STATUTORY INSTRUMENTS

2017 No. 1254

ANIMALS, ENGLAND

ANIMAL HEALTH

The Tuberculosis (Non-bovine animals) Slaughter and Compensation (England) Order 2017

Made - - - -	*6th December 2017*
Laid before Parliament	*12th December 2017*
Coming into force - -	*2nd January 2018*

The Secretary of State, with the approval of the Treasury and in exercise of the powers conferred by sections 32(2) and (3) of the Animal Health Act 1981(**1**) and now vested in the Secretary of State(**2**), makes the following Order:

Citation, commencement, application and expiry

1.—(1) This Order may be cited as the Tuberculosis (Non-bovine animals) Slaughter and Compensation (England) Order 2017 and comes into force on 2nd January 2018.

(2) This Order applies in England only.

(3) This Order ceases to have effect on 2ndJanuary 2025.

Interpretation

2. In this Order—

"the Act" means the Animal Health Act 1981;

"camelid" means any species of South American camelid, including llama, alpaca, vicuna and guanaco;

"deer" means deer of any species that are managed by a keeper (including deer that are managed on enclosed park land);

"non-bovine animals" means camelids, deer, goats, pigs and sheep; and

(**1**) 1981 c. 22.

(**2**) Functions conferred under the Animal Health Act 1981 on "the Ministers" (as defined in section 86 of that Act) are now exercisable by the Secretary of State. They were transferred, so far as exercisable by the Secretaries of State for Scotland and Wales, to the Minister of Agriculture, Fisheries and Food by S.I. 1999/3141. Functions of the Minister of Agriculture, Fisheries and Food were then further transferred to the Secretary of State by S.I. 2002/794.

"tuberculosis" means infection with *Mycobacterium bovis* (*M. bovis*).

Power to slaughter animals affected with tuberculosis

3. The Secretary of State directs that section 32(2) of the Act applies to tuberculosis.

Compensation payable for a slaughtered non-bovine animal

4. Where the Secretary of State causes a non-bovine animal to be slaughtered under section 32(1) of the Act in its application to tuberculosis, the compensation payable under section 32(3) in respect of that non-bovine animal is as set out in the Schedule.

Revocations

5.—(1) The Tuberculosis (Deer and Camelid) Slaughter and Compensation (England) Order 2014(**3**) is revoked.

(2) Article 18 of the Tuberculosis (Deer and Camelid) (England) Order 2014(**4**) is revoked.

Review

6.—(1) The Secretary of State must from time to time—

(a) carry out a review of the regulatory provision contained in this Order; and

(b) publish a report setting out the conclusions of the review.

(2) The first report must be published before 2nd January 2023.

(3) