

1994 No. 11

ANIMALS

**Diseases of Animals (Modification) Order
(Northern Ireland) 1994**

Made 14th January 1994

Coming into operation 21st February 1994

The Department of Agriculture, being satisfied that the modification of Schedule 2 to the Diseases of Animals (Northern Ireland) Order 1981(a) (“the principal Order”) set out in Articles 3 and 4 is necessary or expedient both for the purposes of the principal Order and this Order, in exercise of the powers conferred on it by Articles 2(3) and 16(2) of the principal Order and of every other power enabling it in that behalf, hereby makes the following Order:

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Diseases of Animals (Modification) Order (Northern Ireland) 1994 and shall come into operation on 21st February 1994.

(2) In this Order “the principal Order” means the Diseases of Animals (Northern Ireland) Order 1981.

Diseases of animals

2. Part III of Schedule 1 to the principal Order(b) shall be modified by adding to the list of diseases of animals specified in that Part the following:—

“45. Porcine respiratory corona virus.

46. Epizootic haemorrhagic disease.”

Power to slaughter

3.—(1) Part I of Schedule 2 to the principal Order shall be modified as provided in paragraphs (2) and (3).

(2) Paragraph 5 shall be renumbered paragraph 5(1) and thereafter there shall be added—

“(2) The Department may cause to be slaughtered—

(a) any animal (other than cattle) affected or suspected of being affected with brucellosis; or

(a) S.I. 1981/1115 (N.I. 22)

(b) As modified by S.R. 1985 No. 64, S.R. 1988 No. 287, S.R. 1990 No. 135, S.R. 1991 No. 250, S.R. 1991 No. 456, S.R. 1992 No. 552 and S.R. 1993 No. 43

(b) any animal (including cattle) which is or has been in contact with an animal affected with brucellosis, or which appears to the Department to have been in any way exposed to the infection of brucellosis.”.

(3) After “infectious bovine rhinotracheitis” in the list of diseases specified in paragraph 10 (a) the following shall be added, that is to say—

“*Aujeszky's disease, Porcine respiratory corona virus, Contagious agalactia, Peste des petits ruminants, Goat pox, Vesicular stomatitis, Rift valley fever, Epizootic haemorrhagic disease.*”.

Compensation in respect of the slaughter of animals

4.—(1) Part II of Schedule 2 to the principal Order(b) shall be modified as provided in paragraphs (2) to (4).

(2) For paragraph 5 there shall be substituted the following paragraph—

“5. *Brucellosis*: (1) The compensation shall, in all or any cases where cattle are slaughtered in pursuance of an order under paragraph 5(1) of Part I, be such as is provided in that Order.

(2) The compensation shall, in all or any cases where animals are slaughtered in pursuance of paragraph 5(2) of Part I, be—

(a) if the animal was affected with brucellosis, one half of its value immediately before it became so affected; and

(b) in every other case, the value of the animal immediately before it was slaughtered.”.

(3) After “infectious bovine rhinotracheitis” in the list of diseases specified in paragraph 12 there shall be added—

“*Aujeszky's disease, Porcine respiratory corona virus, Contagious agalactia, Goat pox.*”.

(4) After paragraph 12A there shall be added—

“12B. *Peste des petits ruminants, Vesicular stomatitis, Rift valley fever, Epizootic haemorrhagic disease*:

The compensation shall—

(a) where the animal slaughtered was affected with any of the above diseases, be the value of the animal immediately before it became so affected; and

(b) in every other case be the value of the animal immediately before it was slaughtered.”.

Sealed with the Official Seal of the Department of Agriculture on 14th January 1994.

(L.S.)

P. T. Toal

Assistant Secretary

(a) As modified by S.R. 1986 No. 79 Article 2(1)

(b) Relevant modifying Orders are S.R. 1986 No. 79 and S.R. 1990 No. 135

EXPLANATORY NOTE

(This note is not part of the Order.)

Article 2 of this Order further modifies Schedule 1 to the Diseases of Animals (Northern Ireland) Order 1981 ("the principal Order") by adding porcine respiratory corona virus and epizootic haemorrhagic disease to the list of diseases of animals in Part III of that Schedule. Of the diseases being so added epizootic haemorrhagic disease is being added to implement the notifiability requirements relating to that disease in Council Directive 92/119/EEC of 17th December 1992 introducing Community measures for the control of certain animal diseases and specific measures relating to swine vesicular disease (O.J. No. L62, 15.3.93, p. 69).

Article 3 further modifies Part I of Schedule 2 to the principal Order by extending the powers of the Department of Agriculture for Northern Ireland ("the Department") to slaughter animals so that it includes—

- (a) any animal affected or suspected of being affected with Aujeszky's disease, porcine respiratory corona virus, contagious agalactia, peste des petits ruminants, goat pox, vesicular stomatitis, rift valley fever and epizootic haemorrhagic disease and, in the case of animals other than cattle, brucellosis; and
- (b) any animal in contact with an animal affected by those diseases or in any way exposed to the infection of them.

The powers of the Department are being so extended in relation to peste des petits ruminants, goat pox, vesicular stomatitis, rift valley fever and epizootic haemorrhagic disease to implement the slaughter requirements relating to those diseases in Council Directive 92/119/EEC.

Article 4 further modifies Part II of Schedule 2 to the principal Order by extending the powers of the Department of Agriculture to pay compensation for any animals so slaughtered.