

# ORDINANCE

## OF THE STATES OF DELIBERATION

ENTITLED

### **The Animal Health Ordinance, 1996 \***

[CONSOLIDATED TEXT]

#### **NOTE**

*This consolidated version of the enactment incorporates all amendments listed in the footnote below. It has been prepared for the Guernsey Law website and is believed to be accurate and up to date, but it is not authoritative and has no legal effect. No warranty is given that the text is free of errors and omissions, and no liability is accepted for any loss arising from its use. The authoritative text of the enactment and of the amending instruments may be obtained from Her Majesty's Greffier, Royal Court House, Guernsey, GY1 2PB.*

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\* No. XI of 1996 (Recueil d'Ordonnances Tome XXVII, p. 10); as amended by the States Agricultural and Milk Marketing Board (Transfer of Functions) Ordinance, 2001 (No. XX of 2001, Recueil d'Ordonnances Tome XXVIII, p. 433); the Animal Health (Amendment) Ordinance, 2003 (No. XXXII of 2003, Recueil d'Ordonnances Tome XXIX, p. 397); the Machinery of Government (Transfer of Functions) (Guernsey) Ordinance, 2003 (No. XXXIII of 2003, Recueil d'Ordonnances Tome XXIX, p. 406); the Birds and Animal Health (Miscellaneous Provisions) (Amendment) Ordinance, 2005 (No. VII of 2006, Recueil d'Ordonnances Tome XXXI, p. 260); the Avian Influenza (Precautionary Measures) and Miscellaneous Provisions (Amendment) Ordinance, 2006 (No. XXXIV of 2006, Recueil d'Ordonnances Tome XXXI, p. 567); the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016 (No. IX of 2016); the Notifiable Animal Diseases Order, 2002 (G.S.I. No. 56 of 2002); the Notifiable Animal Diseases Order, 2013 (G.S.I. No. 59 of 2013); the Notifiable Animal Diseases Order, 2017 (G.S.I. No. 59 of 2017); the Notifiable Animal Diseases Order, 2018 (G.S.I. No. 91 of 2018); the Notifiable Animal Diseases Order, 2019 (G.S.I. No. 25 of 2019); the Animal Health (Brexit) (Amendment) (Guernsey) Regulations, 2019 (G.S.I. No. 35 of 2019); Notifiable Animal Diseases Order, 2025 (G.S.I. No. 77 of 2025). See also the Police Force (Bailiwick of Guernsey) Law, 1986 (Ordres en Conseil Vol. XXIX, p. 207).

# ORDINANCE OF THE STATES OF DELIBERATION

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## **The Animal Health Ordinance, 1996**

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*(Made on 24th April, 1996.)*

## **The Animal Health Ordinance, 1996**

**THE STATES**, in pursuance of their Resolutions of 23<sup>rd</sup> February, 1995<sup>a</sup> and 28<sup>th</sup> February, 1996<sup>b</sup>, in exercise of the powers conferred on them by sections 1 and 4 of the European Communities (Implementation) (Bailiwick of Guernsey) Law, 1994<sup>c</sup>, and in exercise of all other powers enabling them in that behalf, hereby order: –

PART I  
PREVENTION, CONTAINMENT AND  
SUPPRESSION OF ANIMAL DISEASES

*Notification and testing*

**Notifiable animal diseases.**

1. (1) A notifiable animal disease is any disease for the time being listed in the left hand column of either Part of Schedule 1.

(2) A compulsory slaughter disease is any disease for the time being listed in the left hand column of Part 1 of Schedule 1.

(3) A susceptible animal in relation to any particular notifiable animal disease is an animal of any of the species identified in relation to that disease in the right hand column of Schedule 1.

(4) [ The Committee] may from time to time by Order –

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**a** On Article 12 of Billet d'État No. V of 1995.

**b** On Article 8 of Billet d'État No. III of 1996.

**c** Order in Council No. III of 1994.

- (a) add any disease to, or delete any disease from, [the list of compulsory slaughter diseases in the left hand column of Part 1 of Schedule 1 or] the list of notifiable animal diseases in the left hand column of Part 2 of Schedule 1,
- (b) vary the species identified in the right hand column of either part of Schedule 1 in relation to any particular notifiable animal disease.

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**NOTES**

*In section 1,*

*the words in the first pair of square brackets were substituted by the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016, section 5(1), Schedule 3, paragraph 5, with effect from 1st May, 2016;*

*the words in square brackets in paragraph (a) of subsection (4) were inserted by the Birds and Animal Health (Miscellaneous Provisions) (Amendment) Ordinance, 2005, section 3(2), with effect from 17th October, 2005.*

*The following Order has been made under section 1:*

*Notifiable Animal Diseases Order, 2019;  
Notifiable Animal Diseases Order, 2025.*

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**Reporting and immediate precautions.**

2. (1) A person who owns or has in his charge any animal which is, or which he suspects to be, infected with a notifiable animal disease must –

- (a) immediately notify the States Veterinary Officer of the infection or suspected infection, and

- (b) immediately isolate the animal and keep it in isolation until notice in writing to the contrary is given to him by the States Veterinary Officer, and
  - (c) detain all susceptible animals, and any carcasses and/or hatching eggs of susceptible animals, on the premises where the infection is or is suspected, and
  - (d) comply with any requests for information reasonably made by the States Veterinary Officer.
- (2) Every veterinary surgeon must –
- (a) immediately forward to the States Veterinary Officer a written report of the result of every test undertaken by him for a notifiable animal disease where the tested animal has reacted, or where he is uncertain whether or not the animal has reacted,
  - (b) immediately inform the States Veterinary Officer where he suspects that a notifiable animal disease exists on any premises.

**Testing where infection suspected.**

3. (1) If the States Veterinary Officer suspects (whether on the basis of a notification or report given under section 2 or otherwise) that a notifiable animal disease may exist on any premises he may –

- (a) inspect, and keep under inspection for as long as he considers necessary, those premises and any susceptible animals on them,

- (b) arrange for any susceptible animals which are on those premises, or which have been on those premises during the preceding 60 days, to be tested by an authorised person for that disease.

(2) Testing for a relevant bovine disease under this section is to be carried out in accordance with the Community provisions or testing procedures specified for that disease in Part 2 of Schedule 3.

(3) The owner of an animal being tested under this section, or a person authorised by him, may be present at the test; but the absence of such owner or authorised person does not invalidate any test.

(4) An authorised person, upon production if so required of his authorisation and having first given such notice, if any, as is reasonably practical in all the circumstances, may –

- (a) at any time during the hours of daylight enter any premises for the purpose of testing pursuant to this section, and
- (b) if necessary, be accompanied by a police officer, who may use reasonable force to restrain any person obstructing or threatening to obstruct the testing.

(5) The owner or person in charge of an animal must comply with all reasonable requirements of an authorised person with a view to facilitating any test pursuant to this section, and must in particular arrange, if so required, for the collection, penning and securing of animals to be tested.

(6) The owner or person in charge of an animal must not do, or cause or permit to be done, anything which is likely to affect the result of a test conducted pursuant to this section.

(7) If a person contravenes subsection (5) or subsection (6) of this section [the Committee] may, without prejudice to any proceedings for an offence arising out of that contravention, take all steps necessary to facilitate the reliable testing of any animals concerned, and recover from that person any expenses reasonably incurred by it in so doing.

(8) Subject to subsection (7) of this section the expenses of any tests under this section are to be defrayed by [the Committee].

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**NOTE**

*In section 3, the words "the Committee" in square brackets, wherever occurring, were substituted by the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016, section 5(1), Schedule 3, paragraph 5, with effect from 1st May, 2016.*

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**Reporting results.**

4. An authorised person who conducts any test pursuant to section 3 must as soon as practicable provide [the Committee] with a written report of the result of that test; and the owner of an animal in respect of which such a report has been provided to [the Committee] is entitled, if he so requests, to a copy of it.

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**NOTE**

*In section 4, the words "the Committee" in square brackets, wherever occurring, were substituted by the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016, section 5(1), Schedule 3, paragraph 5, with effect from 1st May, 2016.*

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*Compulsory slaughter diseases*

**Positive reaction to compulsory slaughter disease tests.**

5. [ Subject to section 6A,] if an animal reacts to a test conducted under section 3 in respect of any compulsory slaughter disease –

- (a) [ the Committee] must, at the expense of [the Committee], order the immediate isolation, slaughter and disposal of the animal in such manner as [the Committee] may direct, which slaughter must be carried out immediately after the animal has been valued in accordance with section 8 and Schedule 2, and
- (b) [ the Committee] must instruct the States Veterinary Officer immediately to cause to be tested for that disease every susceptible animal which has been herded with the slaughtered animal at any time during the 60 days preceding the date of the reaction:

PROVIDED that any animal which has been submitted to that test without reaction shall not again be submitted to it until the expiration of such period as may reasonably be specified by the States Veterinary Officer after its previous submission to the test, and

- (c) [ the Committee] may, as respects any other susceptible animal in the same herd, notwithstanding that such other animal has not reacted to the test –
  - (i) order the isolation of that other animal, subject

to such conditions and for such time as [the Committee] in consultation with the States Veterinary Officer thinks necessary, or

- (ii) order its slaughter, immediately after the animal has been valued in accordance with section 8 and Schedule 2.

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**NOTES**

*In section 5,*

*the words in the first pair of square brackets were inserted by the Birds and Animal Health (Miscellaneous Provisions) (Amendment) Ordinance, 2005, section 3(3), with effect from 17th October, 2005;*

*the words "the Committee" in square brackets, wherever occurring, were substituted by the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016, section 5(1), Schedule 3, paragraph 5, with effect from 1st May, 2016.*

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**Inconclusive reaction to compulsory slaughter disease tests.**

6. [ Subject to section 6A,] if on any test conducted under section 3 an animal is found to be an inconclusive reactor in respect of any compulsory slaughter disease [the Committee] must –

- (a) order the isolation of that animal for such period as may reasonably be specified by the States Veterinary Officer, after which period the animal must again be submitted to testing for that disease, and
- (b) instruct the States Veterinary Officer immediately to cause to be tested for that disease every susceptible animal which has been herded with that animal at any

time during the 60 days preceding the date of the inconclusive reaction:

PROVIDED that any animal which has been submitted to that test without reaction shall not again be submitted to it until the expiration of such period as may reasonably be specified by the States Veterinary Officer after its previous submission to the test.

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**NOTES**

*In section 6,*

*the words in the first pair of square brackets were inserted by the Birds and Animal Health (Miscellaneous Provisions) (Amendment) Ordinance, 2005, section 3(4), with effect from 17th October, 2005;*

*the words in the second pair of square brackets were substituted by the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016, section 5(1), Schedule 3, paragraph 5, with effect from 1st May, 2016.*

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**[Special provisions in the event of a serious threat to public or animal health.]**

**6A.** Where [the Committee] reasonably considers that there is a serious threat to animal or public health arising from a compulsory slaughter disease then –

- (a) it must as soon as reasonably possible after it has made that decision put a notice in La Gazette Officielle to that effect which must –
  - (i) specify the compulsory slaughter disease in question and the reasons why it considers there to be a serious threat, and
  - (ii) set out the special provisions applicable under

this section,

- (b) notwithstanding [sections 5] and 8, an animal may be slaughtered before it has been valued in accordance with section 8 and Schedule 2 but that valuation must be carried out, on the basis of all reasonably available information, as soon as reasonably possible after its slaughter,
  
- [ (c) [ the Committee] may decide to treat –
  - (i) an animal which is an inconclusive reactor in respect of a test conducted under section 3, for the compulsory slaughter disease in question,
  
  - (ii) any susceptible animal which has been herded with or otherwise been in contact with any animal which has reacted to such a test, or
  
  - (iii) any susceptible animal which it reasonably suspects of being infected with or exposed to the compulsory slaughter disease in question,  
  
as though it had reacted positively to a test conducted under section 3, and]
  
- (d) where [the Committee] decides to treat an animal as set out in paragraph (c), then –
  - (i) [ the Committee] may decide to carry out one or more of the actions specified in section 5 as

though the animal had reacted positively to the test,

- (ii) it may, for the avoidance of doubt –
  - (A) declare any premises on which that animal is, or has in the last 60 days been present, to be infected premises in accordance with section 9, and
  - (B) declare any area in which that animal is, or has in the last 60 days, been present to be an infected area in accordance with section 14, and
- (iii) the relevant provisions of sections 17 and 18 shall apply to that animal.]

