and
  - (c) comply with any directions given by a veterinary inspector.
- (3) Where the Minister has been notified under paragraph (1) that an animal or its carcase at a slaughterhouse is affected by disease (other than enzootic bovine leucosis), the operator of the slaughterhouse –
- (a) must not permit any animal to be killed unless authorized by a veterinary inspector; and
  - (b) must identify and isolate any carcase –
    - (i) in respect of which those notification requirements apply,
    - (ii) originating from the same premises, and
    - (iii) that has been in contact with any carcase mentioned in clause (i) or (ii),so that no such carcases come into contact with any other animal or carcase at the slaughterhouse.
- (4) The requirements of paragraphs (2) and (3) continue to apply until, having made investigation, a veterinary inspector –
- (a) informs the occupier that the presence of disease on the premises is no longer suspected; or
  - (b) places the premises under further disease control restrictions.

## 13 Prohibition on spreading disease

- (1) A person must not without lawful authority (proof of which lies on the person) knowingly do anything that –

- (a) causes or is intended to cause any animal or bird (of any kind) to be infected with or affected by a disease;
  - (b) might interfere with an official test for a disease; or
  - (c) causes symptoms similar to, or masks the symptoms of, a disease.
- (2) In this Article “official test for a disease” means a test undertaken under powers in the relevant legislation by an inspector or other person authorized by the Minister.

#### **14 Prohibition on the importation of bovine animals**

- (1) A person must not import any bovine animal.
- (2) In this Article “bovine animal” means domestic cattle of the genus *Bos*, *Bubalus bubalis* or *Bison bison*.

#### **15 Control of pathogens**

- (1) A person must not, without being in possession of a licence granted by the Minister –
  - (a) have in his or her possession any specified pathogen listed in Part 1 of Schedule 2 or any carrier in which he or she knows such a pathogen is present; or
  - (b) intentionally or recklessly introduce into an animal or bird (of any kind) any specified pathogen.
- (2) A person must notify the Minister immediately if the person, without being in possession of a licence granted by the Minister, possesses any thing that he or she suspects contains a specified pathogen and such notification must include the address of the premises from where the thing has originated.
- (3) Where the Minister is notified under paragraph (2) a veterinary inspector must as soon as is reasonably practicable investigate the premises concerned and –
  - (a) inform the occupier that the presence of disease on the premises is not suspected; or
  - (b) place the premises under disease control restrictions by the service of a notice.
- (4) If any inspector has reasonable grounds for suspecting that a specified pathogen or carrier is in the possession of any person without a licence for that pathogen or carrier, the inspector may seize, or cause to be seized, such pathogen or carrier, or any material in which the inspector reasonably suspects the pathogen to have been kept or into which he or she reasonably suspects it to have been introduced.
- (5) If the inspector considers it expedient to do so, the inspector may for the purpose of reducing the risk of the introduction or spreading of disease detain, treat or destroy any pathogen or carrier seized under paragraph (4).
- (6) An inspector may, by notice served upon –

- (a) the occupier of any premises (including a dwelling house); or
- (b) the owner or person in charge of any vehicle, in which the inspector reasonable suspects that a pathogen, carrier or material mentioned in paragraph (4) is or has been present in contravention of this Article,

require the person on whom the notice was served, at that person's expense, to cleanse and disinfect, and if necessary disinfest, the premises or vehicle in such manner and within such period as the inspector may specify in the notice.

- (7) This Article does not apply to any specified pathogen isolated from a human being nor any specified pathogen or carrier contained in any product for which a product licence has been granted under Article 8 of the Medicines (Jersey) Law 1995<sup>2</sup>.

## **16 Seizure**

- (1) An inspector –
  - (a) may seize any thing that the inspector considers is at risk of carrying or spreading disease;
  - (b) may arrange for the destruction, burial, treatment or such other method of disposal as the inspector considers expedient of anything so seized so as to reduce the risk of the spread of disease.
- (2) Before seizing any thing under this Article the inspector must give notice of his or her intention to do so –
  - (a) to the occupier of the premises where the thing is kept; or
  - (b) to the owner or keeper of the thing.
- (3) This Article applies to any disease that the inspector considers might pose a risk to animal, bird or human health and in this Article "disease" is not limited by the definition in, or restricted or extended under, Article 2.
- (4) The Minister may pay compensation under Article 19 to the owner of the thing so seized as if the references there to the killing of an animal or bird were a reference to the seizing of any thing.

## **PART 4**

### KILLING AND COMPENSATION

## **17 Killing**

- (1) The Minister may, if he or she thinks fit, cause to be killed any animal or bird that –
  - (a) is affected or suspected of being affected with any disease to which this Article applies; or
  - (b) is or has been in the same enclosure or other place as, or otherwise in contact with, a diseased animal or bird or that appears to the Minister to have been exposed to the infection of the disease.

- (2) Before causing any animal or bird to be killed under paragraph (1) the Minister must give notice of his or her intention to do so –
  - (a) to the occupier of the premises where the animal or bird is kept; or
  - (b) to the owner or keeper of the animal or bird.
- (3) The power in paragraph (1) applies whether or not the animal or bird to be killed has been treated with a vaccine or serum against the disease concerned.
- (4) Where, under this Law, an animal or bird has been killed at the direction of the Minister, the Minister may use any land in the possession or occupation of the owner of the animal or bird or the public that is suitable for the burial or burning of the animal or bird's carcase, or any other suitable land in private ownership with the agreement of the owner.
- (5) Where the Minister is required under any EU legislation to kill animals or birds, the Minister may decide not to do so in respect of any animal or bird –
  - (a) kept in a zoo or wildlife park; or
  - (b) kept for –
    - (i) educational purposes,
    - (ii) scientific research or breeding for such research, or
    - (iii) purposes related to conservation of species or genetic resource.
- (6) If the Minister decides under paragraph (5) not to kill an animal or bird, a veterinary inspector must serve a notice on the occupier of the premises on which it is kept detailing the biosecurity arrangements that the occupier must follow to reduce the risk of the spread of disease.
- (7) The Minister may for disease control reasons at any time decide to order the killing of any animal or bird that has previously been spared under paragraph (5).
- (8) This Article applies to such diseases of animals as the Minister may specify by Order.

