Sealed with the Official Seal of the Ministry of Home Affairs this 4th day of December, nineteen hundred and sixty-two.

(L.S.) *J. G. Hill,*
Assistant Secretary.

The Ministry of Finance hereby consents to the making of the foregoing Regulations.

Sealed with the Official Seal of the Ministry of Finance this 6th day of December, nineteen hundred and sixty-two.

(L.S.) *W. W. Arthur,*
Assistant Secretary.

EXPLANATORY NOTE

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

These Regulations are made under section three of the Pensions (Increase) Act (Northern Ireland), 1959, sub-section (1) of which provides that regulations may be made applying sub-section (1) of section one of the Act in relation to any pension to which the Act applies subject to such modifications, adaptations and exceptions as may be specified.

Regulation 3 provides that in calculating the aggregate annual value of a police or fire service pension (by reference to which the amount of the increase under the Act is determined) any reduction in the pension made on account of any benefit under the National Insurance Acts or any family allowance shall be ignored. Regulation 4 provides that certain flat-rate pensions, which would otherwise be regarded as having begun, for the purposes of the Act, after 1st April, 1952, shall be treated as having begun before that date. The effect is that all such flat-rate pensions attract the same percentage of increase.

Regulation 1(2) provides that the Regulations shall have effect as from 1st August, 1959, the appointed day for the purposes of the Act.

1962. No. 222 **[C]**

DISEASES OF ANIMALS ACT

Brucellosis

ORDER, DATED 7TH DECEMBER, 1962, MADE BY THE MINISTRY OF AGRICULTURE UNDER SECTIONS 10, 12 AND 53 OF THE DISEASES OF ANIMALS ACT (NORTHERN IRELAND), 1958(a).

The Ministry of Agriculture in exercise of the powers conferred on it by sections ten, twelve and fifty-three of the Diseases of Animals Act (Northern Ireland), 1958, and of every other power enabling it in that behalf hereby makes the following Order:—

(a) 1958. c. 13.

Citation and Commencement

1. This Order which may be cited as the Brucellosis Control Order (Northern Ireland), 1962, shall come into operation on the 1st day of January, 1963.

Interpretation

2. In this Order:

"animal" means bovine animal.

"approved disinfectant" means a five per cent. solution of standard phenol or a disinfectant otherwise approved for the time being by the Ministry for the purposes of the Animals Disinfection (Northern Ireland) Order, 1927, Amendment Order, 1931(a).

"authorised officer" means a person authorised by the Ministry and includes a veterinary inspector.

"herd" means one or more animals in the same ownership.

"brucellosis test" means a test for the detection of brucella infection carried out by the Ministry.

"reactor" means an animal which has given such reaction to a brucellosis test as shall give the Ministry reason to believe that the animal is infected with brucellosis.

"series of tests" means, in relation to a herd, a sequence of brucellosis tests carried out by the Ministry under this Order, and consisting of such number of tests as are necessary until one clear test of the herd has been obtained.

"first test" means the first test in a series of tests

Brucellosis Tests

3.—(1) The Ministry may at any time cause a brucellosis test to be made on all or any animals in a herd.

(2) The owner of a herd shall comply with all reasonable requirements of an authorised officer as to the collection, penning and securing of his animals for the purpose of taking samples for a brucellosis test or for any examination necessary for the purposes of this Order.

Power to Slaughter

4. Subject to the provisions of Article 10 the Ministry may slaughter or cause to be slaughtered any reactor whether arising out of a first test or out of any subsequent test and any other animal which has been exposed to the possibility of infection with brucellosis by being in contact with any such reactor.

Marking

5. An authorised officer may paint, stamp or clip any mark on any animal or may permanently mark any animal. No person shall remove, obliterate, efface or duplicate or attempt to remove, obliterate, efface or duplicate such a mark.

Issue of Notice to Owners

6.—(1) Where the Ministry is satisfied that an animal should, subject to the provisions of Article 10, be slaughtered in accordance with this Order, the Ministry shall issue a notice in writing to the owner or person in charge of the animal that the Ministry proposes to slaughter the animal and requiring

(a) S.R. & O. (N.I.) 1931, No. 15.

him, pending such slaughter, to detain the animal on the premises specified in the notice and to isolate it from other animals.

(2) Where a Notice under Paragraph (1) is issued by the Ministry as a result of a first test, the Ministry shall further inform the owner of the herd of which such animal forms part that he may serve on the Ministry a Notice of Intention to Retain Reactors in accordance with Article 10.

