

## 1995 No. 44

## ANIMALS

**Diseases of Animals (Modification) Order  
(Northern Ireland) 1995**

*Made* . . . . . 21st February 1995

*Coming into operation* . . . . . 17th April 1995

The Department of Agriculture, being satisfied that the modification of Schedule 2 to the Diseases of Animals (Northern Ireland) Order 1981(a) ("the 1981 Order") set out in Articles 5 and 6 is necessary or expedient both for the purposes of the 1981 Order and this Order, in exercise of the powers conferred on it by Articles 2(3) and 16(2) of the 1981 Order 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 Diseases of Animals (Modification) Order (Northern Ireland) 1995 and shall come into operation on 17th April 1995.

*Modification of the Diseases of Animals (Northern Ireland) Order 1981*

2. The Diseases of Animals (Northern Ireland) Order 1981 shall be modified as provided in Articles 3 to 6.

*Diseases of animals*

3. In Part III of Schedule 1(b) there shall be added—

(a) to the list of diseases of animals specified in that Part the following—

“47. Spongiform encephalopathy.

48. Caseous lymphadenitis.”;

(b) at the end the words—

“and spongiform encephalopathy (47)”.

*Diseases of poultry*

4. In Part IV of Schedule 1(c) there shall be added to the list of diseases of poultry specified in that Part the following—

“22. *Spongiform encephalopathy*.”.

(a) S.I. 1981/1115 (N.I. 22) as amended by S.I. 1994/1891 (N.I. 6) Article 19

(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, S.R. 1993 No. 43 and S.R. 1994 No. 11

(c) As modified by S.R. 1992 No. 571

*Power to slaughter*

5. In Part I of Schedule 2(a) after “Epizootic haemorrhagic disease” in the list of diseases specified in paragraph 10 there shall be added—

“*Caseous lymphadenitis.*”.

*Compensation in respect of the slaughter of animals and poultry*

6. In Part II of Schedule 2(b) after “Goat pox” in the list of diseases specified in paragraph 12 there shall be added—

“*Caseous lymphadenitis.*”;

Sealed with the Official Seal of the Department of Agriculture on 21st February 1995.

(L.S.)

*P. T. Toal*

Assistant Secretary

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(a) As modified by S.R. 1986 No. 79, S.R. 1990 No. 135 and S.R. 1994 No. 11

(b) As modified by S.R. 1985 No. 64, S.R. 1986 No. 79, S.R. 1990 No. 135 and S.R. 1994 No. 11

## EXPLANATORY NOTE

*(This note is not part of the Order.)*

This Order modifies Schedules 1 and 2 to the Diseases of Animals (Northern Ireland) Order 1981 ("the 1981 Order"). Articles 3(a) and 4 add spongiform encephalopathy to the list of diseases of animals and poultry in Parts III and IV respectively of Schedule 1. Article 3(a) also adds caseous lymphadenitis to the list of diseases of animals in Part III of Schedule 1. The effect is to make spongiform encephalopathy and caseous lymphadenitis disease regulated by the 1981 Order.

Article 3(b) further modifies Schedule 1 by providing that the requirements of Article 10(1) of the 1981 Order do not apply to animals affected with spongiform encephalopathy. A person who has in his possession or under his charge an animal affected with spongiform encephalopathy is no longer required to keep such an animal separate from other animals not so affected and to give notice of the fact of the animal being affected to the Department or to a member of the Royal Ulster Constabulary.

Article 5 further modifies Part I of Schedule 2 to the 1981 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 caseous lymphadenitis; and
- (b) any animal in contact with an animal affected by that disease or in any way exposed to the infection of it.

Article 6 further modifies Part II of Schedule 2 to the 1981 Order by extending the powers of the Department to pay compensation for any animals so slaughtered.