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Animal Health (Emergency Measures for Outbreaks of Infectious Diseases) (Amendment) Order 2025 (SR&O No 3 of 2025).

FALKLAND ISLANDS

Animal Health (Emergency Measures for Outbreaks of Infectious Diseases) (Amendment) Order 2025

(No. 3 OF 2025)

ARRANGEMENT OF PROVISIONS

Regulation

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FALKLAND ISLANDS

Animal Health (Emergency Measures for Outbreaks of Infectious Diseases) (Amendment) Order 2025

(made: 4 March 2025)
(commencement: on publication)
(published: 5 March 2025)

I make this Order under sections 1, 7(1), 8(1), 15(4) and (5), 17(1), 23, 25, 28, 34(7), 38(1), 65A(3), 75 and 83(2) of the Animal Health Act 1981 (as it applies in the Falkland Islands under the Law Revision and Publication Ordinance 2017), on the advice of Executive Council.

1. Title

This Order is the Animal Health (Emergency Measures for Outbreaks of Infectious Diseases) (Amendment) Order 2025.

2. Commencement

This Order comes into force on publication in the *Gazette*.

3. Amendment of Animal Health (Emergency Measures for Outbreaks of Infectious Diseases) Order 2022

This Order amends the Animal Health (Emergency Measures for Outbreaks of Infectious Diseases) Order 2022.

4. Article 3 replaced (suspected premises)

Replace article 3 with the following —

"**3. Suspected premises**

(1) This article applies to any premises including premises that are a public place.

(2) If a veterinary officer knows or suspects that disease exists or has in the previous 56 days been present on any premises ("**suspected premises**") or that any animal or poultry on the premises has been contaminated by being exposed directly or indirectly to disease, the veterinary officer may, —

(a) where the suspected premises are not a public place, give notice to the occupier of the premises and if notice is given verbally it must be confirmed in writing within 24 hours; or

(b) where the suspected premises are a public place, give notice to members of the public and take steps as may be appropriate to ensure that the notice is brought to the attention of the public as soon as is reasonably practicable.

(3) The notice under paragraph (2)(b) must be published in the *Gazette*.

(4) A notice under paragraph (2) must contain—

(a) a description of the suspected premises that enables the extent of the area to which it applies to be readily ascertained; and

(b) any restrictions or requirements that apply to the premises.

(5) While a notice is in force, the occupier and members of the public must comply with any restrictions or requirements set out in the notice and any directions of a veterinary officer regarding the measures to be taken to contain and limit the spread of disease.

(6) Restrictions or requirements under this article may relate to —

(a) individual animals or poultry;

(b) the movement of animals or animals of a specified kind, poultry or poultry of a specified kind, people, animal products, feed and fodder and vehicles or any other thing liable to spread disease onto and off the premises;

(c) cleansing and disinfection; and

(d) the control of rats, mice and other rodents that are not domestic pets.

(7) Article 5 (investigation) applies to suspected premises.".

5. Article 4 amended (declaration of temporary control zone)

In article 4 replace paragraphs (6) and (7) with —

"(6) Article 5 (investigation) applies to a temporary control zone.

(7) A declaration under this article must —

(a) be published in the *Gazette*; and

(b) by notice, served on the occupier.

(8) The Director must take such steps as may be appropriate to ensure that a declaration under this article is brought to the attention of the public as soon as reasonably practicable.".

6. Article 5 amended (investigation)

In article 5 —

(a) replace paragraph (1) with —

"(1) The SVO must ensure that a suspected premises and a temporary control zone are investigated by the veterinary service as soon as is reasonably practicable after the notice under article 3 (suspected premises) is given or a declaration under article 4 (declaration of temporary control zone) is made."; and

(b) after paragraph (4), add —

"(5) If, after an investigation under this article, the SVO concludes that no disease is present or has been present in the 56 days before the commencement of the investigation, the notice under article 3 (suspected premises) or declaration under article 4 (declaration of temporary control zone) are revoked.

(6) The revocation under paragraph (5) must —

(a) be published in the *Gazette*; and

(b) by notice, be served on the occupier.".

7. Article 15 amended (designated areas and periods for the inspection of vehicles)

In article 15, after paragraph (b), insert —

" (ba) any suspected premises;".

8. Article 19 amended (offences: no knowledge of restriction or requirement)

In article 19, after "because of" insert "a notice of suspected premises,".

Made 4 March 2025

D. P. MORGAN,
Acting Governor.

EXPLANATORY NOTE
(*not forming part of the order*)

This Amendment Order amends the Animal Health (Emergency Measures for Outbreaks of Infectious Diseases) Order 2022 ("2022 Order"). The Amendment Order is made under the Animal Health Act 1981 in its application in the Falkland Islands. The 2022 Order provides for legal powers to implement the National Contingency Plan for Emergency Animal Disease. Experience from dealing with the outbreak of Avian Influenza, has revealed that the 2022 Order needs further amendments.

The proposed amendments will enable the veterinary service to more effectively deal with outbreaks of infectious diseases and rationalise processes. The Amendment Order establishes a clear process after notice is given of suspected premises and a declaration of temporary control zone. An investigation under article 5 and actions allowed under that article will follow. A further amendment to article 3 is to extend its application to premises that are a public place. Currently article 3 only applies to premises that are not a public place.

In more detail the articles provide:-

Articles 1, 2 and *3* are preliminary provisions. Commencement is on publication in the *Gazette*.

Article 4 replaces article 3 (suspected premises) and extends its application to premises that are a public place. Where the premises are a public place, the veterinary officer must notify members of the public of suspected presence of disease and publish the notice in the *Gazette*. After a notice has been given, article 5 (investigation) is invoked and an investigation must take place. The premises are then dealt with in accordance with article 5.

Article 5 amends article 4 (declaration of temporary control zone) to link the declaration of a temporary control zone to article 5 (investigation). The sequence in article 5(4) of an investigation, revocation of declaration of temporary control zone or declaration of infected place and consideration to recommend declaration of protection zone or declaration of surveillance zone, will apply.

Article 6 amends article 5 (investigation) to provide that after a notice is issued under article 3 (suspected premises) and after a declaration of temporary control zone under article 4, an investigation must follow. Article 5(4) sets out the possible actions after an investigation i.e. declaration as an infected place if disease is found. A new paragraph 5(5) provides that a notice or declaration under articles 3 and 4 is revoked immediately if the SVO does not find disease on the premises. A revocation must be published in the *Gazette* and by notice served on the occupier of the premises.

Article 7 makes a consequential amendment to article 15 (designated areas and periods for the inspection of vehicles). Since suspected premises may now include premises that are a public place, they need to be designated under article 15 to allow inspection of vehicles.

Article 8 makes another consequential amendment to article 19 (offences: no knowledge of restriction or requirement). A person is not guilty of an offence if failure to comply with the requirements of a notice of suspected premises is due to lack of knowledge about the notice and the requirements of article 19 are met.

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