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**NOTES**

*Section 6A was inserted by the Birds and Animal Health (Miscellaneous Provisions) (Amendment) Ordinance, 2005, section 3(5), with effect from 17th October, 2005.*

*In section 6A,*

*the words "the Committee" in square brackets, wherever occurring, were substituted by the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016, section 2, Schedule 1, paragraph 1(c), Schedule 2, Part 1, paragraph 2, with effect from 1st May, 2016;*

*the words in square brackets in paragraph (b) were substituted by the Avian Influenza (Precautionary Measures) and Miscellaneous Provisions (Amendment) Ordinance, 2006, section 33, Schedule 3, paragraph 2(a), with effect from 27th September, 2006;*

*paragraph (c) was substituted by the Avian Influenza (Precautionary Measures) and Miscellaneous Provisions (Amendment) Ordinance, 2006,*

*section 33, Schedule 3, paragraph 2(b), with effect from 27th September, 2006.*

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**Slaughter of infected animals.**

7. (1) If the slaughter of an animal is ordered by [the Committee] under this Ordinance –

- (a) the animal must be transported to a place of slaughter directed by the States Veterinary Officer,
- (b) the vehicle in which it is so transported must thereafter be disinfected in such manner as may be specified by the States Veterinary Officer,
- (c) the animal must be slaughtered, and its carcase must be disposed of, in such manner as the States Veterinary Officer may direct.

(2) A carcase disposed of by burial pursuant to this section must not be dug up otherwise than in accordance with the terms of a permit issued by [the Committee].

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**NOTE**

*In section 7, the words "the Committee" in square brackets, wherever occurring, were substituted by the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016, section 5(1), Schedule 3, paragraph 5, with effect from 1st May, 2016.*

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**Compensation.**

8. (1) The owner of an animal which is slaughtered pursuant to this Ordinance is entitled, if he has complied with all of the provisions of this Ordinance

applicable to him, to be paid compensation by [the Committee] calculated in accordance with Schedule 2.

(2) [The Committee] may from time to time by order increase any of the maximum amounts of compensation set out in Schedule 2.

(3) In assessing the value of any animal for the purposes of Schedule 2, no account is to be taken of the fact that, immediately before slaughter, the animal was, or was suspected of being, infected with a compulsory slaughter disease.

(4) If an animal is ordered by [the Committee] to be slaughtered pursuant to this Ordinance and [the Committee] and its owner do not agree as to its value, its value shall be assessed, before slaughter, by two valuers, one appointed by [the Committee] and the other by the owner of the animal.

(5) If such an owner fails to inform [the Committee] in writing within such period as [the Committee] specifies to him, of the name and address of the valuer appointed by him, another valuer shall be appointed by [the Minister] of [the Committee], and shall then for the purposes of this Ordinance be deemed to be the valuer appointed by the owner.

(6) The valuers so appointed must before commencing their valuation nominate an umpire, who shall assess the value of the animal if the valuers disagree; the decision of the valuers or of the umpire, as the case may be, is final.

(7) Payment of compensation in accordance with this section and Schedule 2 shall be in full satisfaction of the value of the slaughtered animal and of all expenses incurred by the owner of the animal in carrying out his duties under this Ordinance, including the costs, if any, of and incidental to a valuation.

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**NOTE**

*In section 8, the words "T/the Committee" and "the Minister" in square brackets, wherever occurring, were substituted by the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016, section 5(1), Schedule 3, paragraph 5, with effect from 1st May, 2016.*

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*Infected premises*

**Infected premises declaration.**

9. (1) Upon receipt of notification from the States Veterinary Officer that a notifiable animal disease exists, or is suspected to exist, on any premises [the Committee] may, by notice in writing addressed to the occupier of those premises, declare them to be infected premises.

(2) [The Committee] may revoke a declaration under this section by notice in writing addressed to the occupier of the premises concerned.

(3) Whilst a declaration under this section is in force in the case of any premises sections 10 to 13 of this Ordinance apply in relation to those premises.

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**NOTE**

*In section 9, the words "T/the Committee" in square brackets, wherever occurring, were substituted by the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016, section 5(1), Schedule 3, paragraph 5, with effect from 1st May, 2016.*

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**Disinfection.**

10. (1) [The Committee] may cause to be cleansed and disinfected under the supervision of the States Veterinary Officer any building, structure, equipment, vehicle or clothing which is or has been on infected premises.

(2) A person must not cause or permit the use in connection with animals of anything which may have become contaminated, except in accordance with the permission of the States Veterinary Officer.

(3) The States Veterinary Officer must as soon as possible after the effective completion of such disinfection, report that fact in writing to [the Committee].

(4) The cost of cleansing and disinfection under this section is to be defrayed by [the Committee]:

PROVIDED THAT where that cost is increased by reason of the wilful default or neglect of any person [the Committee] may recover the amount of that increase as a debt due from that person.

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**NOTE**

*In section 10, the words "T/the Committee" in square brackets, wherever occurring, were substituted by the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016, section 5(1), Schedule 3, paragraph 5, with effect from 1st May, 2016.*

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**Accommodation and movement of animals.**

**11.** (1) If it appears to [the Committee] to be impracticable to carry out an effective disinfection of any part of infected premises, or that alterations or repairs to any building or structure are necessary in order to make it sanitary and fit for use by animals, [the Committee], after consulting the States Veterinary Officer, and two independent persons appointed by the Royal Guernsey Agricultural and Horticultural Society, may order that that part of the premises, or that building or structure, as the case may be, shall not be used to house animals for such period as [the Committee] considers necessary.

(2) A person must not cause or permit any part of infected premises to be occupied by an animal in contravention of any reasonable requirement made by the States Veterinary Officer.

(3) No susceptible animal may be moved into or out of infected premises except in accordance with the terms of any permission given by the States Veterinary Officer.

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**NOTE**

*In section 11, the words "the Committee" in square brackets, wherever occurring, were substituted by the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016, section 5(1), Schedule 3, paragraph 5, with effect from 1st May, 2016.*

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**Entry of persons on infected premises.**

**12.** (1) If [the Committee] so directs by notice in writing to the occupier of infected premises then it is the duty of that occupier to ensure that no person other than a person attending infected or suspected animals enters such part of those premises as is specified in the notice, except with the permission of the States Veterinary Officer.

(2) A person entering infected premises must comply with all directions given by the States Veterinary Officer as to the wearing, storage and disinfection of specified clothing and footwear, and as to the washing of hands.

(3) A person attending any infected or suspected animal on infected premises must not attend any other animal on those premises without the permission of the States Veterinary Officer.

(4) The States Veterinary Officer may require that a receptacle of approved disinfectant be kept at all points of access to infected premises at the cost of

[the Committee]:

PROVIDED that where that cost is increased by the default or neglect of any person [the Committee] may recover the amount of that increase as a debt due from that person.

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**NOTE**

*In section 12, the words "the Committee" in square brackets, wherever occurring, were substituted by the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016, section 5(1), Schedule 3, paragraph 5, with effect from 1st May, 2016.*

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**Removal of articles and material.**

13. (1) A person must not remove from any infected premises –
- (a) any animal carcass,
  - (b) any animal product, including waste,
  - (c) anything which may have been in contact with an infected animal,

without the permission of the States Veterinary Officer or otherwise than in accordance with the terms of such permission.

(2) Anything so removed with permission for the purpose of disposal must be disposed of as prescribed by the States Veterinary Officer.

(3) No animal excrement must be permitted to escape from any part of infected premises where infected or suspected animals have been kept within the previous 60 days, unless it has been disinfected to the satisfaction of the States

Veterinary Officer.

*Infected areas*

**Infected area declaration.**

14. (1) If in the opinion of [the Committee] a notifiable animal disease which has occurred in one or more of the islands of Guernsey, Herm and Jethou ought, in the interests of animal health throughout or beyond those islands to be contained within them, or within any part of them, then [the Committee] may by Order declare those islands, or such part of those islands as is specified in the Order, to be an infected area in respect of that disease.

(2) Without prejudice to its duties arising under section 33(1)(c), [the Committee] must cause there to be published in La Gazette Officielle a notice of the making of every Order declaring an infected area, together with a statement of its terms, and also a notice of any variation or revocation of such an Order.

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**NOTE**

*In section 14, the words "the Committee" in square brackets, wherever occurring, were substituted by the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016, section 5(1), Schedule 3, paragraph 5, with effect from 1st May, 2016.*

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**Infected area restrictions.**

15. (1) Whilst an Order declaring an infected area is in force it is unlawful, otherwise than in accordance with a permission given by [the Committee]

—

(a) to move any susceptible animal out of or into the infected area,

- (b) to move any susceptible animal along or across any public road or path within the infected area,
- (c) to water any susceptible animal at a stream within the infected area,
- (d) to graze any susceptible animal within the infected area unless it is securely tethered or confined within its grazing area,
- (e) to remove any susceptible animal from any of the islands of Guernsey, Herm or Jethou.

(2) For the avoidance of doubt, permission to do something which would otherwise be prohibited by virtue of [subsection (1)] may be given either –

- (a) specifically to a particular person for a particular purpose, or
- (b) by means of a notice published in La Gazette Officielle, to all persons or all persons of a given description, for such purposes and in such circumstances as may be set out in the notice,

and may in either case be given subject to conditions.

[ (3) Whilst an Order declaring an infected area is in force [the Committee] may direct that –

- (a) any susceptible animal in the area is isolated, confined, housed or kept in such manner, subject to such

conditions, by such date and for such period as [the Committee] may specify,

- (b) no person, except for the owner or occupier of the premises, shall enter any premises in the area where any susceptible animal is kept, except with the permission of the States Veterinary Officer,
- (c) such biosecurity measures as [the Committee] may specify are implemented on any premises in the area, or
- (d) the holding of any show, display, fair, exhibition, competition or any other event in the area involving a gathering of any susceptible animals is –
  - (i) prohibited, or
  - (ii) prohibited subject to compliance with any conditions specified by [the Committee], or
  - (iii) prohibited other than under authority of and subject to any conditions attached to a licence issued by [the Committee].

(4) [ The Committee] shall, as soon as reasonably possible after it has made a direction under subsection (3) publicise it by –

- (a) placing a notice in La Gazette Officielle of the making of that direction which must include a summary of the directions made, or

- (b) where it reasonably considers it can identify all persons who may be subject to any directions, sending such a notice to all such persons.

(5) In subsection (3) "**biosecurity measures**" means measures taken to prevent the spread of causative agents of a notifiable animal disease and "**causative agent**" includes any virus, bacterium and any other organism or infectious substance which may cause or transmit the disease in question.]

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## NOTES

*In section 15,*

*the words in square brackets in subsection (1) were substituted by the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016, section 5(1), Schedule 3, paragraph 5, with effect from 1st May, 2016;*

*first, the words in square brackets in subsection (2) were substituted and, second, subsection (3), subsection (4) and subsection (5) were inserted by the Avian Influenza (Precautionary Measures) and Miscellaneous Provisions (Amendment) Ordinance, 2006, section 33, Schedule 3, respectively paragraph 3(a) and paragraph 3(b), with effect from 27th September, 2006;*

*the words "T/the Committee" in square brackets, wherever occurring in subsection (3) and subsection (4), were substituted by the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016, section 2, Schedule 1, paragraph 1(c), Schedule 2, Part 1, paragraph 2, with effect from 1st May, 2016.*

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### **Subsequent breeding restrictions.**

16. (1) [ The Committee] may by Order made at the same time as, or at any time within 12 months following, the revocation of an Order under section 14(1) prohibit the breeding within the previously infected area of any previously susceptible animal species (except with another animal on the same holding) otherwise than in accordance with a permission given by [the Committee].