## 18 Compensation

- (1) The Minister may, with the approval of the Minister for Treasury and Resources, pay to the owner of any animal or bird killed under Article 17 reasonable compensation for the direct loss that the owner has suffered as a result of the killing.
- (2) The compensation must relate to the financial value of the animal or bird killed and not to any consequential or future losses.
- (3) The Minister may establish such schemes or methodology for the paying of compensation under this Article as the Minister considers appropriate and such schemes or methodology may, amongst other things, provide for some or all of the following –
  - (a) compensation to be limited to certain circumstances or diseases;
  - (b) the Minister to act in accordance with certain criteria;

- (c) there to be a maximum level of compensation in some or all cases;
  - (d) an independent valuer to be appointed in certain circumstances.
- (4) Despite paragraph (1) and any provision of a scheme or methodology established under paragraph (3), the Minister must reduce or refuse to pay compensation if the owner of the animal or bird (or any person acting on the owner's behalf) has –
- (a) failed to take reasonable measures to reduce the risk of spread of disease;
  - (b) contravened the relevant legislation; or
  - (c) imported an animal that was, in the Minister's opinion, diseased at the time of its landing or, before or while being brought from outside the Island, exposed to the infection or disease.

## PART 5

### POWERS OF INSPECTORS

#### 19 Inspectors' powers of entry into premises and to stop and enter vehicles

- (1) An inspector may enter any premises, other than premises used wholly or mainly as a private dwelling, and stop and enter any vehicle at any reasonable hour, for the purpose of enforcing any relevant legislation and, in particular, where the inspector has reason to suspect that –
  - (a) there is disease at the premises or in the vehicle;
  - (b) an animal or bird is or has been kept there that is affected with a disease designated under Article 9;
  - (c) the carcase of an animal or bird that is affected or suspected of being affected by a such a disease is or has been kept there, or has been buried, destroyed or otherwise disposed of there;
  - (d) an animal, bird or thing is being kept there contrary to any relevant legislation; or
  - (e) any relevant legislation is otherwise not being complied with.
- (2) A veterinary inspector may enter any premises at any time if he or she has reason to believe that there is an immediate risk to human health from an animal or bird affected with a zoonotic disease, whether or not designated under Article 9.
- (3) If asked, the inspector or the veterinary inspector, as the case may be, must produce a document showing that he or she is an inspector or veterinary inspector, before exercising that power.
- (4) An inspector who enters –
  - (a) premises that are unoccupied; or
  - (b) premises whose occupier is absent,must (so far as reasonably practicable) leave the premises as effectively secured as he or she found them.

- (5) The Bailiff or a Jurat, if satisfied on sworn information –
- (a) that there are reasonable grounds for entry into any premises for the purposes of the enforcement of the relevant legislation; and
  - (b) that either the premises are used wholly or mainly as a private dwelling or any of the circumstances in paragraph (6) applies,
- may grant a warrant authorizing an inspector, together with a police officer, to enter the premises and to use such force as is reasonably necessary to do so.
- (6) Those circumstances are –
- (a) that admission has been refused, or a refusal is expected, and (in either case) notice to apply for a warrant has been given to the occupier;
  - (b) that asking for admission, or the giving of such a notice, would defeat the object of the entry;
  - (c) that the case is one of urgency; or
  - (d) that the premises are unoccupied or the occupier is absent.
- (7) A warrant under this Article is valid for one month.

## 20 Inspectors' other powers

- (1) The powers of an inspector entering any premises or vehicle under Article 19 include but are not limited to the following –
- (a) undertaking inquiries, inspections and examinations, including of documents and computer records, recording, measuring or photographing anything or transcribing, taking copies of or seizing those documents and records;
  - (b) identifying in any way any animal, bird or thing;
  - (c) taking samples and having them tested;
  - (d) detaining, isolating or requiring the movement of any animal, bird or thing;
  - (e) undertaking such cleansing and disinfection, disinfestation, treatment or destruction (including if appropriate by fire) of any bird, animal or thing as is suitable in the circumstances;
  - (f) undertaking surveillance for any purpose including the use of sentinels;
  - (g) implementing biosecurity controls;
  - (h) capturing, detaining, taking samples from or vaccinating a wild animal or wild bird;
  - (i) killing a wild animal or wild bird if the States Veterinary Officer is satisfied that killing is necessary either for the control of disease or for surveillance purposes;
  - (j) requiring by notice served on the occupier of the premises or person in charge of the vehicle, as the case may be, that the person undertake any action that the inspector reasonably considers appropriate to enforce the relevant legislation.

