**1971. No. 218** **[C]**

# DISEASES OF ANIMALS

## Brucellosis

ORDER, DATED 7TH DAY OF JULY 1971, MADE BY THE MINISTRY OF AGRICULTURE UNDER THE DISEASES OF ANIMALS ACT (NORTHERN IRELAND) 1958.

The Ministry of Agriculture in exercise of the powers conferred on it by Sections 4, 10, 12, 13 and 53 and the Second Schedule of the Diseases of Animals Act (Northern Ireland) 1958(a) and of every other power enabling it in that behalf hereby makes the following Order:—

*Title and commencement*

**1.** This Order may be cited as the Brucellosis (Amendment No. 7) Order (Northern Ireland) 1971 and shall come into operation on the 19th day of July 1971.

*Amendment of the 1966 Order*

**2.** The Brucellosis Order (Northern Ireland) 1966(b) as amended by the Brucellosis (Amendment No. 2) Order (Northern Ireland) 1968(c), the Brucellosis (Amendment No. 3) Order (Northern Ireland) 1968(d), the Brucellosis (Amendment No. 4) Order (Northern Ireland) 1970(e), the Brucellosis (Amendment No. 5) Order (Northern Ireland) 1970(f), and the Brucellosis (Amendment No. 6) Order (Northern Ireland) 1971(g) shall be further amended as follows:—

(1) In Article 15 after the words "Northern Ireland" there shall be added the following words:—

"at an abattoir specified by the Ministry in the permit".

(2) In Article 16 the following sentence shall be added to paragraph (3):—

"Provided that any sum to which the owner of the animal might have become entitled under the Fatstock Guarantee Scheme shall not be taken into account in assessing the market value but such sum (if any) shall be assessed by the Ministry after slaughter and added to the market value before calculation of the amount of compensation payable."

(3) In Article 22 for paragraph (3) the following paragraph shall be substituted:—

"(3) Where a reactor is found, as a result of an official test, in any herd the Ministry may, by notice in writing, prohibit for a period not exceeding three months, the use for grazing by eligible animals of any part of the holding on which the reactor, or any other animal which has been exposed to the possibility of infection by being in contact with the reactor, had been grazing immediately before the said official test."

(a) 1958. c. 13.
(b) S.R. & O. (N.I.) 1966, No. 227.
(c) S.R. & O. (N.I.) 1968, No. 237.
(d) S.R. & O. (N.I.) 1968, No. 269.
(e) S.R. & O. (N.I.) 1970, No. 37.
(f) S.R. & O. (N.I.) 1970, No. 190.
(g) S.R. & O. (N.I.) 1971, No. 27.

(4) For Article 24 the following Article shall be substituted:—

"**24.**—(1) Any herdowner shall forthwith notify a Divisional Veterinary Officer of the Ministry if—

(*a*) any animal in his herd aborts; or

(*b*) any animal in his herd on calving retains the afterbirth for a period in excess of 24 hours; or

(*c*) he knows or suspects that any animal in his herd has been exposed to the possibility of infection by being in contact with an animal infected with brucellosis other than an animal in his own herd or by having been on premises other than his own premises on which brucellosis existed within the preceding three months.

(2) Any Veterinary Surgeon shall forthwith notify a Divisional Veterinary Officer of the Ministry if in his opinion—

(i) an animal in any herd has aborted; or

(ii) an animal in any herd has on calving retained the afterbirth for a period in excess of 24 hours.

(3) The Ministry may notify any Veterinary Surgeon or herdowner of the presence or suspected presence of brucellosis in any herd.

(4) In the event of an animal in any herd aborting, the owner shall immediately house the animal in isolation and with all practicable speed:—

(*a*) bury the foetus and cleansings within ground; and

(*b*) (i) either liberally spray the immediate area where the abortion took place with an approved disinfectant; or

(ii) cover with straw and burn it over the immediate area where the abortion took place.

(5) An animal which has aborted shall be retained in isolation until the Ministry has tested it and has informed the owner that it may re-join the herd.

(6) Manure containing discharges or fluids from an animal which has aborted shall be stacked away from access by cattle and shall not be spread on grazing fields for a period of at least six months.

(7) The provisions of paragraphs (5) to (7) above shall apply also in the case of an animal which, on calving, retains the afterbirth for a period in excess of twenty-four hours."