(2) An Order under this section shall lapse, unless previously revoked, on the first anniversary of the revocation of the Order under section 14(1), or on such earlier date as may be specified in the Order under this section in that behalf.

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**NOTE**

*In section 16, the words "T/the Committee" in square brackets, wherever occurring, were substituted by the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016, section 5(1), Schedule 3, paragraph 5, with effect from 1st May, 2016.*

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*Further precautions with regard to animal diseases*

**Sale, transfer and movement of animals.**

17. (1) A person must not, without the permission of [the Committee], knowingly sell, offer for sale, or move from the place where it then is, an animal infected, or suspected by the States Veterinary Officer or a veterinary surgeon of being infected, with any notifiable animal disease, or a susceptible animal which has been in contact with an animal so infected or suspected.

(2) A person who knows that there is at any place an animal which is, or which is suspected of being, infected with a notifiable animal disease, must not permit the entry of any susceptible animal on that place without the permission of [the Committee].

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**NOTE**

*In section 17, the words "the Committee" in square brackets, wherever occurring, were substituted by the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016, section 5(1), Schedule 3, paragraph 5, with effect from 1st May, 2016.*

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**Milk from infected animals.**

**18.** (1) Any person in possession of the milk of an animal infected by a notifiable animal disease must forthwith dispose of that milk in accordance with the instructions of the States Veterinary Officer.

(2) A person must not use the milk of any animal which is, or which is suspected by the States Veterinary Officer or a veterinary surgeon of being, infected with any notifiable animal disease, for the purpose of animal feed without the permission of the States Veterinary Officer or otherwise than in accordance with any condition subject to which that permission has been given.

**Abortions in bovine animals.**

**19.** A person who owns or has in his charge any bovine animal must, on the occurrence of an event which he has reason to believe involves an abortion or premature calving –

- (a) immediately give notice of that fact to the States Veterinary Officer, and
- (b) isolate the animal concerned, so far as practical, from all other animals, and
- (c) retain the foetus or calf, and the placenta until directions for their disposal have been given by the States Veterinary Officer, and
- (d) comply with any directions so given.

**Prohibition of inoculation with brucella.**

**20.** A person must not inoculate any animal with vaccine containing brucella, whether living or dead.

**Sheep dipping.**

21. If in the opinion of [the Committee] it is expedient to do so for the purpose of preventing the introduction or spread of sheep scab into or within the islands of Guernsey, Herm and Jethou, [the Committee] may by Order make provision for the compulsory dipping of sheep in the manner, at the times, and subject to the conditions specified in the Order.

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**NOTE**

*In section 21, the words "the Committee" in square brackets, wherever occurring, were substituted by the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016, section 5(1), Schedule 3, paragraph 5, with effect from 1st May, 2016.*

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PART II  
ESTABLISHING AND MONITORING THE HEALTH  
OF BOVINE HERDS

*Routine bovine health testing*

**General duties as respects routine testing and certification.**

22. (1) It is the duty of [the Committee] periodically to arrange for the testing and certification of all bovine animals in Guernsey in accordance with this Part of this Ordinance.

(2) It is the duty of every person who owns or has in his charge bovine animals to co-operate with [the Committee] in the testing and certification of those animals in accordance with this Part of this Ordinance.

(3) Testing under this Part of this Ordinance may be carried out at such intervals as [the Committee] considers appropriate.

(4) Subject to section 3(7), the costs of testing and certification under this Part of this Ordinance are to be defrayed by [the Committee].

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**NOTE**

*In section 22, the words "the Committee" in square brackets, wherever occurring, were substituted by the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016, section 5(1), Schedule 3, paragraph 5, with effect from 1st May, 2016.*

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**Scope and manner of routine testing.**

**23.** (1) Routine testing under this Part of this Ordinance –

- (a) is compulsory in relation to all bulls, cows, oxen, heifers and calves ("**bovine animals**"),
- (b) may be required by [the Committee] in the case of a particular bovine herd, in relation to any other animals which are herded with or kept on the same holding as that herd ("**other relevant animals**").

(2) The diseases in respect of which testing under this Part of this Ordinance is to be carried out are those for the time being listed in Part 1 of Schedule 3 ("**relevant bovine diseases**").

(3) Testing in respect of any relevant bovine disease under this Part of this Ordinance is to be carried out in accordance with the Community provisions or testing procedures for the time being specified for that disease in Part 2 of Schedule 3.

(4) [The Committee] may from time to time by Order add to or amend –

- (a) the diseases listed in Part 1 of Schedule 3, or,
- (b) the Community provisions and testing procedures specified in Part 2 of Schedule 3.

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**NOTE**

*In section 23, the words "T/the Committee" in square brackets, wherever occurring, were substituted by the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016, section 5(1), Schedule 3, paragraph 5, with effect from 1st May, 2016.*

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**Conduct of routine tests.**

24. (1) All tests arranged by [the Committee] pursuant to this Part of this Ordinance must be conducted by an authorised person; and before conducting a test on any animal that authorised person must ensure that the owner or a person in charge of the animal has either –

- (a) agreed to the test, or
- (b) been given at least 24 hours' notice in writing of [the Committee]'s intention to conduct the test.

(2) Sections 3(2) to 3(8), and section 4, apply in the case of routine tests pursuant to this Part of this Ordinance (subject, in the case of section 3(4) to compliance with subsection (1) of this section) as those provisions apply in the case of tests under section 3.

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**NOTE**

*In section 24, the words "the Committee" in square brackets, wherever*

*occurring, were substituted by the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016, section 5(1), Schedule 3, paragraph 5, with effect from 1st May, 2016.*

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*Bovine health certification*

**Certification of health status.**

25. (1) When an animal has reacted negatively to all of the tests for all relevant bovine diseases [the Committee] may certify that animal as disease free; and must thereupon issue a certificate to that effect to its owner.

(2) A certification under subsection (1) renders an animal a certified disease free animal for the purposes of this Part of this Ordinance until –

- (a) such date as is specified in the certificate referred to in that subsection as its expiry date,
- (b) it is herded with or kept on the same holding as an animal which was not immediately beforehand a certified disease free animal, without the permission of [the Committee] under section 26(3),
- (c) a bovine animal comprised in the herd, or an other relevant animal kept on the same holding as the herd, reacts to any test (whether or not under this Part of this Ordinance) for a relevant bovine disease,

whichever first occurs.

(3) A certification under subsection (1) is for the purposes of this Ordinance only and does not confer any right of action in law in favour of the owner

of an animal against any other person.

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**NOTE**

*In section 25, the words "the Committee" in square brackets, wherever occurring, were substituted by the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016, section 5(1), Schedule 3, paragraph 5, with effect from 1st May, 2016.*

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**Additions to disease free herds.**

**26.** (1) Subject only to any restrictions applicable at the time under Part I of this Ordinance, and to compliance with sections 29 and 30, a certified disease free animal may be joined without restriction by any other certified disease free animal.

(2) Subject to subsection (3) of this section, a person must not cause or permit an animal which was not immediately beforehand a certified disease free animal, to join, or to be kept on the same holding as, a certified disease free animal.

(3) If [the Committee] is satisfied, in a particular case, that bovine animal health can be adequately safeguarded by isolation, cleansing, testing or other procedures, and that there is good reason for so doing, [the Committee] may in its absolute discretion give written permission, subject to compliance with conditions as to such procedures, for a bovine or other relevant animal to join, or to be kept on the same holding as, a certified disease free animal; and a person who acts in accordance with such permission and conditions does not thereby contravene subsection (2) of this section.

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**NOTE**

*In section 26, the words "the Committee" in square brackets, wherever*

*occurring, were substituted by the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016, section 5(1), Schedule 3, paragraph 5, with effect from 1st May, 2016.*

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[PART III  
ANIMAL IDENTIFICATION

**Identification marks.**

27. (1) This section shall apply to such animals as [the Committee] may from time to time specify by Order.

(2) [The Committee] may by Order direct in respect of any animal specified under this section that each animal shall be –

- (a) individually marked in accordance with an approved method of identification,
- (b) identified with a unique identification code that may consist of numbers, symbols or letters or any combination of numbers, symbols and letters,
- (c) individually marked and identified within a specified period –
  - (i) following its birth,
  - (ii) before leaving the holding of its birth,
  - (iii) upon importation into Guernsey, or
  - (iv) upon such other event as [the Committee] may

determine.

(3) An approved method of identification means a method approved by [the Committee] by Order in respect of any animal specified under this section, and methods of identification may include –

- (a) a tattoo or similar marking,
- (b) an ear or neck tag or similar device,
- (c) an electronic or digital device,
- (d) an animal passport or similar document, or
- (e) any other method or combination of methods.

(4) Any unique identification code assigned to each animal shall appear on or be encoded in the approved method of identification, which –

- (a) will make it possible to identify each animal individually, and
- (b) may identify the holding upon which it was born or where it is kept.

(5) Where the method of identification includes anything inserted into, attached to or marked onto the animal, it shall be –

- (a) tamper-proof and easy to read for the animal's life time,
- (b) incapable of re-use,

- (c) such as to remain on the animal without interfering with its well-being.

(6) [The Committee] may, by notice to the owner of any animal specified under this section, require that the animal is marked and identified in accordance with an Order made under this section.

(7) Where the owner of any animal specified under this section fails to comply with the requirements made in a notice issued under subsection (6), [the Committee] may authorise a person to carry out the marking and identification on its behalf, and may recover from the owner of the animal any expenses reasonably incurred by it in doing so.

(8) For the purpose of applying an approved method of identification on behalf of [the Committee] under this section, an authorised person, upon production if so required of his authorisation, may at any time during the hours of daylight enter any holding and apply such means of identification to an animal provided that he has first given to the owner of that animal 24 hours' notice in writing of his intention to do so.

- (9) A person must not –
  - (a) alter, remove, deface or tamper with any marking or approved method of identification which has been applied to any animal under this section,
  - (b) apply any marking or method of identification otherwise than in accordance with the provisions of an Order made by [the Committee] under this section.]

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**NOTES**

*The Heading was inserted, and section 27 was substituted, by the Animal Health (Amendment) Ordinance, 2003, section 1, Schedule, respectively paragraph 1(1) and paragraph 1(2), with effect from 1st January 2004.*

*In section 27, the words "T/the Committee" in square brackets, wherever occurring, were substituted by the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016, section 5(1), Schedule 3, paragraph 5, with effect from 1st May, 2016.*

*The following Orders have been made under section 27:*

*Identification of Bovine Animals Order, 2000;  
Identification of Bovine Animals and Bovine Record Books Order, 2003;  
Pigs (Identification and Notification) Order, 2013;  
Sheep and Goats (Identification and Notification) Order, 2013;  
Sheep and Goats (Identification and Notification) (Amendment) Order, 2015.*

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**[Notification of ownership and maintenance of records.]**

**28.** (1) The owner or keeper of any animal specified by Order under section 27(1) shall notify [the Committee], within such period as [the Committee] may specify, of –

- (a) the acquisition of an animal,
- (b) the birth of an animal,
- (c) the importation of an animal, or
- (d) the loss or destruction of any approved method of identification in relation to an animal.

(2) [ The Committee] may require by Order that a person who owns or keeps an animal specified under section 27(1) shall keep and maintain a record

book.

(3) Where [the Committee] requires that a record book shall be kept in relation to an animal, it may specify the form in which such a record is to be kept and may issue a record book to the owner or keeper of the animal.

(4) Every record book issued by [the Committee] is the property of [the Committee] and the owner or keeper of the animal to which the record book relates shall ensure that –

- (a) the record book is kept safe at all times and not permit it to be defaced,
- (b) the information required by this section is recorded in it.

(5) A person who is required to keep and maintain a record book under this section shall, within such time as [the Committee] may specify, record in the book in relation to each animal owned or kept by him the following information –

- (a) the name of the owner (and keeper, if different) of the animal and the location of the holding where the animal is kept,
- (b) the unique identification code relating to the animal,
- (c) the sex of the animal,
- (d) the date or approximate date of birth of the animal,
- (e) if the animal was not born on the holding, the date or

approximate date on which it joined the holding,

- (f) each birth to a female animal, including abortions and still births,
- (g) the movement of any animal, either on a temporary or permanent basis, from the holding –
  - (i) to another owner or keeper (in which case the details of that other person shall be recorded),
  - (ii) for slaughter, or
  - (iii) for any other purpose,
- (h) the death of any animal, by any cause other than slaughter,
- (i) any other information which [the Committee] may specify.

