

2001 No. 3749

ANIMALS
ANIMAL HEALTH

**The Sheep and Goats Spongiform Encephalopathy
(England and Wales) (Compensation)(Amendment)
Order 2001**

<i>Made</i> - - - - -	<i>22nd November 2001</i>
<i>Laid before Parliament</i>	<i>23rd November 2001</i>
<i>Coming into force</i> - -	<i>14th December 2001</i>

The Minister of Agriculture, Fisheries and Food in exercise of the powers conferred on her by section 32(3) of the Animal Health Act 1981 acting in relation to England and Wales with the approval of the Treasury; and The Minister of Agriculture, Fisheries and Food in exercise of the power conferred on her by section 34(7) of the said Act acting in relation to England, and The Minister of Agriculture, Fisheries and Food and the National Assembly for Wales, acting jointly in exercise of the powers conferred on them by section 34(7) of the said Act, in relation to Wales(a). Hereby make the following Order:

Title, extent and commencement

1. This Order may be cited as The Sheep and Goats Spongiform Encephalopathy (England and Wales)(Compensation)(Amendment) Order 2001, shall extend to England and Wales and shall come into force on 14th December 2001.

Amendment of The Sheep and Goats Spongiform Encephalopathy (Compensation) Order 1998

2.—(1) In so far as it extends to England and Wales, The Sheep and Goats Spongiform Encephalopathy (Compensation) Order 1998(b) shall be amended in accordance with the following provisions of this Order.

(2) In article 2, the definitions of “average cull price for sheep”, and “average cull price for goats” are revoked;

(3) The following paragraph shall be substituted for paragraph (1) of article 3—

“(1) Where the Minister causes an animal to be slaughtered as a suspected or affected animal under the powers conferred on him by section 32(1) of the Animal Health Act 1981 in its application to any transmissible spongiform encephalopathy and an examination at a veterinary laboratory of the Ministry of tissues taken from the carcass of the animal confirms that it was an affected animal, the compensation payable by him shall be:

(a) 1981 c. 22; see section 86(1) for definitions of “the Minister” and “the Ministers”. Functions of “the Ministers”, so far as exercisable in relation to England, were transferred to the Minister of Agriculture, Fisheries and Food, by the Transfer of Functions (Agriculture and Food) Order 1999, S.I. 1999/3141 and in relation to Wales functions of the Ministers, so far as exercisable by the Secretary of State for Wales, were transferred to the National Assembly for Wales by the National Assembly for Wales (Transfer of Functions) Order 1999, S.I. 1999/672, article 2, Schedule 1. Section 32 was applied to any transmissible spongiform encephalopathy by article 7(1) of the Sheep and Goats Spongiform Encephalopathy Order 1998, S.I. 1998/1645.

(b) S.I. 1998/1647.

- (a) in the case of a cull animal, the amount of £30; and
 - (b) in the case of any other affected animal, the amount of £90”.
- (4) In article 3 the paragraphs (3), (4) and (5) are revoked.

22 November 2001

Elliot Morley
Parliamentary Under Secretary of State,
Department for Environment, Food and Rural Affairs

Signed on behalf of the National Assembly for Wales

22 November 2001

D. Elis Thomas
Presiding Officer

We approve

22 November 2001

Anne McGuire
John Heppell
Two of the Lords Commissioners of Her Majesty’s Treasury

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends The Sheep and Goats Spongiform Encephalopathy Order 1998 (S.I. 1998/1647) in relation to England and Wales. The amending Order provides that the amount of compensation payable for sheep and goats caused to be slaughtered by the Minister of Agriculture, Fisheries and Food under section 32 of the Animal Health Act 1981 because they are affected with any transmissible spongiform encephalopathy, shall be £30 in the case of a cull animal and £90 for any other affected animal.

A Regulatory Impact Assessment in relation to this Order is not required.

£1.50

© Crown copyright 2001

Printed and published in the UK by The Stationery Office Limited
under the authority and superintendence of Carol Tullo, Controller of
Her Majesty’s Stationery Office and Queen’s Printer of Acts of Parliament.
E2016 12/2001 012016 19585

ISBN 0-11-039011-3



9 780110 390116