

2004 No. 362

ANIMALS

**Diseases of Animals (Modification) Order
(Northern Ireland) 2004**

Made - - - - - *26th August 2004*

Coming into operation *1st October 2004*

The Department of Agriculture and Rural Development(a), being satisfied that the modification of Schedule 2 to the Diseases of Animals (Northern Ireland) Order 1981(b) (“the 1981 Order”) is necessary or expedient for the purposes of that Order, in exercise of the powers conferred on it by Article 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) 2004 and shall come into operation on 1st October 2004.

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

2.—(1) Schedule 2 to the Diseases of Animals (Northern Ireland) Order 1981(c) shall be modified as provided in paragraphs (2) and (3).

(2) In Part I (Power to slaughter) for paragraph 5 there shall be substituted the following paragraph –

“5. *Brucellosis*: (1) Subject and according to the provisions of this Order, the Department may by order provide for the slaughter of –

- (a) any cattle affected with brucellosis or suspected of being so affected; or
- (b) any cattle which are or have been in contact with such cattle or with any other animal affected or suspected of being affected with brucellosis or which appear to the Department to have been in any way exposed to a significant risk of infection of brucellosis.

(2) An order under sub-paragraph (1) may provide for the slaughter of cattle under that paragraph to be made subject to such conditions as may be prescribed by or under the order.

(3) The Department may cause to be slaughtered any animal (other than cattle) affected or suspected of being affected with brucellosis or 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.”.

(a) The Department of Agriculture for Northern Ireland was renamed the Department of Agriculture and Rural Development by Article 3(4) of the Departments Order 1999 (S.I. 1999/283 (N.I. 1))
(b) S.I. 1981/1115 (N.I. 22)
(c) The relevant amending Order is S.R. 1994 No. 11

(3) In Part II (Compensation in respect of the slaughter of animals and poultry) for the reference in paragraph 5 to “paragraph 5(2) of Part I” there shall be substituted “paragraph 5(3) of Part I”.

Sealed with the Official Seal of the Department of Agriculture and Rural Development on 26th August 2004.

(L.S.)

D. Small

A senior officer of the Department of Agriculture and Rural Development

EXPLANATORY NOTE

(This note is not part of the Order.)

This Order modifies Schedule 2 to the Diseases of Animals (Northern Ireland) Order 1981 (power to slaughter animals and pay compensation) by extending the powers of the Department to provide by order for the slaughter of animals and payment of compensation in relation to outbreaks or suspected outbreaks of brucellosis. The power now extends not only to cattle affected or suspected of being affected with brucellosis but also any cattle in contact with a diseased or suspected animal or in any way exposed to the infection of brucellosis. Powers of slaughter and compensation relating to non-bovine animals are unaffected.

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