(6) [The Committee] may by Order specify that a person required to keep a record book under this section shall –

- (a) send to [the Committee] a copy of any entry made in the record book within such period as may be prescribed by Order,
- (b) in the case of the movement of an animal to a new owner or keeper, provide the new owner or keeper with the record book relevant to the animal,

- (c) notify [the Committee] of the movement of an animal within such period as may be prescribed by Order,
- (d) return a record book issued by [the Committee] in the case of the death of an animal or in the event of its being sent for slaughter,
- (e) make any record books available for inspection upon being requested to do so by an authorised person.]

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**NOTES**

*Section 28 was substituted by the Animal Health (Amendment) Ordinance, 2003, section 1, Schedule, paragraph 1(2), with effect from 1st January 2004.*

*In section 28, the words "T/the Committee" in square brackets, wherever occurring, were substituted by the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016, section 5(1), Schedule 3, paragraph 5, with effect from 1st May, 2016.*

*The following Order has been made under section 27:*

*Pigs (Identification and Notification) Order, 2013;  
Sheep and Goats (Identification and Notification) Order, 2013;  
Sheep and Goats (Identification and Notification) (Amendment) Order, 2015.*

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**Fees.**

**29.** [ The Committee] may by Order prescribe fees which are to be paid in respect of the marking and identification of animals specified under section 27(1) and in respect of the issuing of record books under section 28(3).]

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**NOTES**

*Section 29 was substituted by the Animal Health (Amendment) Ordinance, 2003, section 1, Schedule, paragraph 1(2), with effect from 1st January 2004.*

*In section 29, the words in square brackets were substituted by the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016, section 5(1), Schedule 3, paragraph 5, with effect from 1st May, 2016.*

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**[Transitional arrangements.]**

**30.** [ The Committee] may by Order make such consequential, incidental, supplementary and transitional provision as may appear to be necessary or expedient to give effect to sections 27 to 29.]

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**NOTES**

*Section 30 was substituted by the Animal Health (Amendment) Ordinance, 2003, section 1, Schedule, paragraph 1(2), with effect from 1st January 2004.*

*In section 30, the words in square brackets were substituted by the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016, section 5(1), Schedule 3, paragraph 5, with effect from 1st May, 2016.*

*The following Order has been made under section 30:*

*Pigs (Identification and Notification) Order, 2013;  
Sheep and Goats (Identification and Notification) Order, 2013;  
Sheep and Goats (Identification and Notification) (Amendment)  
Order, 2015.*

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[PART IV]

GENERAL, MISCELLANEOUS AND SUPPLEMENTARY

**[Aquatic animals.]**

**30A.** Schedules 6, 7 and 8, which make provision in respect of aquatic animals, have effect.]

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**NOTE**

*Section 30A was inserted by the Animal Health (Brexit) (Amendment) (Guernsey) Regulations, 2019, regulation 1(2), with effect from 29th March, 2019.*

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**Offences and penalties.**

- 31.** A person who –
- (a) contravenes, attempts to contravene, or fails to comply with, any provision of this Ordinance, or
  - (b) fails to discharge any duty to which he is subject by virtue of this Ordinance, or
  - (c) fails to comply with any direction given or requirement made under this Ordinance, or
  - (d) contravenes, attempts to contravene, or fails to comply with, any conditions subject to which a permission is given under this Ordinance, or
  - (e) obstruct or attempts to obstruct an authorised person exercising any functions under this Ordinance,

is guilty of an offence and liable on conviction to a fine not exceeding level 4 on the uniform scale.

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**NOTE**

*The words in square brackets in the heading were substituted by the Animal Health (Amendment) Ordinance, 2003, section 1, Schedule, paragraph 2(2), with effect from 1st January 2004.*

**Interpretation.**

32. (1) In this Ordinance, unless the context otherwise requires –

[ "**approved method of identification**" has the meaning given to it by section 27(3),]

"**authorised person**" means a person authorised in writing by [the Committee] to perform the functions of an authorised person, or any of those functions, under this Ordinance,

"[**the Committee**]" means the States [Committee for the Environment & Infrastructure],

"**bovine animal**" means any bull, cow, ox, heifer or calf,

"**carcase**" includes any part of a carcase, and the meat, bones, hide, skin, hoofs, horns, offal or other part of an animal separately or otherwise,

"**cattle**" means bovine animals,

"**certified disease free animal**" means an animal so certified under section 25(1),

"**compulsory slaughter disease**" means any disease for the time being listed in the left hand column of Part 1 of Schedule 1,

"**Guernsey**" includes Herm and Jethou,

"**herd**" in the context of bovine animals, means

- (a) a single bovine animal kept alone on a holding, or
- (b) any number of bovine animals kept together in a holding,

together with any other relevant animals which are herded with that bovine animal or those bovine animals, and related words and expressions are to be construed accordingly,

**"holding"** means any land, with or without buildings, on which one or more [...] animals is or are kept; and if a person occupies land which comprises two or more non-adjacent areas each of those areas is a separate holding for the purposes of this Ordinance,

**"infected premises"** means any premises so declared by an Order made by [the Committee] under section 9(1),

**"infected area"** means any area so declared by an Order made by [the Committee] under section 14(1),

[ **"keeper"** in relation to an animal means a person who is not the owner of the animal but who has day to day charge of that animal, and related words are to be construed accordingly,]

[ ...]

**"notifiable animal disease"** means any disease for the time being listed in the left hand column of either Part of Schedule 1,

**"this Ordinance"** includes any Order made by [the Committee] under

this Ordinance,

**"other relevant animal"** has the meaning given in section 23(1)(b),

**"owner"** means

- (a) in relation to an animal comprised in a herd in respect of which a record book has been issued, the person named as owner on that record book,
- (b) in relation to any other animal, the person having, or appearing to [the Committee] to have, the right to dispose of that animal,

and related words are to be construed accordingly,

**"police officer"** means a member of the salaried police force of the Island of Guernsey and, within the limits of his jurisdiction, a special constable,

**"poultry"** means domestic fowl, turkey, geese, duck, guinea fowl, partridge, pheasant and pigeon,

**"premises"** includes land and buildings; and if a person occupies two or more non-adjacent areas each of them comprises separate premises for the purposes of this Ordinance,

[ **"record book"** means a book kept or maintained by virtue of section 28(2),]

**"relevant bovine disease"** means a disease for the time being listed in

Part 1 of Schedule 3,

**"States Veterinary Officer"** includes any veterinary surgeon appointed by [the Committee] as a deputy or temporary States Veterinary Officer, or so appointed to carry out any particular function of the States Veterinary Officer,

**"susceptible animal"** has the meaning given in section 1(3),

**"test"** means

- (a) in relation to a relevant bovine disease, a test carried out in accordance with the appropriate Community provisions or testing procedures specified in Part 2 of Schedule 3,
- (b) in the case of any other notifiable animal disease, any procedure accepted by the States Veterinary Officer as appropriate to the diagnosis of that disease,

**"this Ordinance"** includes any Order made by [the Committee] under this Ordinance,

**"veterinary surgeon"** means a recognised veterinary surgeon within the meaning of the Veterinary Surgery and Animal Welfare Ordinance, 1987<sup>d</sup>.

(2) A reference in this Ordinance to an animal having reacted to a test (except in the phrase "reacted negatively") means that the test has clinically established that the animal is infected with the notifiable animal disease for which

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<sup>d</sup> Recueil d'Ordonnances Tome XXIV, p. 51.

that test has been conducted.

(3) A reference in this Ordinance to a section or Schedule by number is to the section or Schedule so numbered in this Ordinance.

(4) A reference in this Ordinance to any enactment, including a Community instrument within the meaning of section 1(1) of the European Communities (Bailiwick of Guernsey) Law, 1973<sup>e</sup>, is to that enactment as from time to time amended, extended or replaced by or under any other enactment, whether made or passed before or after the commencement of this Ordinance.

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## NOTES

*In section 32,*

*the definition of the expression "approved method of identification" in subsection (1) was inserted by the Animal Health (Amendment) Ordinance, 2003, section 1, Schedule, paragraph 2(3)(a), with effect from 1st January 2004;*

*the words, first, "the Committee" and, second, "Committee for the Environment & Infrastructure" in square brackets in the definition of the expression "the Committee" in subsection (1), and, third, the words "the Committee" in square brackets wherever else occurring, were substituted by the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016, respectively section 5(1), Schedule 3, paragraph 5, section 2, Schedule 1, paragraph 1(c), Schedule 2, Part 1, paragraph 2 and section 5(1), Schedule 3, paragraph 5, with effect from 1st May, 2016;<sup>1</sup>*

*the word omitted in the square brackets in the definition of the expression "holding" in subsection (1) was repealed by the Animal Health (Amendment) Ordinance, 2003, section 1, Schedule, paragraph 2(3)(b), with effect from 1st January 2004;*

*the definition of the expression "keeper" in subsection (1) was inserted, and the definition of the expression "record book" in subsection (1) was substituted, by the Animal Health (Amendment) Ordinance, 2003, section 1, Schedule, respectively paragraph 2(3)(c) and paragraph 2(3)(e), with effect from 1st January 2004;*

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<sup>e</sup> Ordres en Conseil Vol. XXIV, p. 87.

*the words omitted in the square brackets immediately after the definition of the expression "keeper" in subsection (1) were repealed by the Animal Health (Amendment) Ordinance, 2003, section 1, Schedule, paragraph 2(3)(d), with effect from 1st January 2004.*

*The functions, rights and liabilities of the Commerce and Employment Department and of its Minister or Deputy Minister arising under or by virtue of this Ordinance were transferred to and vested in, respectively, the Committee for the Environment & Infrastructure and its President or Vice-President by the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016, section 1, Schedule 1, paragraph 1(c), Schedule 2, Part 1, paragraph 2, with effect from 1st May, 2016, subject to the savings and transitional provisions in section 3 of the 2016 Ordinance.<sup>2</sup>*

*In accordance with the provisions of the Police Force (Bailiwick of Guernsey) Law, 1986, section 2(2), with effect from 19th August, 1986, the reference herein to a member of the salaried police force of the Island of Guernsey shall include a reference to a member of a force present in the Island by virtue of an agreement made under section 1 of the 1986 Law.*

*The European Communities (Bailiwick of Guernsey) Law, 1973 has since been repealed by the European Union (Brexit) (Bailiwick of Guernsey) Law, 2018, section 1, with effect from 11 p.m. on 31st December, 2020, subject to the saving in section 2 of the 2018 Law.*

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### **Orders.**

33. (1) An Order of [the Committee] made under this Ordinance –
- (a) may be amended or revoked by a subsequent Order so made,
  - (b) may contain consequential, incidental, supplementary and transitional provisions,
  - (c) shall be laid before a meeting of the States as soon as possible and shall, if at that or the next meeting the States resolve to annul it, cease to have effect, but without prejudice to anything done under it or to the making of a new Order.

(2) Any power conferred on [the Committee] by this Ordinance to make an Order may be exercised –

(a) in relation to all cases to which the power extends, or in relation to all those cases subject to specified exceptions, or in relation to any specified cases or classes of cases,

(b) so as to make, as respects the cases in relation to which it is exercised –

(i) the full provision to which the power extends, or any lesser provision,

(ii) the same provision for all cases, or different provision for different cases or classes of cases, or for different purposes,

(iii) any such provision either unconditionally, or subject to any prescribed conditions, including conditions requiring persons to obtain and comply with licences or permissions.