- (2) For the purposes of paragraph (1)(i) the States Veterinary Officer must take particular account of –
  - (a) the practicality of taking samples from the wild animal or wild bird without killing it;
  - (b) the practicality of detaining the wild animal or wild bird pending the results of any testing or sampling; or
  - (c) the likelihood of wild animals or wild birds spreading disease or being at risk of contracting disease.
- (3) The inspector may by notice served on the person, require the owner or person having charge of any animal or bird on any premises to take such reasonable steps as the inspector may specify to collect or restrain it so as to facilitate the exercise of the inspector's powers in relation to the animal or bird.
- (4) In exercising a power under this Article or Article 19, an inspector may be accompanied by –
  - (a) such other persons as he or she considers necessary; and
  - (b) a representative of the European Commission acting for the purpose of the enforcement of any obligation under the EU treaties (as defined by Article 1(1) of the European Union (Jersey) Law 1973<sup>3</sup>).
- (5) The inspector may authorize a competent person to undertake any of the functions of the inspector under this Article other than with respect to the serving of notices under paragraph (1)(j) or (3).
- (6) The inspector may take any necessary equipment or vehicle onto any premises entered for the purposes of this Article or Article 19.

## 21 Powers of inspectors where relevant legislation contravened

- (1) If a person contravenes any provision of the relevant legislation an inspector may take such steps as he or she considers necessary to ensure that the provision is not further contravened or that its requirements are carried out.
- (2) The steps taken may include the killing of animals and birds and the seizure, destruction, burial or any other treatment of any thing.
- (3) The Minister may reclaim the cost of any steps taken under this Article from the person who contravened the requirement and enforce the claim as a debt owed to the Minister.

## 22 Exceptional circumstances

- (1) A veterinary inspector may carry out risk assessments for the purposes of considering whether any exceptional measures are necessary to ensure the health of any animal, bird or human being or to reduce the risk of the spread of disease.

- (2) If a veterinary inspector, having undertaken a risk assessment under paragraph (1), considers that such exceptional measures are necessary, he or she may –
- (a) license a person to carry out any action otherwise prohibited under any relevant legislation;
  - (b) exempt a person, by notice, from any requirement of the relevant legislation; or
  - (c) ban a person, by notice, from carrying out an action that would otherwise be permitted, or not prohibited, by the relevant legislation.

## PART 6

### PROCEEDINGS

#### 23 Notices

- (1) Any notice served under the relevant legislation must be in writing and may be amended, suspended or revoked in writing at any time.
- (2) A notice is validly served on a person by –
  - (a) delivering it to the person personally;
  - (b) leaving it at the person's proper address; or
  - (c) sending it by post or electronic means to the person's proper address.
- (3) In the case of an unincorporated association, a notice may be served on or given to an officer of the association.
- (4) Any notice that is required or authorized under the relevant legislation to be served on the occupier of premises may be served on a person whom the person serving the notice reasonably believes to be the occupier.
- (5) However, if the person who served the notice discovers that another person is in fact the occupier of premises or the keeper of any animal or bird in connection with which the notice was served, a notice must be served on that other person.
- (6) If the name or address of any occupier of premises on whom a notice is to be served or given under the relevant legislation cannot, after reasonable enquiry, be ascertained, the notice may be served by leaving it conspicuously affixed to a building or object on the premises.
- (7) If the notice is urgent it may be served in the manner provided for under paragraph (6) and a copy subsequently served in the manner provided for under paragraph (2) if this is possible after reasonable enquiry.
- (8) A notice may –
  - (a) require any action that an inspector reasonably believes is necessary for the enforcement of the relevant legislation;
  - (b) specify that a person in receipt of it must immediately inform an inspector that it has been received.

- (9) A person on whom a notice is validly served must comply with it.
- (10) For the purposes of this Article and Article 7 of the Interpretation (Jersey) Law 1954<sup>4</sup>, “proper address” means –
  - (a) in the case of a body corporate or limited liability partnership or an officer of the body or partnership –
    - (i) the registered or principal office in Jersey of the body or partnership, or
    - (ii) the email address of the officer;
  - (b) in the case of any other partnership or a partner or person having control or management of the partnership business –
    - (i) the principal office in Jersey of the partnership,
    - (ii) the email address of the partner or person having control or management;
  - (c) in the case of an unincorporated association or an officer of the association –
    - (i) the office of the association, or
    - (ii) the email address of the officer;
  - (d) in any other case, a person’s last known address, which includes an email address.

#### **24 Notices following contravention of movement controls**

- (1) If an inspector has reasonable grounds for suspecting that an animal or bird has been moved to any premises in contravention of any provision of the relevant legislation or any licence or notice served under it, the inspector may serve a notice on the occupier of the premises requiring that animal or bird, or any other animal or bird on the premises, to be there detained or moved to other premises specified in the notice.
- (2) An inspector may serve a notice, on the occupier of any premises mentioned in paragraph (1) or to which any animal or bird is to move or has been moved to under that paragraph, imposing such movement restrictions relating to an animal or bird on those premises as the inspector considers necessary to reduce the risk of spreading disease.

#### **25 Licences**

- (1) Where a licence is granted under any relevant legislation it must be in writing and may be –
  - (a) either of general application (a “general licence”) or specific to any particular animal, bird, person, premises or any other thing or particular situation (a “specific licence”);
  - (b) subject to conditions; and
  - (c) amended, suspended or revoked in writing at any time.
- (2) A person moving an animal or bird or thing under the authority of a specific licence must –

