

## STATUTORY INSTRUMENTS

# 1981 No. 1115

## The Diseases of Animals (Northern Ireland) Order 1981

### [<sup>F1</sup>PART 2A

#### TRANSMISSIBLE SPONGIFORM ENCEPHALOPATHIES

##### *[<sup>F1</sup>Powers of slaughter*

**F1** Pt. 2A (arts. 32A-32J) inserted (12.3.2010) by Diseases of Animals Act (Northern Ireland) 2010 (c. 1), ss. 3, 22(1), Sch. 1; S.R. 2010/70, art. 2

#### **Powers of slaughter: TSE**

**32H.**—(1) With a view to—

- (a) preventing the spread of;
- (b) controlling; or
- (c) eliminating,

any form of TSE, the Department may, if it thinks fit, cause any livestock to which this paragraph applies to be slaughtered.

(2) Paragraph (1) applies to livestock—

- (a) whose genotype is specified by virtue of Article 32A; and
- (b) in relation to whose genotype the form of TSE concerned is so specified.

(3) Paragraph (1) also applies to livestock whose genotype is not ascertained because—

- (a) it is not reasonable in the circumstances, by reason of urgency or otherwise, to seek to ascertain the genotype; or
- (b) the genotype cannot, in the absence for the time being of scientific knowledge, established method or otherwise, reasonably be ascertained.

#### **Compensation**

**32I.**—(1) The Department shall by order make provision for compensation in respect of—

- (a) any livestock slaughtered, or other thing destroyed, in accordance with a restriction notice;
- (b) any livestock slaughtered, or other thing destroyed, by virtue of Article 32F;
- (c) any livestock slaughtered in accordance with Article 32H.

(2) Without prejudice to the generality of paragraph (1), an order under that paragraph may do either or both of the following—

- (a) require the Department to pay compensation not exceeding such amount as may be specified in the order

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**Changes to legislation:** *The Diseases of Animals (Northern Ireland) Order 1981, Cross Heading: Powers of slaughter is up to date with all changes known to be in force on or before 13 February 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

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- (b) provide for the calculation of compensation using such scales or such other basis of calculation as may be so specified.

### **Interpretation**

**32J** In this Part—

“breeding” includes the placing in any creature of an embryo which has been created otherwise than by fertilisation;

“keeper”, in relation to livestock, includes an owner of the livestock;

“livestock” means—

- (a) any creature which is kept, fattened or bred for the production of food, wool, skin or fur;
- (b) any creature, other than a dog, which is kept for use in the farming of land; and
- (c) any equine animal;

“TSE” means transmissible spongiform encephalopathy.]

**Changes to legislation:**

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**Changes and effects yet to be applied to :**

- Instrument am (pt prosp) by [S.I. 1994/1891 \(N.I.\) arts.19-23](#)
- Instrument rep in pt by [S.I. 1994/1891 \(N.I.\) art.24\(1\)Sch](#)