

1963. No. 207

[C]

DISEASES OF ANIMALS

Brucellosis

ORDER, DATED 12TH NOVEMBER, 1963, MADE BY THE MINISTRY OF AGRICULTURE UNDER SECTIONS 10, 12 AND 53 OF THE DISEASES OF ANIMALS ACT (NORTHERN IRELAND) 1958(a).

The Ministry of Agriculture in exercise of the powers conferred on it by Sections 10, 12 and 53 of the Diseases of Animals Act (Northern Ireland) 1958 and of every other power enabling it in that behalf hereby makes the following Order:—

Citation and Commencement

1. This Order may be cited as the Brucellosis Control (Amendment No. 2) Order (Northern Ireland) 1963 and shall come into operation on the 13th day of November, 1963.

2. The Brucellosis Control Order (Northern Ireland) 1962(b) as amended by the Brucellosis Control (Amendment) Order (Northern Ireland) 1963(c) shall be further amended as follows:—

(1) For the definition of "series of tests" there shall be substituted the following definition:—

"'Series of Tests' means, in relation to a herd, a sequence of brucellosis tests carried out by the Ministry under this Order, and consisting of such number of tests as are necessary until, at the discretion of the Ministry, one or more clear tests have been obtained."

(2) For sub-paragraph (a) of Paragraph (1) of Article 9 there shall be substituted:—

"(a) in the case of a reactor an amount equal to 85% of the animal's market value or £136, whichever is the less;".

(3) For Article 10 there shall be substituted:—

"10.—(1) Where a notice under Article 6(1) has been issued by the Ministry as a result of a first test, the Ministry shall, as soon as may be thereafter, cause a provisional valuation of the animal to be made by an authorised officer.

(2) The authorised officer shall forthwith inform the owner of the herd of which such animal forms part of the provisional valuation so made.

(3) The owner of the herd may not later than the date on which such provisional valuation is notified to him, serve on the Ministry a Notice of Intention to Retain Reactors.

(4) A Notice of Intention to Retain Reactors shall, if served before the date of the provisional valuation referred to in paragraph (1), be served by recorded delivery, and if served on the date of such valuation shall be served on the authorised officer who carries out the valuation and at the time of such valuation.

(a) 1958. c. 13.

(b) S.R. & O. (N.I.) 1962, No. 222.

(c) S.R. & O. (N.I.) 1963, No. 133.

(5) Where a Notice of Intention to Retain Reactors is duly served, the following provisions shall have effect:—

- (a) so long as such notice remains in force, Article 4 shall not apply to the herd;
- (b) the owner shall not move or cause or allow to be moved off his premises any animal in calf, any female animal aged 18 months or over, or any bull aged one year or over, except under and in accordance with the conditions of a licence issued by the Ministry—
 - (i) allowing any such animal to be moved for immediate slaughter in Northern Ireland; or
 - (ii) allowing any maiden heifer aged 18 months or over to be moved to a certification centre under the Fatstock Guarantee Scheme;
- (c) where the Ministry is satisfied that the owner has failed to comply with the terms of sub-paragraph (b) the Notice of Intention to Retain Reactors shall cease to have effect;
- (d) the owner may at any time by notice in writing to the Ministry withdraw the Notice of Intention to Retain Reactors;
- (e) where a Notice of Intention to Retain Reactors ceases to have effect by virtue of sub-paragraph (c) or is withdrawn under sub-paragraph (d), Article 4 shall thenceforth apply to the herd.

(6) Where the owner of the herd does not serve a Notice of Intention to Retain Reactors, he may, at his option accept, for the purposes of compensation under Article 9, the provisional valuation referred to in paragraph (1) or require the market value of the animal to be determined in accordance with Article 9(3)."

Sealed with the Official Seal of the Ministry of Agriculture for Northern Ireland this 12th day of November, 1963, in the presence of

(L.S.)

W. G. Malcolm,
Assistant Secretary.

EXPLANATORY NOTE

(This note does not form part of the Order, but is intended to indicate its general purport.)

This Order increases from 75 to 85 per cent. of the market value the amount of the compensation payable on reactors slaughtered.

The Order also provides that the Ministry must provisionally value any animals which it proposes to slaughter as a result of a first herd test and that it must inform the herd owner of such valuations before he decides whether to sell the animals to the Ministry for slaughter or to retain them in his herd.

1963. No. 208

As this Order has been classified as local it is not printed at length in this volume. A summary is given in the List of Statutory Rules and Orders of a Local Character under the heading ROADS.