- (a) carry the licence or a copy of it at all times during the movement;
  - (b) when so demanded by an inspector, produce the licence or a copy of it and allow a copy to be taken of it or details to be extracted from it; and
  - (c) retain the licence relating to each movement for at least 6 months after the last movement made under its authority.
- (3) A person moving an animal, bird or thing under the authority of a general licence must –
- (a) at all times during the movement, carry a document containing details of –
    - (i) what is being transported, including the quantity,
    - (ii) the date of the movement,
    - (iii) the names of the persons responsible for the animal, bird or thing being moved at the place of departure and the place of destination,
    - (iv) the addresses of the place of departure and the place of destination;
  - (b) when so demanded by an inspector, produce the document and allow a copy to be taken of it or details to be extracted from it; and state which general licence gives the authority for the movement; and
  - (c) retain the documentation relating to each movement for at least 6 months after the last movement made under its authority.
- (4) If an animal, bird or thing has been moved to premises under a licence, an inspector may serve a notice on the occupier of those premises imposing such restrictions in relation to the premises as the inspector considers are necessary to reduce the risk of spreading disease.
- (5) A person to whom a licence is granted under any relevant legislation must comply with any conditions of the licence.
- (6) Where the licence is required or authorized to be granted by a veterinary inspector, it may also be granted by an inspector acting under the direction of a veterinary inspector.
- (7) The Minister must publicize in such manner as he or she considers appropriate any general licence including –
- (a) the purpose of the licence and the conditions attached to it; and
  - (b) the date on which the licence becomes operative and, if applicable, is amended, suspended or revoked.
- (8) If an inspector has reasonable grounds for suspecting that a person has contravened the terms of a general licence, the Minister may serve a notice under Article 23 preventing the person from making use of any general licence.

**26 Declaration of controlled zones**

- (1) The Minister may declare any land to be a controlled zone for any purposes relating to the relevant legislation and in respect of which certain measures may apply.
- (2) The declaration of a zone under this Article –
  - (a) must be in writing;
  - (b) must define the extent of the zone being declared;
  - (c) must specify the disease to which the declaration relates;
  - (d) may specify measures that must be taken in respect of any animal, bird or thing kept on premises within the zone; and
  - (e) may be amended or revoked by a further declaration.
- (3) Any premises partly within a zone are treated as being wholly within the zone and if premises are partly in more than one zone the premises are treated as being wholly within the zone to which the strictest controls apply.
- (4) The Minister must publicise in such manner as he or she considers appropriate –
  - (a) the extent of any zone declared and the disease to which it relates;
  - (b) the date on which the declaration becomes operative and ceases to become operative;
  - (c) details of any measures specified in the declaration; and
  - (d) any amendment to the declaration.
- (5) A person who keeps an animal, bird or thing within the zone to which the declaration relates must comply with any measure specified in the declaration applicable to that animal, bird or thing.

**27 Obstruction**

A person must not –

- (a) intentionally obstruct or impede anyone acting in the execution or enforcement of the relevant legislation;
- (b) interfere with, or cause or knowingly permit to be interfered with, anything done by anyone acting in the execution or enforcement of the relevant legislation;
- (c) fail to give to any person acting in the execution or enforcement of the relevant legislation any assistance or information that is reasonably required;
- (d) provide to anyone acting in the execution or enforcement of the relevant legislation any information knowing it to be false or misleading or not believing it to be true; or
- (e) fail to produce a record when required to do so by any person acting in the execution or enforcement of the relevant legislation.

**28 Changes of occupier**

- (1) If there is a change in occupation of any restricted premises –
  - (a) the outgoing occupier must inform the Minister of the name and contact details of the new occupier before the change in occupation takes place; and
  - (b) if the incoming occupier does not have day to day responsibility for any restricted animal or bird, he or she must allow the keeper of any such animal, or any person acting on behalf of the keeper, to enter the premises to feed or otherwise attend to the welfare of any animal or bird during the period of its restriction and for up to 7 days thereafter.
- (2) In this Article “restricted,” in relation to any premises or any animal or bird, means subject to a control or restriction under the relevant legislation.

**PART 7****OFFENCES AND PENALTIES****29 Offences**

- (1) A person is guilty of an offence if the person without lawful authority or excuse, proof of which lies on the person –
  - (a) contravenes any requirement of the relevant legislation (including the terms of any notice, licence or other requirement imposed under it); or
  - (b) does or fails to do anything that is stated in the relevant legislation to be an offence or not to be lawful.
- (2) A person guilty of an offence under paragraph (1) is liable to imprisonment for a term of 2 years and to a fine.
- (3) A court before which a person is convicted of an offence under paragraph (1) may, in addition to any other penalty, order that person to be disqualified, for such period as it thinks fit, for keeping or otherwise having care of, in all circumstances or in such circumstances as it may specify, any animal or bird or such animals or birds of a description or kinds as the court may specify.
- (4) Paragraph (3) does not prevent a person keeping any animals or birds during the time when arrangements for their care are being arranged subject to such time limit as the court may impose.

**30 General provisions as to offences**

- (1) Where an offence under the relevant legislation, committed by a body corporate, limited liability partnership or separate limited partnership, is proved to have been committed with the consent or connivance of, or to be attributable to any neglect on the part of –

- (a) a person who is a partner of the partnership, or director, manager, secretary or other similar officer of the body corporate; or
  - (b) any person purporting to act in any such capacity,
- the person is also guilty of the offence and liable in the same manner as the partnership or body corporate to the penalty provided for that offence.
- (2) Where the affairs of a body corporate are managed by its members, paragraph (1) applies in relation to acts and defaults of a member in connection with his or her functions of management as if the member were a director of the body corporate.

### **31 Protection of inspectors**

- (1) An inspector is not personally liable for anything that he or she does –
  - (a) when acting in the execution or purported execution of the relevant legislation; and
  - (b) when acting within the scope of his or her employment, if the inspector is acting in the honest belief that his or her duty under the relevant legislation requires or entitles the inspector to do it.
- (2) Paragraph (1) does not affect any liability of the inspector's employer.