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**NOTE**

*In section 33, the words "the Committee" in square brackets, wherever occurring, were substituted by the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016, section 5(1), Schedule 3, paragraph 5, with effect from 1st May, 2016.*

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**Notices.**

34. (1) Any notice or notification under this Ordinance may be given –
- (a) to an individual, by being delivered to him, or by being left at, or sent by post or transmitted to, his usual or last known place of abode,
  - (b) to a body corporate with a registered office in Guernsey, by being left at, or sent by post or transmitted to, that office,
  - (c) to a body corporate without a registered office in Guernsey, by being left at, or sent by post or transmitted to, its principal or last known place of business in Guernsey,
  - (d) to an unincorporated body, by being given to any partner, member, manager or officer thereof in accordance with paragraph (a), or by being left at, or sent by post or transmitted to, the body's principal or last known place of business in Guernsey,
  - (e) to [the Committee], by being left at, or sent by post or transmitted to, the principal office of [the Committee],

and in this section the expression "**by post**" means by registered post or recorded delivery service, and the expression "**transmitted**" means transmitted by telex, facsimile transmission or other similar means which produce a document containing the text of the communication.

(2) Where the name or address of any person to whom a notice or notification is to be given under this Ordinance cannot after reasonable enquiry be

ascertained, the notice or notification may be given by being delivered to some responsible person at the holding or other premises in question or, if there is no such person, by being affixed to a conspicuous part of the holding or other premises.

(3) Subsections (1) and (2) are without prejudice to any other lawful method of service.

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**NOTE**

*In section 34, the words "the Committee" in square brackets, wherever occurring, were substituted by the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016, section 5(1), Schedule 3, paragraph 5, with effect from 1st May, 2016.*

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**Repeals.**

**35.** (1) The enactments listed in Schedule 4 are repealed.

(2) In the Schedule to the States Committee for Agriculture (Transfer of Functions) Ordinance, 1987<sup>f</sup> the references to –

- (a) the Animal Diseases Ordinances, 1950 to 1985,
- (b) the Bovine Animal Diseases Ordinances, 1961 to 1982,
- (c) the Atrophic Rhinitis (Compensation Provisions) Ordinance, 1954,
- (d) the Swine Diseases Ordinances, 1955 to 1982,
- (e) the Johne's Disease Ordinances, 1951 and 1982,

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<sup>f</sup> Recueil d'Ordonnances, Tome XXIV, p. 17.

- (f) the Anthrax Ordinances, 1950 and 1982, and
- (g) the Poultry Diseases Ordinance, 1962

are repealed.

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**NOTE**

*The States Committee for Agriculture (Transfer of Functions) Ordinance, 1987 has since been repealed by the States Agricultural and Milk Marketing Board (Transfer of Functions) Ordinance, 2001, section 4, with effect from 21st January, 2002.*

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**Transitional provisions.**

36. The transitional provisions in Schedule 5 shall have effect.

**Application.**

37. This Ordinance applies in the Islands of Guernsey, Herm and Jethou[, and the territorial waters adjacent thereto].

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**NOTE**

*In section 37, the words in square brackets were inserted by the Animal Health (Brexit) (Amendment) (Guernsey) Regulations, 2019, regulation 1(3), with effect from 29th March, 2019.*

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**Citation.**

38. This Ordinance may be cited as the Animal Health Ordinance, 1996.

**Commencement.**

39. This Ordinance shall come into force on 1<sup>st</sup> May 1996.

[SCHEDULE 1 Sections 1 and 32(1)  
NOTIFIABLE ANIMAL DISEASES

PART 1  
COMPULSORY SLAUGHTER DISEASES

Disease	Affected Species
African Horse Sickness	equ
Avian Influenza	avi
Bluetongue	[bov/buf/cap/ovi]
Bovine Spongiform Encephalopathy	bov/buf
Bovine Tuberculosis	bov/buf/cap/ovi/sui/cml/cer/fau/fel
Brucellosis ( <i>Brucella abortus</i> )	bov/buf/equ
Brucellosis ( <i>Brucella melitensis</i> )	cap/ovi
Contagious Bovine Pleuro pneumonia	bov/buf
Classical Swine Fever	sui
Dourine	equ
Enzootic Bovine Leukosis	bov/buf
Epizootic Lymphangitis	equ
Equine Viral Encephalomyelitis (all types)	equ
Equine Infectious Anaemia	equ
European bat lyssavirus (EBLV)	fau
Foot and Mouth Disease	bov/buf/ovi/sui/cap/cer
Glanders or Farcy	equ
Newcastle Disease	avi
Peste des petits ruminants (PPR) (goat plague)	ovi/cap
Swine vesicular disease	sui

PART 2  
OTHER NOTIFIABLE ANIMAL DISEASES

Disease	Affected Species
African Swine Fever	sui
Anthrax	any animal
Aujeszky's Disease	sui/can
Border Disease	ovi/cap
Borna disease (Bornavirus)	equ/ovi
Bovine viral diarrhoea	bov/buf
Brucella ovis (Contagious epididymitis)	ovi
Brucella suis (Swine brucellosis)	sui/equ/can
Caprine arthritis and encephalitis (CAE)	cap
Caseous lymphadenitis (CLA)	ovi/cap/fau
Chronic Wasting Disease	cer
Contagious Agelactia	ovi/cap
Contagious Equine Metritis	equ
Crimean–Congo hemorrhagic fever (CCHF)	bov/ovi/cap/fau
Chytridiomycosis (chytrid fungus disease)	amph
Epizootic Haemorrhagic Virus Disease	[bov/cap/cer/ovi]
Epizootic Lymphangitis	equ
Equine Viral Arteritis (EVA)	equ
Hendra virus infection	equ/fel
Infectious Bovine Rhinotracheitis/Infectious Pustular Vulvovaginitis (BoHV-1)	bov/buf
Japanese Encephalitis	equ/sui
Leishmaniasis	equ/can
Leptospirosis ( <i>Leptospira hardjo</i> )	bov/sui/ovi/cap/buf/cer

Consolidated text

Lumpy skin disease	bov/buf
Maedi-visna	ovi
Nipah virus encephalitis	sui/can/fel/cap/equ
Ovine Epididymitis (Brucella Ovis)	ovi
Ovine Pulmonary Adenomatosis (jaagseikte)	ovi/cap
Paramyxovirus 1 in pigeons	avi
Paratuberculosis (Johne's Disease)	bov/buf/ovi/cap
Porcine Brucellosis	sui/fau
Porcine Epidemic Diarrhoea (PED)	sui
Psittacosis	avi
Q fever	bov/ovi/cap/buf/equ
Rift Valley fever	bov/buf
Rinderpest (Cattle Plague)	bov/buf
Scrape	ovi/cap
Sheep and goat pox	ovi/cap
Sheep Scab (psoroptic or sarcoptic mange)	ovi
Teshen Disease (Porcine enterovirus encephalomyelitis)	sui
Trichonella spp.	sui
Vesicular stomatitis	bov/buf/equ
Warble fly	bov/buf/equ
West Nile virus	equ

- "amph"      amphibians.
- "avi"        poultry and any other bird.
- "bov"        bovine (cattle and any other animal of the bovine species).
- "buf"        buffalo.
- "can"        canidae (includes animal such as dogs).
- "cap"        caprine (goats and any other animal of the caprine species).

*Consolidated text*

"cer"	cervidae (includes animals such as deer).
"cml"	camelidae (includes animal such as camels).
"equ"	equine (horses and any animal of the equine species).
"fau"	any susceptible wild fauna.
"fel"	felidae (animals of the cat species).
"lep"	leporidae (rabbits and hares).
"ovi"	ovine (sheep and any other animal of the ovine species).
"pou"	only poultry.
"sui"	suidae (pigs and any animals of the pig species).]

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**NOTES**

*Schedule 1 was substituted by the Notifiable Animal Diseases Order, 2019, article 1, Schedule, with effect from 7th March, 2019.<sup>3</sup>*

*In Schedule 1, the words in square brackets in, first, the table in Part 1, in the second column of the entry relating to "Bluetongue", and, second, the table in Part 1, in the second column of the entry relating to "Epizootic Haemorrhagic Virus Disease", were substituted by the Notifiable Animal Diseases Order, 2025, respectively article 1(2) and article 1(3), with effect from 2nd September, 2025.*

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SCHEDULE 2 Sections 5 & 8  
COMPENSATION FOR SLAUGHTERED ANIMALS

**Valuation of animals.**

1. Subject to paragraph 2 below the compensation payable in respect of any animal slaughtered under and in accordance with this Ordinance is –

(a) in the case of bovine animals other than oxen, their market value immediately before slaughter, or the amount specified hereunder for the category of animal in question, whichever is the less –

(i) a milch cow, or a heifer over  
six months in calf £600,

(ii) a heifer aged –  
  
two years or over, and which  
is less than six months in calf £400

two years or over, and which  
is not in calf £300

one and a half years and  
under two years £260

one year and under one and  
a half years £200

six months and under one year £170

*Consolidated text*

- |       |   |       |
|-------|---|-------|
|       | under six months                            | £150, |
| (iii) | a bull aged –                               |       |
|       | two and a half years or over                | £600  |
|       | two years and under two and<br>a half years | £400  |
|       | one and a half years and<br>under two years | £260  |
|       | one year and under one and<br>a half years  | £200  |
|       | six months and under one year               | £170  |
|       | under six months                            | £150, |
- (b) in the case of oxen, their value as meat,
- (c) in the case of a breeding sow or boar, £150 or its market value immediately before slaughter, whichever is the less,
- (d) in the case of any other swine weighing under 100 pounds, £10 for the first month of age of the swine with an additional £8 for each subsequent month of its age, or its market value immediately before slaughter, whichever is the less,

- (e) in the case of any other swine weighing 100 pounds or over, its value as meat,
- (f) in the case of a goat, £50 or its market value immediately before slaughter, whichever is the less,
- (g) in the case of a horse, £1,000 or its market value immediately before slaughter, whichever is the less,
- (h) in the case of any [bird], £25 or its market value immediately before slaughter, whichever is the less,
- (i) in the case of a sheep, £28 or its market value immediately before slaughter, whichever is less,
- (j) in the case of any other ruminating animal, its value as meat.

**Credit for carcasses.**

2. The amount if any received or credited to the account of the owner of any slaughtered animal in respect of the value of its carcass must be deducted from the amount ascertained in accordance with paragraph 1 in order to produce the compensation payable under this Ordinance.

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**NOTE**

*In Schedule 2, the word in square brackets in paragraph 1(h) was substituted by the Avian Influenza (Precautionary Measures) and Miscellaneous Provisions (Amendment) Ordinance, 2006, section 33, Schedule 3, paragraph 4, with effect from 27th September, 2006.*

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SCHEDULE 3

Sections 3(2) & 23

RELEVANT BOVINE DISEASES AND TESTING PROCEDURES

PART 1

RELEVANT BOVINE DISEASES

1. Tuberculosis
2. Brucellosis
3. Enzootic Bovine Leukosis (EBL)
4. Infectious Bovine Rhinotracheitis (IBR)
5. Bovine Viral Diarrhoea (BVD)

PART 2

TESTING PROCEDURES

**Tuberculosis.**

1. Testing for Tuberculosis is to be carried out in accordance with Council Directive 64/432/EEC on health problems affecting intra-Community trade in bovine animals and swine<sup>g</sup>, Annex B, Points 28 to 33.

**Brucellosis.**

2. Testing for Brucellosis is to be carried out in accordance with Council Directive 64/432/EEC on health problems affecting intra-Community trade in bovine animals and swine, Annex C, Annex D, or Annex G Chapter II Point C.

**Enzootic Bovine Leukosis (EBL).**

3. Testing for Enzootic Bovine Leukosis is to be carried out in accordance with Council Directive 64/432/EEC on health problems affecting intra-

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<sup>g</sup> Council Directive 64/432/EEC of 26<sup>th</sup> June, 1964 (OJ 121, 29.07.64, p. 1977) as amended.

Community trade in bovine animals and swine, Annex D, or Annex G Chapter II.

**Infectious Bovine Rhinotracheitis (IBR).**

4. Testing for Infectious Bovine Rhinotracheitis (IBR) is to be carried out in accordance with Chapter B19 of the Manual of Diagnostic Tests and Vaccines of the Organisation International des Epizooties.