Isolation

7.—(1) The owner of an animal to be slaughtered in accordance with this Order shall, when required to do so by the Ministry, immediately isolate such animal and detain it in isolation until collected on behalf of the Ministry or until informed otherwise in writing by the Ministry. No person shall move or permit to be moved from his premises any animal in respect of which a notice has been served by the Ministry in accordance with Article 6 except under the authority of a permit issued by the Ministry allowing the removal of the said animal for immediate slaughter in Northern Ireland.

(2) The owner of a herd shall immediately isolate any animal when required to do so, in accordance with the conditions of a notice issued by the Ministry in writing, and shall detain such animal in isolation on his premises until informed otherwise by the Ministry in writing.

Disinfection

8. The owner of a herd shall disinfect or cause to be disinfected in the manner prescribed in the Schedule any part or parts of any premises, any vehicle and any equipment which the Ministry may require him by notice in writing so to disinfect. Such disinfection shall be carried out within 48 hours after the removal of animals to be slaughtered or the receipt of the said notice and before any other animals are permitted to occupy the said part or parts of premises or the said vehicle.

Compensation

9.—(1) Where the Ministry causes an animal to be slaughtered in accordance with this Order the compensation payable by the Ministry for the animal shall be:—

(*a*) in the case of a reactor an amount equal to three-fourths of the animal's market value or £120, whichever is the less;

(*b*) in the case of an animal which is not a reactor but which has been exposed to the possibility of infection with brucellosis by being in contact with a reactor an amount equal to its market value.

(2) For the purposes of this Order the market value of an animal means the price which might reasonably have been obtained for it from a purchaser in the market if it had been free from brucellosis.

(3) The market value of an animal which the Ministry proposes to cause to be slaughtered shall, for the purposes of payment of compensation, be determined before slaughter by agreement between an authorised officer and the owner of the animal or his agent or, if they fail to so agree, by an independent valuer paid by the Ministry and selected by the owner from a list of at least three such valuers submitted by the Ministry to the owner.

(4) Where an owner refuses to select a valuer in accordance with the preceding paragraph the Ministry may select a valuer, and the owner shall maintain at his own expense any animal so valued until it is collected on behalf of the Ministry.

(5) A valuer appointed in accordance with paragraph (3) or paragraph (4)

shall give to the Ministry and to the owner a certificate in writing of his valuation and such valuation shall be final and binding.

Notice of Intention to Retain Reactors

10.—(1) The owner of a herd in which reactors are found as the result of a first test may, within seven days after the issue by the Ministry of the Notice referred to in Article 6(1), serve on the Ministry a Notice of Intention to Retain Reactors.

(2) A Notice of Intention to Retain Reactors shall be served by recorded delivery.

(3) Where a Notice of Intention to Retain Reactors is duly served, the following provisions shall have effect:—

(*a*) so long as such Notice remains in force, Article 4 shall not apply to the herd;

(*b*) the owner shall not move or cause or allow to be moved off his premises any animal in calf, any female animal aged 18 months or over, or any bull aged one year or over, except under a licence of the Ministry allowing such animal to be moved for immediate slaughter in Northern Ireland;

(*c*) where the Ministry is satisfied that the owner has failed to comply with the terms of sub-paragraph (*b*) the Notice of Intention to Retain Reactors shall cease to have effect;

(*d*) the owner may at any time by notice in writing to the Ministry withdraw the Notice of Intention to Retain Reactors;

(*e*) where a Notice of Intention to Retain Reactors ceases to have effect by virtue of sub-paragraph (*c*) or is withdrawn under sub-paragraph (*d*), Article 4 shall thenceforth apply to the herd.

Vaccination and Vaccine

11. No person other than a veterinary surgeon shall vaccinate any animal with anti-abortion vaccine.

12. A veterinary surgeon may vaccinate with anti-abortion vaccine any animal which is between four months and eight months of age. A veterinary surgeon shall not vaccinate an animal of less than four months or more than eight months of age unless he has the prior permission of the Ministry in writing.

13. A veterinary surgeon who vaccinates an animal with anti-abortion vaccine shall submit to the Ministry within seven days a certificate which shall detail the age, ear number and description of the animal vaccinated and the name and address of the owner of the animal and the date on which the animal was vaccinated.

14. For the purpose of carrying out the vaccination authorised under Article 11, the Ministry may issue supplies of anti-abortion vaccine free of charge, to veterinary surgeons.

Sealed with the Official Seal of the Ministry of Agriculture for Northern Ireland this 7th day of December, nineteen hundred and sixty-two, in the presence of

(L.S.)

W. A. V. Sanderson,
Assistant Secretary.