## **PART 8**

### CLOSING PROVISIONS

### **32 Orders generally**

- (1) Orders under this Law may make provision by reference to, and may incorporate (by reference, annexation or otherwise), any EU provision relating to matters capable of regulation by this Law to such extent and subject to such exceptions, adaptations and modifications as may be specified in the Order and such provision may include references to any EU provision as it may be amended from time to time.
- (2) Orders under this Law may contain such incidental, supplementary and consequential provisions as appear to the Minister to be necessary for the purposes of the Order.

### **33 Repeals and savings**

- (1) The following Laws are repealed –
  - (a) Fertilisers and Feeding Stuffs (Jersey) Law 1950<sup>5</sup>;
  - (b) Artificial Insemination of Domestic Animals (Jersey) Law 1952<sup>6</sup>;
  - (c) Diseases of Animals (Jersey) Law 1956<sup>7</sup>;
  - (d) Diseases of Animals (Rabies) (Jersey) Law 1976<sup>8</sup>.

- 
- (2) Despite paragraph (1), any Orders made under any of the Laws mentioned in sub-paragraphs (b) to (d), as they were in force immediately before the coming into force of this Article, are treated as having been made under this Law, except to the extent, if any, that they are inconsistent with it.

**34 Minor and consequential amendments to enactments**

Schedule 5 has effect.

**35 Citation and commencement**

- (1) This Law may be cited as the Animal Health (Jersey) Law 201-.
- (2) Subject to paragraph (3) this Law, comes into force on such day or days as the States may by Act appoint.
- (3) Schedule 5 paragraphs 2(b) and (c) and 17(a) come into force 7 days after this Law is registered.

**SCHEDULE 1**

(Article 2(1))

**DISEASES**

African horse sickness  
African swine fever  
American Foulbrood  
Anthrax  
Aujeszky's disease  
Avian influenza  
Bovine Spongiform Encephalopathy  
Bluetongue  
Bovine Tuberculosis  
Bovine Viral Diarrhoea  
Brucellosis  
Chronic wasting disease  
Classical swine fever  
Contagious agalactia  
Contagious bovine pleuro-pneumonia  
Contagious epididymitis  
Contagious equine metritis  
Dourine  
Enzootic bovine leukosis  
Epizootic haemorrhagic disease  
Epizootic lymphangitis  
Equine infectious anaemia  
Equine viral arteritis  
European Foulbrood  
Foot and mouth disease  
Glanders  
Infectious Bovine Rhinotracheitis/Infectious Pustular Vulvovaginitis  
Lumpy skin disease  
Newcastle disease  
Paramyxovirus infection  
Peste de Petit Ruminants (Goat plague)  
Rabies  
Rabies in bats  
Rift Valley fever  
Scrapie  
Sheep and goat pox  
Sheep scab  
Small hive beetle  
Swine influenza  
Swine vesicular disease  
Tropilaelaps mite  
Vesicular stomatitis  
West Nile fever

**SCHEDULE 2**

(Article 3(1) and 15(1)(a))

**SPECIFIED PATHOGENS****PART 1**

African horse sickness virus.

African swine fever virus.

Aujesky's disease virus.

Avian influenza viruses that are –

- (a) uncharacterised;
- (b) Type A viruses that have an intravenous pathogenicity index in six-week-old chickens of greater than 1.2; or
- (c) Type A viruses H5 or H7 subtype for which nucleotide sequencing has demonstrated multiple basic amino acids at the cleavage site of haemagglutinin.

*Babesia bovis.*

*Babesia bigemina.*

*Babesia caballi.*

*Bacillus anthracis.*

Bluetongue virus.

Bovine leucosis virus.

*Brucella abortus.*

*Brucella melitensis.*

*Brucella ovis.*

*Brucella suis.*

*Burkholderia mallei.*

Classical swine fever virus.

*Cochliomyia hominivorax.*

Eastern and Western equine encephalomyelitis viruses.

*Echinococcus multilocularis.*

*Echinococcus granulosus.*

*Ehrlichia ruminantium.*

Equine infectious anemia virus.

Foot and mouth disease virus.

Hendra disease virus.

*Histoplasma farciminosum.*

Influenza viruses of avian origin in mammals.

Japanese encephalitis virus.

Lumpy skin disease virus.  
Monkeypox virus.  
*Mycoplasma agalactiae*.  
*Mycoplasma capricolum* sub species *capripneumoniae*.  
*Mycoplasma mycoides* sub species *mycoides SC* and *mycoides LC* variants.  
*Mycoplasma mycoides var capri*.  
Newcastle disease (avian paramyxovirus type 1) viruses that are –  
(a) uncharacterised; or  
(b) have an intracerebral pathogenicity index in one-day-old chicks of 0.4 or more, when not less than 10 million 50% egg infectious doses (EID50) are administered to each bird in the test.  
Nipah disease virus.  
Peste des petits ruminants virus.  
Rabies virus and all viruses of the genus *Lyssavirus*.  
Rift Valley Fever virus.  
Rinderpest virus.  
St. Louis equine encephalomyelitis virus.  
Sheep and goat pox virus.  
Swine vesicular disease virus.  
Teschen disease virus.  
*Theileria annulata*.  
*Theileria equi*.  
*Theileria parva*.  
*Trichinella spiralis*.  
*Trypanosoma brucei*.  
*Trypanosoma congolense*.  
*Trypanosoma equiperdum*.  
*Trypanosoma evansi*.  
*Trypanosoma simiae*.  
*Trypanosoma vivax*.  
Venezuelan equine encephalomyelitis virus.  
Vesicular stomatitis virus.  
West Nile virus.

## PART 2

The live virus causing viral haemorrhagic disease of rabbits.