**Bovine Viral Diarrhoea (BVD).**

5. Testing for Bovine Viral Diarrhoea (BVD) is to be carried out in accordance with Chapter B81 of the Manual of Diagnostic Tests and Vaccines of the Organisation International des Epizooties.

SCHEDULE 4

Section 35(1)

REPEALED ENACTMENTS

- The Foot and Mouth Disease Ordinance, 1950<sup>h</sup>.
- The Foot and Mouth Disease (Amendment) Ordinance, 1952<sup>i</sup>.
- The Foot and Mouth Disease (Amendment No. 2) Ordinance, 1952<sup>j</sup>.
- The Foot and Mouth Disease (Amendment No. 3) Ordinance, 1952<sup>k</sup>.
- The Foot and Mouth Disease (Amendment) Ordinance, 1957<sup>l</sup>.
- The Foot and Mouth and other Animal Diseases (Amendment) Ordinance, 1975<sup>m</sup>.
- The Foot and Mouth and other Animal Diseases (Amendment) Ordinance, 1978<sup>n</sup>.
- The Foot and Mouth and other Animal Diseases (Amendment) Ordinance, 1982<sup>o</sup>.
- The Foot and Mouth and other Animal Diseases (Amendment) Ordinance, 1985<sup>p</sup>.
- The Foot and Mouth and other Animal Diseases (Amendment) (No. 2) Ordinance, 1985<sup>q</sup>.
- The Foot and Mouth and other Animal Diseases (Amendment) Ordinance, 1988<sup>r</sup>.
- The Foot and Mouth and other Animal Diseases (Amendment) Ordinance, 1992<sup>s</sup>.
- The Anthrax Ordinance, 1950<sup>t</sup>.

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- h** Recueil d'Ordonnances Tome X, p. 108.
- i** Recueil d'Ordonnances Tome X, p. 300.
- j** Recueil d'Ordonnances Tome X, p. 304.
- k** Recueil d'Ordonnances Tome X, p. 309.
- l** Recueil d'Ordonnances Tome XI, p. 314.
- m** Recueil d'Ordonnances Tome XX, p. 25.
- n** Recueil d'Ordonnances Tome XXI, p. 103.
- o** Recueil d'Ordonnances Tome XXII, p. 395.
- p** Recueil d'Ordonnances Tome XXIII, p. 232.
- q** Recueil d'Ordonnances Tome XXIII, p. 305.
- r** Recueil d'Ordonnances Tome XXIV, p. 351.
- s** Ordinance No. XXVIII of 1992.

- The Anthrax (Amendment) Ordinance, 1982<sup>u</sup>.
- The Johne's Disease Ordinance, 1951<sup>v</sup>.
- The Johne's Disease (Amendment) Ordinance, 1982<sup>w</sup>.
- The Swine Fever Ordinance, 1955<sup>x</sup>.
- The Swine Fever (Amendment) Ordinance, 1959<sup>y</sup>.
- The Swine Fever (Amendment) Ordinance, 1964<sup>z</sup>.
- The Swine Fever and other Swine Diseases (Amendment) Ordinance, 1975<sup>aa</sup>.
- The Swine Fever and other Swine Diseases (Amendment) Ordinance, 1982<sup>ab</sup>.
- The Swine Fever (Amendment) Ordinance, 1991<sup>ac</sup>.
- The Bovine Animal Diseases Ordinance, 1961<sup>ad</sup>.
- The Bovine Animal Diseases (Amendment) Ordinance, 1965<sup>ae</sup>.
- The Bovine Animal Diseases (Amendment) Ordinance, 1975<sup>af</sup>.
- The Bovine Animal Diseases (Amendment) Ordinance, 1976<sup>ag</sup>.
- The Bovine Animal Diseases (Amendment) Ordinance, 1982<sup>ah</sup>.

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- t** Recueil d'Ordonnances Tome X, p. 118.
- u** Recueil d'Ordonnances Tome XXII, p. 400.
- v** Recueil d'Ordonnances Tome X, p. 174.
- w** Recueil d'Ordonnances Tome XXII, p. 399.
- x** Recueil d'Ordonnances Tome XI, p. 155.
- y** Recueil d'Ordonnances Tome XII, p. 94.
- z** Recueil d'Ordonnances Tome XIV, p. 43.
- aa** Recueil d'Ordonnances Tome XX, p. 18.
- ab** Recueil d'Ordonnances Tome XXII, p. 393.
- ac** Ordinance No. XXXVIII of 1991.
- ad** Recueil d'Ordonnances Tome XIII, p. 49.
- ae** Recueil d'Ordonnances Tome XIV, p. 107.
- af** Recueil d'Ordonnances Tome XX, p. 21.
- ag** Recueil d'Ordonnances Tome XX, p. 423.

The Poultry Diseases Ordinance, 1962<sup>ai</sup> .

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**ah** Recueil d'Ordonnances Tome XXII, p. 391.  
**ai** Recueil d'Ordonnances Tome XIII, p. 205.

SCHEDULE 5  
TRANSITIONAL PROVISIONS

Section 36

**Identification marks.**

1. ...
2. ...
3. ...

**Notification of ownership.**

4. ...

**Record books.**

5. ...
6. ...
7. ...

**Continuation of procedures.**

8. Any testing procedures which comply with Schedule 3 and which were commenced before 1<sup>st</sup> May 1996 under a system then operated by [the Committee] may be continued under this Ordinance, and are deemed to have been commenced under this Ordinance, on the date when they were in fact commenced, as if this Ordinance had been in force on that date.

9. Anything in the process of being done as at 1<sup>st</sup> May 1996, and in particular any test conducted, order imposed, direction given, requirement made, or compensation being assessed, under any Ordinance repealed by section 35(1) may be continued under the corresponding provision of this Ordinance.

**Continuation of Court proceedings.**

**10.** Notwithstanding paragraph 9 of this Schedule, any civil or criminal proceedings in respect of an act done or omitted wholly before 1<sup>st</sup> May 1996 shall be conducted, or continued, as the case may be, as if this Ordinance were not in force.

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**NOTES**

*In Schedule 5,*

*paragraphs 1 to 7 were repealed by the Animal Health (Amendment) Ordinance, 2003, section 1, Schedule, paragraph 3, with effect from 1st January 2004;*

*the words in square brackets in paragraph 8 were substituted by the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016, section 5(1), Schedule 3, paragraph 5, with effect from 1st May, 2016.*

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[SCHEDULE 6  
AQUATIC ANIMALS

Section 30A

PART I  
PREVENTION, CONTAINMENT AND SUPPRESSION OF AQUATIC ANIMAL  
DISEASES

*Notification and testing*

**Notifiable aquatic animal diseases.**

1. (1) A notifiable aquatic animal disease is any disease for the time being listed in the second column of either Part of Schedule 7.

(2) A compulsory slaughter disease is any disease for the time being listed in the second column of Part 1 of Schedule 7.

(3) A susceptible aquatic animal in relation to any particular notifiable aquatic animal disease is an aquatic animal of any of the species identified in relation to that disease listed in the third column of either Part of Schedule 7.

(4) The Committee may from time to time by Order –

(a) add any diseases to, or delete any disease from, the list of notifiable aquatic animal diseases in the second column of Part 2 of Schedule 7 or, as the case may be, the list of compulsory slaughter diseases in the second column of Part 1 of Schedule 7,

(b) vary the species identified in the third column of either Part of Schedule 7 in relation to any particular notifiable aquatic animal disease.

**Reporting and immediate precautions.**

2. (1) A person who owns or keeps any aquatic animal which is, or which he suspects to be, infected with a notifiable aquatic animal disease must –

- (a) immediately notify the States Veterinary Officer of the infection or suspected infection,
- (b) immediately isolate the aquatic animal and keep it in isolation until notice in writing to the contrary is given to him by the States Veterinary Officer,
- (c) detain all susceptible aquatic animals, and any carcasses and hatching eggs or roes of the susceptible aquatic animals, on the site where the infection is or is suspected, and
- (d) comply with any requests for information reasonably made by the States Veterinary Officer.

(2) Every veterinary surgeon must –

- (a) immediately forward to the States Veterinary Officer a written report of the result of every test undertaken by him for a notifiable aquatic animal disease where the tested aquatic animal has reacted, or where he is uncertain whether or not the aquatic animal has reacted,
- (b) immediately inform the States Veterinary Officer where he suspects that a notifiable aquatic animal disease exists on any site.

**Testing where infection suspected.**

3. (1) If the States Veterinary Officer suspects (whether on the basis of a notification or report given under paragraph 2 or otherwise) that a notifiable aquatic animal disease may exist on any site he may –

- (a) inspect, and keep under inspection for as long as he considers necessary, that site and any susceptible aquatic animals at or on that site,
- (b) arrange for any susceptible aquatic animals which are or on that site, or which have been at or on that site during the preceding 60 days, to be tested by an authorised person for that disease.

(2) The owner or keeper of an aquatic animal being tested under this paragraph, or a person appointed by him, may be present at the test; but the absence of such owner, keeper or appointed person does not invalidate any test.

(3) An authorised person, upon production if so required of his authorisation and having first given such notice, if any, as is reasonably practical in all the circumstances, may –

- (a) at any time during the hours of daylight enter any site for the purpose of testing pursuant to this paragraph, and
- (b) if necessary, be accompanied by a police officer, who may use reasonable force to restrain any person obstructing or threatening to obstruct the testing.

(4) The owner or keeper of an aquatic animal must comply with all reasonable requirements of an authorised person with a view to facilitating any test pursuant to this paragraph, and must in particular arrange, if so required, for the capture, collection, securing, isolation and keeping, as the case may be, of aquatic animals to be tested.

(5) The owner or keeper of an aquatic animal must not do, or cause or permit to be done, anything which is likely to affect the result of a test conducted pursuant to this paragraph.

(6) If a person contravenes subparagraph (4) or subparagraph (5) of this paragraph, the Committee may, without prejudice to any proceedings for an offence arising out of that contravention, take all steps necessary to facilitate the reliable testing of any aquatic animals concerned, and recover from that person any expenses reasonably incurred by it in so doing.

(7) Subject to subparagraph (6) of this paragraph, the expenses of any tests under this paragraph are to be defrayed by the Committee.

**Reporting results.**

4. An authorised person who conducts any test pursuant to paragraph 3 must, as soon as practicable, provide the Committee with a written report of the result of that test; and the owner or keeper of an aquatic animal in respect of which such a report has been provided to the Committee is entitled, if he so requests, to a copy of it.

*Compulsory slaughter diseases*

**Positive reaction to compulsory slaughter disease tests.**

5. Subject to paragraph 7, if an aquatic animal reacts to a test conducted under paragraph 3 in respect of any compulsory slaughter disease –

- (a) the Committee must, at the expense of the Committee, order the immediate isolation, slaughter and disposal of the aquatic animal in such manner as the Committee may direct, which slaughter must be carried out immediately after the aquatic animal has been valued in accordance with paragraph 9 and Schedule 8, and
- (b) the Committee must instruct the States Veterinary Officer immediately to cause to be tested for that disease every susceptible aquatic animal from the same batch or consignment or, so far as it is reasonably possible to ascertain, which has or may have been in contact with the slaughtered aquatic animal at any time during the 60 days preceding the date of the reaction:

PROVIDED that any aquatic animal which has been submitted to that test without reaction shall not again be submitted to it until the expiration of such period as may reasonably be specified by the States Veterinary Officer after its previous submission to the test, and

- (c) the Committee may, as respects any other susceptible aquatic animal from the same batch or consignment or, so far as it is reasonably possible to ascertain, which has or may have been in contact with the slaughtered aquatic animal, notwithstanding that such other aquatic animal has not reacted to the test –
  - (i) order the isolation of that other aquatic animal, subject to such conditions and for such time as

the Committee in consultation with the States Veterinary Officer thinks necessary, or

- (ii) order its slaughter, immediately after the aquatic animal has been valued in accordance with paragraph 9 and Schedule 8.