(5) For paragraph (7) of Article 25 there shall be substituted the following paragraph:—

"(7) The Ministry may serve—

(*a*) on the owner of a herd in which a reactor has been found as a result of an official test; or

(*b*) on the owner of any herd to which a reactor found as a result of an official test in another herd had access at any time within 28 days prior to the commencement of such official test or from which such a reactor was moved under the authority of a permit which expired not more than 28 days prior to the commencement of such official test; or

(*c*) on the owner of any herd where a sample of milk from the herd when tested for the presence of brucella infection by the Ministry has given such result as to cause the Ministry to suspect that an animal in the herd is infected with brucellosis,

a Notice in writing prohibiting the movement from his premises of any animal except under, and in accordance with the conditions of an authority issued by the Ministry in writing. Such Notice shall remain in force until withdrawn by the Ministry in writing."

(6) In Article 25 the following paragraph shall be inserted after paragraph (8):—

"(9) (*a*) The owner of a herd on whom a Notice in writing has been served under paragraph (7) shall not while the Notice remains in force, hold or organise or advertise or permit to be held a sale of animals on the premises or any part thereof on which his herd is maintained without the approval of the Ministry in writing.

(*b*) For the purposes of this paragraph "sale" means a sale, held on the herdowner's premises of surplus stock from his own herd only, at which more than 3 members of the public are present."

(7) In paragraph 3 of Schedule 2 thereof there shall be substituted for sub-paragraph (2)(*e*) the following:—

"(*e*) (i) shall not join the herd unless the Veterinary Surgeon's test made under (*b*) and the official test made under (*d*) show that there is no evidence of brucellosis infection in the animal, or in any other animal with which it has been in contact; and

(ii) shall not if it is from a herd in respect of which a Notice served under Article 25(7) is in force be mated if it is a heifer or used for service if it is a bull unless it is an animal which would be permitted to join the herd under sub-paragraph (*e*)(i)."

Sealed with the Official Seal of the Ministry of Agriculture for Northern Ireland this 7th day of July 1971 in the presence of

(L.S.)

*H. S. Oliver,*
Assistant Secretary.

## EXPLANATORY NOTE

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

This Order requires Veterinary Surgeons to notify the Ministry if in their opinion an animal in any herd has aborted or retained the afterbirth and requires a herdowner to inform the Ministry if he has reason to believe that any animal in his herd has been exposed to the possibility of infection from an outside source. It also empowers the Ministry to notify a Veterinary Surgeon or a herdowner of the presence or suspected presence of brucellosis in any herd.

It prohibits the owner of a herd in which brucellosis reactors have been found from holding a sale on his premises while his herd is under restriction.

It gives the Ministry wider powers to issue restriction Notices and to prohibit the grazing of infected land and it makes other minor amendments to the Brucellosis Order.

**1971. No. 219** [NC]

## SUPREME COURT, NORTHERN IRELAND

## PROCEDURE

### Rules of the Supreme Court (Northern Ireland) (No. 3) 1971

We, the Northern Ireland Supreme Court Rules Committee, being the authority having for the time being power under section 7 of the Northern Ireland Act 1962(a), to make, amend or revoke rules regulating the practice and procedure of the Supreme Court of Judicature of Northern Ireland, hereby exercise those powers and all other powers enabling us in that behalf as follows:—

**1.** In paragraphs (2) and (3) of rule 15 of Order 42 of the Rules of the Supreme Court (Northern Ireland) 1936(b) for the words "4 per cent" there shall be substituted the words "7 per cent".

**2.** In Order 74 for paragraph (1) of rule 28 there shall be substituted the following paragraph—

"(1) Every order appointing an official liquidator shall state whether he is required to give security and, if so required, he shall give security by bond of an accepted guarantee society to be approved by the Judge."

**3.** These rules may be cited as the Rules of the Supreme Court (Northern Ireland) (No. 3) 1971 and shall come into force on 1st September 1971.

Date: 9th July 1971.

(Signed) *MacDermott*
*Robert Lowry*
*E. W. Jones*
*A. McGonigal*
*Maurice W. Gibson*
*Basil Kelly*
*James J. Napier*
*W. J. Jefferson*

(a) 10 & 11 Eliz. 2 c. 30.

(b) S.R. & O. 1936, No. 70 (II, p. 2559).

## EXPLANATORY NOTE

*(This note is not part of the rules but is intended to indicate their general purport.)*

These rules amend the Rules of the Supreme Court (Northern Ireland) 1936 to provide for an increase from 4 per cent to 7 per cent per annum in the rate of interest on judgments or orders for the recovery of money.

The rules also enable the Court to appoint an official liquidator without requiring him to give security.