**SCHEDULE 3**

(Article 7(1)(b))

**ORDER-MAKING POWERS****PART 1 – POWERS EXERCISABLE IN ALL CASES**

1. To set fees or to require costs otherwise incurred by the Minister to be borne by any person.
2. To proscribe or regulate the import or export of animals, birds or any other thing that might spread disease.
3. To regulate the movement of animals, birds or any other thing that might spread disease, require records to be kept of such movements and specify matters relating to the keeping of such records.
4. To require isolation of any animal, bird or other thing and specify matters relating to the biosecurity conditions of such isolation.
5. To require the recording of numbers and classes of animals or birds kept and specify matters relating to the keeping of such records.
6. To require the identification of animals or birds and specify the method of such identification.
7. To require keepers of animals or birds and those operating a business handling animals or birds to be registered and to meet minimum standards.
8. To undertake surveillance (including taking samples and conducting tests) for disease.
9. To require or to proscribe the treatment of animals or birds with vaccine or serum or both and specify matters relating to such treatment including the keeping of untreated animals and birds and their location on premises.
10. To require biosecurity measures to be put in place on premises (including ports and airports) or in vehicles and to specify matters relating to such measures.
11. To proscribe or regulate the exhumation of animal or bird carcasses.
12. To regulate artificial animal breeding.
13. To approve disinfectants for use when required by the relevant legislation.
14. To regulate hunting and gathering of animals and birds (of any kind).
15. To regulate animal feedingstuffs and the inclusion of medication in feedingstuffs.
16. To regulate animal by-products and other products of animal origin.

17. To undertake investigations into the possible presence of disease including taking samples from animals or birds (including wild animals or wild birds) and the environment and having them tested, including trapping vectors and having them tested.
18. To impose biosecurity controls (including if necessary closing footpaths) on premises and by the use of controlled zones (which may be the whole of Jersey) when disease is suspected and on confirmation of disease to reduce the risk of spread of disease, or to contain or eradicate disease.
19. To require and specify the method of cleansing and disinfection and disinfestation of premises, vehicles or any other thing that might be contaminated with disease including the seizure and destruction of things that cannot be cleansed and disinfected or requiring the destruction of such things.
20. To kill animals or birds (including wild animals or wild birds) for disease control purposes and specify the method of killing.
21. To place or require the placing of sentinels on premises and specify any requirements appropriate to the sentinels including their location on premises sampling them and having the samples tested.
22. To prescribe and regulate the destruction, burial, disposal or treatment of carcasses of animals or birds killed at the Minister's direction.

## **PART 2 – POWERS EXERCISABLE IN CASES OF RABIES ETC.**

23. To destroy animals, pets or wild animals.
24. To prevent the movement of animals, pets or wild animals in order to facilitate their seizure or destruction.
25. To authorize the use of methods of destruction that would otherwise be unlawful.
26. To regulate the ownership and disposal of the carcasses of animals that have been destroyed.
27. To require notice to be given of the death of such pets or wild animals as may be specified and to specify requirement in relation to the giving of notice.
28. To regulate the ownership and disposal of the carcasses of animals whose deaths are required to be notified under paragraph 27.
29. To authorize any person to enter any land for the purposes of seizing or destroying animals, pets or wild animals.
30. To require and regulate the vaccination, confinement and control of pets and other animals held in captivity.
31. Requiring any animal mentioned in paragraph 30 that may be a carrier of rabies (or any other disease to which this Part applies) to be kept in quarantine.

**SCHEDULE 4**

(Article 10(2))

**PREVENTIVE MEASURES**

1. To require and regulate the housing, confinement or isolation of animals, birds or any other thing likely to spread disease.
2. To proscribe or regulate the movement of animals, birds or things likely to spread disease.
3. To regulate the method and location of feeding and providing water to animals or birds.
4. To require and regulate biosecurity measures.
5. To require and regulate keeping of records and specify the way records are kept.
6. To require the reporting of dead or diseased animals or birds (of any kind) to the Minister.
7. To vaccinate animals or birds, or require them to be vaccinated, whether or not at the owner's expense, and to recover costs where the Minister vaccinates.
8. To proscribe vaccination.
9. To sample animals, birds and other things including for vectors and have the samples tested.
10. To require practical vector control.
11. To require and regulate cleansing, disinfection and disinfestation of premises, vehicles or other things.
12. To place sentinels on premises or require animals or birds on premises to be used as sentinels and to specify their location, whether or not at the owner's expense.
13. To kill animals or birds (including wild animals or wild birds).
14. To destroy animal or bird carcases or any other thing that might risk the spread of disease.

**SCHEDULE 5**

(Article 34)

**MINOR AND CONSEQUENTIAL AMENDMENTS****1 Pesticides (General Provisions) (Jersey) Order 1991**

In Article 2(2)(b) of the Pesticides (General Provisions) (Jersey) Order 1991<sup>9</sup> the words “Fertilisers and Feeding Stuffs (Jersey) Law 1950<sup>10</sup>” are deleted.