**Inconclusive reaction to compulsory slaughter disease tests.**

6. Subject to paragraph 7, if on any test conducted under paragraph 3 an aquatic animal is found to be an inconclusive reactor in respect of any compulsory slaughter disease the Committee must –

- (a) order the isolation of that aquatic animal for such period as may reasonably be specified by the States Veterinary Officer, after which period the aquatic animal must again be submitted to testing for that disease, and
- (b) instruct the States Veterinary Officer immediately to cause to be tested for that disease every susceptible aquatic animal from the same batch or consignment or, so far as it is reasonably possible to ascertain, which has or may have been in contact with the slaughtered aquatic animal at any time during the 60 days preceding the date of the inconclusive reaction:

PROVIDED that any aquatic animal which has been submitted to that test without reaction shall not again be submitted to it until the expiration of such period as may reasonably be specified by the States Veterinary Officer after its previous submission to the test.

**Special provisions in the event of a serious threat to public or aquatic animal health.**

7. Where the Committee reasonably considers that there is a serious threat to aquatic animal or public health arising from a compulsory slaughter disease then –

- (a) it must as soon as reasonably possible after it has made that decision put a notice in La Gazette Officielle to that effect which must –
  - (i) specify the compulsory slaughter disease in question and the reasons why it considers there to be a serious threat, and
  - (ii) set out the special provisions applicable under this paragraph,
- (b) notwithstanding paragraphs 5 and 9, an aquatic animal may be slaughtered before it has been valued in accordance with paragraph 9 and Schedule 8 but that valuation must be carried out, on the basis of all reasonably available information, as soon as reasonably possible after its slaughter,
- (c) the Committee may decide to treat –
  - (i) an aquatic animal which is an inconclusive reactor in respect of a test conducted under paragraph 3, for the compulsory slaughter disease in question,

- (ii) any susceptible aquatic animal from the same batch or consignment as, or, so far as it is reasonably possible to ascertain, which has or may have been in contact with, any aquatic animal which has reacted to such a test, or
- (iii) any susceptible aquatic animal which it reasonably suspects of being infected with or exposed to the compulsory slaughter disease in question,

as though it had reacted positively to a test conducted under paragraph 3, and

- (d) where the Committee decides to treat an aquatic animal as set out in subparagraph (c), then –
  - (i) the Committee may decide to carry out one or more of the actions specified in paragraph 5 as though the aquatic animal had reacted positively to the test,
  - (ii) it may, for the avoidance of doubt –
    - (A) declare any site on which that aquatic animal is, or has in the last 60 days been present, to be an infected site in accordance with paragraph 10, and
    - (B) declare any area in which that aquatic

animal is, or has in the last 60 days, been present to be an infected area in accordance with paragraph 15, and

- (iii) the relevant provisions of paragraph 18 shall apply to that aquatic animal.

**Slaughter of infected aquatic animals.**

8. (1) If the slaughter of an aquatic animal is ordered by the Committee under this Ordinance –

- (a) the aquatic animal must be transported to a place of slaughter directed by the States Veterinary Officer,
- (b) the means of transport in which it is so transported must thereafter be disinfected in such manner as may be specified by the States Veterinary Officer, and
- (c) the aquatic animal must be slaughtered, and its carcass must be disposed of, in such manner as the States Veterinary Officer may direct.

(2) A carcass disposed of by burial pursuant to this paragraph must not be dug up otherwise than in accordance with the terms of a permit issued by the Committee.

**Compensation.**

9. (1) The owner of an aquatic animal which is slaughtered pursuant to this Ordinance is entitled, if he has complied with all of the provisions of this Ordinance applicable to him, to be paid compensation by the Committee calculated in accordance with Schedule 8.

(2) In assessing the value of any aquatic animal for the purposes of Schedule 8, no account is to be taken of the fact that, immediately before slaughter, the aquatic animal was, or was suspected of being, infected with a compulsory slaughter disease.

(3) If an aquatic animal is ordered by the Committee to be slaughtered pursuant to this Ordinance and the Committee and its owner do not agree as to its value, its value shall be assessed, before slaughter, by two valuers, one appointed by the Committee and the other by the owner of the aquatic animal.

(4) If such an owner fails to inform the Committee in writing within such period as the Committee specifies to him, of the name and address of the valuer appointed by him, another valuer shall be appointed by the President of the Committee, and shall then for the purposes of this paragraph be deemed to be the valuer appointed by the owner.

(5) The valuers so appointed must before commencing their valuation nominate an umpire, who shall assess the value of the aquatic animal if the valuers disagree; the decision of the valuers or of the umpire, as the case may be, is final.

(6) Payment of compensation in accordance with this paragraph and Schedule 8 shall be in full satisfaction of the value of the slaughtered aquatic animal and of all expenses incurred by the owner of the aquatic animal in carrying out his duties under this Ordinance, including the costs, if any, of and incidental to a valuation.

*Infected sites*

**Infected site declaration.**

**10.** (1) Upon receipt of notification from the States Veterinary Officer that a notifiable aquatic animal disease exists, or is suspected to exist, at any site the Committee may, by notice in writing addressed to the owner or keeper of that site, declare it to be an infected site.

(2) The Committee may revoke a declaration under this paragraph by notice in writing addressed to the owner or keeper of the site concerned.

(3) Whilst a declaration under this paragraph is in force in the case of any site, paragraphs 11 to 14 of this Schedule apply in relation to that site.

**Disinfection.**

**11.** (1) The Committee may cause to be cleansed and disinfected under the supervision of the States Veterinary Officer any infected site, including any building, structure, equipment, vehicle or clothing which is or has been on infected site.

(2) A person must not cause or permit the use in connection with aquatic animals of anything which may have become contaminated, except in accordance with the permission of the States Veterinary Officer.

(3) The States Veterinary Officer must as soon as possible after the effective completion of such disinfection, report that fact in writing to the Committee.

(4) The cost of cleansing and disinfection under this paragraph is to be defrayed by the Committee:

PROVIDED THAT where that cost is increased by reason of the wilful default or neglect of any person the Committee may recover the amount of that increase as a debt due from that person.

**Accommodation and movement of aquatic animals.**

12. (1) If it appears to the Committee to be impracticable to carry out an effective disinfection of any part of an infected site, or that alterations or repairs to any building, structure, equipment or vehicle are necessary in order to make it sanitary and fit for use by aquatic animals, the Committee, after consulting the States Veterinary Officer, may order that that part of the site, or that building, structure, equipment or vehicle, as the case may be, shall not be used to house, keep, interact with or transport aquatic animals for such period as the Committee considers necessary.

(2) A person must not cause or permit any part of an infected site to be occupied by an aquatic animal in contravention of any reasonable requirement made by the States Veterinary Officer.

(3) No susceptible aquatic animal may be moved into or out of infected sites except in accordance with the terms of any permission given by the States Veterinary Officer.

**Entry of persons to infected sites.**

13. (1) If the Committee so directs by notice in writing to the owner or keeper of an infected site then it is the duty of that owner or keeper to ensure that no person other than a person attending infected or suspected aquatic animals enters such part of that site as is specified in the notice, except with the permission of the States Veterinary Officer.

(2) A person entering an infected site, or any part thereof, must comply with all directions given by the States Veterinary Officer as to the wearing, storage and disinfection of specified clothing and footwear, and as to the washing of hands.

(3) A person attending any infected or suspected aquatic animal on

an infected site must not attend any other aquatic animal on that site without the permission of the States Veterinary Officer.

(4) The States Veterinary Officer may require that a receptacle of approved disinfectant be kept at all points of access to the infected site at the cost of the Committee:

PROVIDED that where that cost is increased by the default or neglect of any person the Committee may recover the amount of that increase as a debt due from that person.

**Removal of articles and material.**

**14.** (1) A person must not remove from any infected site –

- (a) any aquatic animal carcase,
- (b) any aquatic animal product, including waste,
- (c) anything which has or may have been in contact with an infected aquatic animal,

without the permission of the States Veterinary Officer or otherwise than in accordance with the terms of such permission.

(2) Anything so removed with permission for the purpose of disposal must be disposed of as prescribed by the States Veterinary Officer.

(3) No aquatic animal excrement must be permitted to escape from any part of an infected site where infected or suspected aquatic animals have been kept within the previous 60 days, unless it has been disinfected to the satisfaction of the States Veterinary Officer.

*Infected areas*

**Infected area declarations.**

15. (1) If in the opinion of the Committee a notifiable aquatic animal disease which has occurred in one or more of the islands of Guernsey, Herm and Jethou, or the territorial waters adjacent thereto, ought, in the interests of aquatic animal health throughout or beyond those islands or waters, to be contained within them, or within any part of them, then the Committee may by Order declare those islands or waters, or such part of those islands or waters as is specified in the Order, to be an infected area in respect of that disease.

(2) Without prejudice to its duties arising under section 33(1)(c), the Committee must cause there to be published in La Gazette Officielle a notice of the making of every Order declaring an infected area, together with a statement of its terms, and also a notice of any variation or revocation of such an Order.

**Infected area restrictions.**

16. (1) Whilst an Order declaring an infected area is in force it is unlawful, otherwise than in accordance with a permission given by the Committee –

- (a) to move any susceptible aquatic animal out of or into the infected area, or
- (b) to remove any susceptible aquatic animal from any of the islands of Guernsey, Herm or Jethou.

(2) For the avoidance of doubt, permission to do something which would otherwise be prohibited by virtue of this paragraph may be given either –

- (a) specifically to a particular person for a particular

purpose, or

- (b) by means of a notice published in La Gazette Officielle, to all persons or all persons of a given description, for such purposes and in such circumstances as may be set out in the notice,

and may in either case be given subject to conditions.

(3) Whilst an Order declaring an infected area is in force the Committee may direct that –

- (a) any susceptible aquatic animal in the area is isolated, confined, housed or kept in such manner, subject to such conditions, by such date and for such period as the Committee may specify,
- (b) no person, except for the owner or keeper of a site, shall enter any site in the area where any susceptible aquatic animal is kept, except with the permission of the States Veterinary Officer,
- (c) such biosecurity measures as the Committee may specify are implemented on any site in the area, or
- (d) the holding of any show, display, fair, exhibition, competition or any other event in the area involving a gathering of any susceptible aquatic animals is –
  - (i) prohibited, or

- (ii) prohibited subject to compliance with any conditions specified by the Committee, or
- (iii) prohibited other than under authority of and subject to any conditions attached to a licence issued by the Committee.

(4) The Committee shall, as soon as reasonably possible after it has made a direction under subparagraph (3) publicise it by –

- (a) placing a notice in La Gazette Officielle of the making of that direction which must include a summary of the directions made, or
- (b) where it reasonably considers it can identify all persons who may be subject to any directions, sending such a notice to all such persons.

(5) In subparagraph (3) "**biosecurity measures**" means measures taken to prevent the spread of causative agents of a notifiable animal disease and "**causative agent**" includes any virus, bacterium and any other organism or infectious substance which may cause or transmit the disease in question.

**Subsequent breeding restrictions.**

17. (1) The Committee may by Order made at the same time as, or at any time within 12 months following, the revocation of an Order under paragraph 15(1) prohibit the breeding within the previously infected area of any previously susceptible aquatic animal species (except with another aquatic animal on the same site) otherwise than in accordance with a permission given by the Committee.

(2) An Order under this paragraph shall lapse, unless previously

revoked, on the first anniversary of the revocation of the Order under paragraph 15(1), or on such earlier date as may be specified in the Order under this paragraph in that behalf.

*Further precautions with regard to aquatic animal diseases*

**Sale, transfer and movement of aquatic animals.**

**18.** (1) A person must not, without the permission of the Committee, knowingly sell, offer for sale, or move from the place where it then is, an aquatic animal infected, or suspected by the States Veterinary Officer or a veterinary surgeon of being infected, with any notifiable aquatic animal disease, or a susceptible aquatic animal which has been in contact with an aquatic animal so infected or suspected.

(2) A person who knows that there is at any place an aquatic animal which is, or which is suspected of being, infected with a notifiable aquatic animal disease, must not permit the entry of any susceptible aquatic animal on that place without the permission of the Committee.

PART II

GENERAL, MISCELLANEOUS AND SUPPLEMENTARY

**Other provisions.**

**19.** For the avoidance of doubt, sections 31, 33 and 34 of this Ordinance apply to the provision in respect of aquatic animals made by this Schedule.

**Interpretation.**

**20.** (1) In this Schedule, unless the context otherwise requires –

**"aquatic animal"** means –

- (i) fish belonging to the superclass *Agnatha* and to

the classes *Chondrichthyes* and *Osteichthyes*,

- (ii) mollusc belonging to the *Phylum Mollusca*,
- (iii) crustacean belonging to the *Subphylum Crustacea*,

but does not include –

- (A) ornamental aquatic animals (being aquatic animals which are kept, reared, or placed on the market for ornamental purposes only) reared in non-commercial aquaria,
- (B) wild aquatic animals (being aquatic animals which are not aquaculture animals) harvested or caught for direct entry into the food chain, and
- (C) aquatic animals caught for the purpose production of fishmeal, fish feed, fish oil and similar products,

**"aquaculture animal"** means any aquatic animal at all its life stages, including eggs and sperm/gametes, reared in a farm or mollusc farming area, including any aquatic animal from the wild intended for a farm or mollusc farming area,

**"batch"** means a quantity of aquatic animals obtained, collected or kept under practically identical circumstances or from the same area,

**"carcase"** includes any part of a carcase, and the meat, bones, shell, skin, or any other part of an aquatic animal separately or otherwise,

**"compulsory slaughter disease"** means any disease for the time being listed in the second column of Part 1 of Schedule 7,

**"consignment"** means quantity of aquatic animals conveyed at any one time by a single means of transport or handled or kept together in any other way,

**"infected site"** means any site so declared by an Order made by the Committee under paragraph 10(1),

**"infected area"** means any area so declared by an Order made by the Committee under paragraph 15(1),

**"keeper"** means, in relation to an aquatic animal or site, a person who is not the owner of the aquatic animal or site but who has or appears to have day to day or otherwise be in charge of that aquatic animal or site,

**"means of transport"** means those parts set aside for goods in motor vehicles, rail vehicles and aircraft, holds of vessels and containers for transport by land, sea or air,

**"notifiable aquatic animal disease"** means any disease for the time being listed in the second column of either Part of Schedule 7,

**"owner"** means, in relation to any aquatic animal or site, the person having, or appearing to the Committee to have, the right to dispose of that aquatic animal or site, and related words are to be construed accordingly,

**"premises"** includes land, a building or part of a building, and any forecourt, yard or place of storage used in connection with land, a building or part of a building, a vehicle, and a stall or moveable structure; and if a person occupies two or more non-adjacent areas each of them comprises separate premises for the purposes of this Ordinance,

**"site"** means any premises, enclosed area, installation or means of transport in which aquaculture animals are reared, kept or transported and any freshwater, brackish, coastal or sea area used for the cultivation of aquaculture animals,

**"susceptible aquatic animal"** has the meaning given in paragraph 1(3),

**"test"** means, in the case of any notifiable aquatic animal disease, any procedure accepted by the States Veterinary Officer as appropriate to the diagnosis of that disease,

(2) A reference in this Schedule to an aquatic animal having reacted to a test (except in the phrase "reacted negatively") means that the test has clinically established that the aquatic animal is infected with the notifiable aquatic animal disease for which that test has been conducted.

(3) Other than as provided for in subparagraph (1), words and expressions in this Schedule have the meaning given by section 23.]

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**NOTE**

*Schedule 6 was inserted by the Animal Health (Brexit) (Amendment) (Guernsey) Regulations, 2019, regulation 1(4), Schedule, with effect from 29th March, 2019.*



## NOTIFIABLE AQUATIC ANIMAL DISEASES

PART 1  
EXOTIC DISEASES

	Disease (2)	Susceptible species (3)
Fish	Epizootic haematopoietic necrosis	Rainbow trout ( <i>Oncorhynchus mykiss</i> ) and redfin perch ( <i>Perca fluviatilis</i> )
	Epizootic ulcerative syndrome	Genera: <i>Catla</i> , <i>Channa</i> , <i>Labeo</i> , <i>Mastacembelus</i> , <i>Mugil</i> , <i>Puntius</i> and <i>Trichogaster</i> .
Molluscs	Infection with <i>Bonamia exitiosa</i>	Australian mud oyster ( <i>Ostrea angasi</i> ) and Chilean flat oyster ( <i>O. chilensis</i> )
	Infection with <i>Perkinsus marinus</i>	Pacific oyster ( <i>Crassostrea gigas</i> ) and Eastern oyster ( <i>C. virginica</i> )
	Infection with <i>Microcytos mackini</i>	Pacific oyster ( <i>Crassostrea gigas</i> ), Eastern oyster ( <i>C. virginica</i> ), Olympia flat oyster ( <i>Ostrea conchaphila</i> ) and European flat oyster ( <i>O. edulis</i> )
Crustaceans	Taura syndrome	Gulf white shrimp ( <i>Penaeus setiferus</i> ), Pacific blue shrimp ( <i>P. stylirostris</i> ), and Pacific white shrimp ( <i>P. vannamei</i> )

Consolidated text

	Yellowhead disease	Gulf brown shrimp ( <i>Penaeus aztecus</i> ), Gulf pink shrimp ( <i>P. duorarum</i> ), Kuruma prawn ( <i>P. japonicus</i> ), black tiger shrimp ( <i>P. monodon</i> ), Gulf white shrimp ( <i>P. setiferus</i> ), Pacific blue shrimp ( <i>P. stylirostris</i> ), and Pacific white shrimp ( <i>P. vannamei</i> )
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PART 2  
NON-EXOTIC DISEASES

	Disease (2)	Susceptible species (3)
Fish	Spring viraemia of carp (SVC)	Bighead carp ( <i>Aristichthys nobilis</i> ), goldfish ( <i>Carassius auratus</i> ), crucian carp ( <i>C. carassius</i> ), grass carp ( <i>Ctenopharyngodon idellus</i> ), common carp and koi carp ( <i>Cyprinus carpio</i> ), silver carp ( <i>Hypophthalmichthys molitrix</i> ), sheatfish ( <i>Silurus glanis</i> ) and tench ( <i>Tinca tinca</i> )

<p>Viral haemorrhagic septicaemia(VHS)</p>	<p>Herring (<i>Clupea spp.</i>), whitefish (<i>Coregonus</i> spp.), pike (<i>Esox lucius</i>), haddock (<i>Gadusaeglefinus</i>), Pacific cod (<i>G. macrocephalus</i>), Atlantic cod (<i>G. morhua</i>), Pacific salmon (<i>Oncorhynchus spp.</i>) rainbow trout (<i>O. mykiss</i>), rockling (<i>Onos mustelus</i>), brown trout (<i>Salmo trutta</i>), turbot (<i>Scophthalmus maximus</i>), sprat (<i>Sprattussprattus</i>) and grayling (<i>Thymallus thymallus</i>)</p>
<p>Infectious haematopoietic necrosis (IHN)</p>	<p>Chum salmon (<i>Oncorhynchus keta</i>), coho salmon (<i>O. kisutch</i>), Masou salmon (<i>O. masou</i>), rainbow or steelhead trout (<i>O. mykiss</i>), sockeye salmon (<i>O. nerka</i>), pink salmon (<i>O. rhodurus</i>) chinook salmon (<i>O.tshawytscha</i>), and Atlantic salmon (<i>Salmo salar</i>)</p>
<p>Koi herpes virus (KHV) disease</p>	<p>Common carp and koi carp (<i>Cyprinus carpio</i>).</p>
<p>Infectious salmon anaemia (ISA)</p>	<p>Rainbow trout (<i>Oncorhynchus mykiss</i>), Atlantic salmon (<i>Salmo salar</i>), and brown and sea trout (<i>S. trutta</i>).</p>
<p>Bacterial kidney disease (BKD)</p>	<p>Fish belonging to the family <i>Salmonidae</i></p>

Consolidated text

	Infection with <i>Gyrodactylus salaris</i> (GS)	Atlantic salmon ( <i>Salmo salar</i> ), rainbow trout ( <i>Oncorhynchus mykiss</i> ), Arctic char ( <i>Salvelinus alpinus</i> ), North American brook trout ( <i>S. fontinalis</i> ), grayling ( <i>Thymallus thymallus</i> ), North American lake trout ( <i>Salvelinus namaycush</i> ), and brown trout ( <i>Salmo trutta</i> ). Other species of fish on sites where any of the above species are present shall also be considered as susceptible species
	Infectious pancreatic necrosis (IPN)	Fish belonging to the family <i>Salmonidae</i>
Molluscs	Infection with <i>Marteilia refringens</i>	Australian mud oyster ( <i>Ostrea angasi</i> ), Chilean flat oyster ( <i>O. chilensis</i> ), European flat oyster ( <i>O. edulis</i> ), Argentinian oyster ( <i>O. puelchana</i> ), blue mussel ( <i>Mytilus edulis</i> ) and Mediterranean mussel ( <i>M. galloprovincialis</i> )
	Infection with <i>Bonamia ostreae</i>	Australian mud oyster ( <i>Ostrea angasi</i> ), Chilean flat oyster ( <i>O. chilensis</i> ), Olympia flat oyster ( <i>O. conchaphila</i> ), Asiatic oyster ( <i>O. denselammellosa</i> ), European flat oyster ( <i>O. edulis</i> ), and Argentinian oyster ( <i>O. puelchana</i> ).
	Infection with <i>Ostreid Herpesvirus 1</i> $\mu$ var ( <i>OsHV-1</i> $\mu$ var)	Pacific Oyster ( <i>Crassostrea gigas</i> )
Crustaceans	White spot disease	All decapod crustaceans (order <i>Decapoda</i> ).

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**NOTE**

*Schedule 7 was inserted by the Animal Health (Brexit) (Amendment) (Guernsey) Regulations, 2019, regulation 1(4), Schedule, with effect from 29th March, 2019.*

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[SCHEDULE 8

Section 30A

COMPENSATION FOR SLAUGHTERED AQUATIC ANIMALS

1. The compensation payable in respect of any aquatic animal slaughtered under and in accordance with this Ordinance is its value as a foodstuff.]

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**NOTE**

*Schedule 8 was inserted by the Animal Health (Brexit) (Amendment) (Guernsey) Regulations, 2019, regulation 1(4), Schedule, with effect from 29th March, 2019.*

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<sup>1</sup> The words "Committee for the Environment & Infrastructure" were previously substituted by the States Agricultural and Milk Marketing Board (Transfer of Functions) Ordinance, 2001, section 3, Schedule 2, paragraph 19, with effect from

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21st January, 2002; the Machinery of Government (Transfer of Functions) (Guernsey) Ordinance, 2003, section 2, Schedule 1, paragraph 2, with effect from 6th May, 2004

<sup>2</sup> The functions, rights and liabilities of the Commerce and Employment Department and its Minister arising under or by virtue of this Ordinance were previously transferred to them from the Agriculture and Countryside Board and its President by the Machinery of Government (Transfer of Functions) (Guernsey) Ordinance, 2003, section 1, Schedule 1, paragraph 2, with effect from 6th May, 2004, subject to the savings and transitional provisions in section 4 of the 2003 Ordinance; the functions, rights and liabilities of the States Agriculture and Countryside Board and its President were previously transferred to it and its President from, respectively, the States Agricultural and Milk Marketing Board and its President by the States Agricultural and Milk Marketing Board (Transfer of Functions) Ordinance, 2001, section 1, Schedule 1, paragraph 19, with effect from 21st January, 2002.

<sup>3</sup> Schedule 1 was previously substituted by the Notifiable Animal Diseases Order, 2013, article 1, Schedule, with effect from 1st December, 2013; the Notifiable Animal Diseases Order, 2017, article 1, Schedule, with effect from 24th August, 2017; and, prior to that first substitution, amended by the Notifiable Animal Diseases Order, 2002, article 1, Schedule, with effect from 31st December, 2002; the Birds and Animal Health (Miscellaneous Provisions) (Amendment) Ordinance, 2005, section 3(6), with effect from 17th October, 2005; the Notifiable Animal Diseases Order, 2018, article 1, Schedule, with effect from 6th December, 2018.