**2 Animal Welfare (Jersey) Law 2004**

In the Animal Welfare (Jersey) Law 2004<sup>11</sup> –

- (a) in Article 1(1) the definition “Veterinary Officer” is deleted and after the definition “sale” there is inserted the following definition –
  - “‘States Veterinary Officer’ means a person appointed as such under Article 5 of the Animal Health (Jersey) Law 201-<sup>12</sup>;”;
- (b) Article 3(6) is deleted;
- (c) for Article 11(3) to (5) there shall be substituted the following paragraphs –
  - “(3) Without limiting paragraph (2), Regulations may provide for –
    - (a) the licensing of individuals to apply certain restricted procedures to certain animals;
    - (b) the licensing of programmes of work which may include the application of certain restricted procedures to certain animals;
    - (c) the licensing of premises or places at which certain restricted procedures may be applied to certain animals;
    - (d) the payment of a fee on an application for and on the grant or renewal of a licence to be set by Order of the Minister;
    - (e) the circumstances in which a licence may or may not be granted;
    - (f) the period of validity of any licence and the suspension, renewal and revocation of licences;
    - (g) the empowering of persons authorized by the Minister to enter and carry out inspections of premises, places and facilities at which any restricted procedure is applied to an animal and to carry out tests on such animals;
    - (h) the recovery of expenses incurred by the Minister in obtaining inspections, tests and reports for the purpose of determining an application for a licence or for the purpose of monitoring the application of restricted procedures to

- | animals under authority of a licence and arrangements for the keeping of such animals; and
- | (i) a right of review of or appeal against any decision of the Minister to refuse to grant or renew a licence, to attach conditions to a licence or vary such conditions or to suspend or revoke a licence.
- | (4) The scheme may include provision –
  - (a) specifying the conditions to be attached to a licence and conferring a discretion on the Minister to attach other conditions to a licence;
  - (b) for the variation of conditions attached to a licence;
  - (c) requiring holders of licences to make returns of information to the Minister.”.
- | (d) in Articles 26, 27, 28 and 37, wherever occurring, for the words “Veterinary Officer” there are substituted the words “States Veterinary Officer”.

### **3 Dogs (Jersey) Law 1961**

Article 14(1) of the Dogs (Jersey) Law 1961<sup>13</sup> is deleted.

### **4 Endangered Species (CITES) (Designation and Appointment) (Jersey) Order 2012**

In Article 3(a) of the Endangered Species (CITES) (Designation and Appointment) (Jersey) Order 2012<sup>14</sup> for the words “Diseases of Animals (Jersey) Law 1956” there are substituted the words “Animal Health (Jersey) Law 201-<sup>15</sup>”.

### **5 Slaughter of Animals (Jersey) Law 1962**

In Article 4 of the Slaughter of Animals (Jersey) Law 1962<sup>16</sup>, for paragraph (5)(c) there is substituted the following sub-paragraph –

- | “(c) the relevant legislation (within the meaning of Article 1(1) of the Animal Health (Jersey) Law 201-<sup>17</sup>); or”.

### **6 Veterinary Surgeons (Jersey) Law 1999**

In the Veterinary Surgeons (Jersey) Law 1999<sup>18</sup> –

- | (a) in Article 1 for the definition “Veterinary Officer” there is substituted the following definition –
  - | “‘States Veterinary Officer’ means a person appointed as such under Article 5 of the Animal Health (Jersey) Law 201-<sup>19</sup>.”;
- | (b) in Article 10A and wherever they appear in Schedule 2, for the words “Veterinary Officer” there are substituted the words “States Veterinary Officer”.

**7 Public Markets (Administration) (Jersey) Regulations 1947**

In Regulation 1 of the Public Markets (Administration) (Jersey) Regulations 1947<sup>20</sup> the definition “Veterinary Officer” is deleted.

**8 European Communities Legislation (Bluetongue) (Jersey) Regulations 2008**

- (1) The European Communities Legislation (Bluetongue) (Jersey) Regulations 2008<sup>21</sup> are amended as follows.
  - (2) In Regulation 1 –
    - (a) for the definition “inspector” there is substituted the following definition –

“‘inspector’ means a person appointed as such under Article 6(1) of the Animal Health (Jersey) Law 201-<sup>22</sup> and includes the States Veterinary Officer;”;
    - (b) the definitions “the Law” and Veterinary Officer” are deleted;
    - (c) after the definition “sentinel animals” there is inserted the following definition –

“‘States Veterinary Officer’ means a person appointed as such under Article 5 of the Animal Health (Jersey) Law 201-.”;
    - (d) in the definition “vector” for the words “Veterinary Officer” there are substituted the words “States Veterinary Officer”.
  - (3) In Regulations 4, 5, 6, 8, 9 and 10, wherever occurring, for the words “Veterinary Officer” there are substituted the words “States Veterinary Officer”.

**9 Community Provisions (Bovine Embryos) (Jersey) Regulations 2010**

In Regulation 1 of the Community Provisions (Bovine Embryos) (Jersey) Regulations 2010<sup>23</sup>, in the definition “official veterinarian” for paragraph (a) there is substituted the following paragraph –

- “(a) the States Veterinary Officer appointed under Article 5 of the Animal Health (Jersey) Law 201-<sup>24</sup>; and”.

**10 Community Provisions (Bovine Embryos) (Fees) (Jersey) Order 2011**

In the Community Provisions (Bovine Embryos) (Fees) (Jersey) Order 2011<sup>25</sup>, in Article 3(2)(b) and (4) for the words “Veterinary Officer” there are substituted the words “States Veterinary Officer”.

**11 Pet Travel Scheme (Jersey) Regulations 2011**

In Regulation 1(1) of the Pet Travel Scheme (Jersey) Regulations 2011<sup>26</sup> for the definition “inspector” there is substituted the following definition –

- “‘inspector’ means a person appointed as such under Article 6(1) of the Animal Health (Jersey) Law 201-<sup>27</sup> and includes the States Veterinary Officer appointed under Article 5 of that Law;”.

**12 Community Provisions (Welfare of Animals during Transport) (Jersey) Regulations 2013**

In the Community Provisions (Welfare of Animals during Transport) (Jersey) Regulations 2013<sup>28</sup> –

- (a) in Regulation 1(1) for the definition “inspector” there is substituted the following definition –
  - “ ‘inspector’ means a person appointed as such under Article 6(1) of the Animal Health (Jersey) Law 201-<sup>29</sup> and includes the States Veterinary Officer appointed under Article 5 of that Law;”;
- (b) in Regulation 21(7) for the words “Diseases of Animals (Jersey) Law 1956<sup>30</sup>” there are substituted the words “Animal Health (Jersey) Law 201-<sup>31</sup>”.

**13 EU Legislation (Transmissible Spongiform Encephalopathies) (Jersey) Regulations 2015**

In Regulation 11(1) of the EU Legislation (Transmissible Spongiform Encephalopathies) (Jersey) Regulations 2015<sup>32</sup> for the words “The Veterinary Officer appointed under Article 2 of the Diseases of Animals (Jersey) Law 1956<sup>33</sup>” there are substituted the words “The States Veterinary Officer appointed under Article 5 of the Animal Health (Jersey) Law 201-<sup>34</sup>”.

**14 Milk and Dairies (General Provisions) (Jersey) Order 1992**

In the Milk and Dairies (General Provisions) (Jersey) Order 1992<sup>35</sup>, in Articles 5, 6 and 7, wherever occurring, for the words “Veterinary Officer” wherever occurring there is substituted the words “States Veterinary Officer”.

**15 Food Safety (Jersey) Law 1966**

In Article 10(3) of the Food Safety (Jersey) Law 1966<sup>36</sup> –

- (a) in Article 1(1) the definition “Veterinary Officer” is deleted and after the definition “spirits” there is inserted the following definition –
  - “ ‘States Veterinary Officer’ means a person appointed as such under Article 5 of the Animal Health (Jersey) Law 201-<sup>37</sup>;”;
- (b) in Article 10(1) and (2) for the words “Veterinary Officer” wherever occurring there is substituted the words “States Veterinary Officer”;
- (c) in Article 10(3) for the words “Article 1(3) of the Diseases of Animals (Jersey) Law 1956<sup>38</sup>” there are substituted the words “Article 2 of the Animal Health (Jersey) Law 201-<sup>39</sup>”.

**16 Medicines (Bluetongue Vaccine Exemption) (Jersey) Order 2009**

In the Medicines (Bluetongue Vaccine Exemption) (Jersey) Order 2009<sup>40</sup>, for Article 1(a) there is substituted the following paragraph –

“(a) the States Veterinary Officer appointed under Article 5 of the Animal Health (Jersey) Law 201-<sup>41</sup>; or”.

## 17 Medicines (Jersey) Law 1995

In the Medicines (Jersey) Law 1995<sup>42</sup> –

- (a) in Article 33(3), at the end of the paragraph there is added the words “unless the administration is covered by a licence granted under a scheme established by Regulations made under Article 11(2) of the Animal Welfare (Jersey) Law 2004<sup>43</sup>”.
- (b) Article 85(2) is deleted.

## 18 Loi (1934) sur la Santé Publique

In Article 24 of the Loi (1934) sur la Santé Publique<sup>44</sup> for the words “l’Article 2 de la Loi dite Diseases of Animals (Jersey) Law 1956<sup>45</sup>” there are substituted the words “l’Article 5 de la Loi dite Animal Health (Jersey) Law 201-<sup>46</sup>”.

## 19 Water Pollution (Code of Good Agricultural Practice (Jersey) Order 2009

In paragraph 1 of Appendix IX to the Water Pollution (Code of Good Agricultural Practice) (Jersey) Order 2009<sup>47</sup> for the words “Diseases of Animals (Jersey) Law 1956<sup>48</sup>” there are substituted the words “Animal Health (Jersey) Law 201-<sup>49</sup>”.

1                   *chapter 17.245*  
2                   *chapter 20.625*  
3                   *chapter 17.210*  
4                   *chapter 15.360*  
5                   *L.5/1950 (chapter 01.800)*  
6                   *L.9/1952 (chapter 01.480)*  
7                   *L.18/1956 (chapter 02.400)*  
8                   *L.3/1976 (chapter 02.500)*  
9                   *chapter 01.880.30*  
10                  *chapter 01.800*  
11                  *chapter 02.050*  
12                  *P.17/2016*  
13                  *chapter 02.550*  
14                  *chapter 02.600.25*  
15                  *P.17/2016*  
16                  *chapter 02.800*  
17                  *P.17/2016*  
18                  *chapter 02.900*  
19                  *P.17/2016*  
20                  *chapter 05.525.50*  
21                  *chapter 17.245.85*  
22                  *P.17/2016*  
23                  *chapter 17.245.86*  
24                  *P.17/2016*  
25                  *chapter 17.245.87*  
26                  *chapter 17.245.95*  
27                  *P.17/2016*  
28                  *chapter 17.245.98*  
29                  *P.17/2016*  
30                  *chapter 02.400*  
31                  *P.17/2016*  
32                  *R&O.149/2015*  
33                  *chapter 02.400*  
34                  *P.17/2016*  
35                  *chapter 20.225.88*  
36                  *chapter 20.225*  
37                  *P.17/2016*  
38                  *chapter 02.400*  
39                  *P.17/2016*  
40                  *chapter 20.625.33*  
41                  *P.17/2016*  
42                  *chapter 20.625*  
43                  *chapter 02.050*  
44                  *chapter 20.875*  
45                  *chapter 02.400*  
46                  *P.17/2016*  
47                  *chapter 27.800.50*  
48                  *chapter 02.400*  
49                  *P.17/2016*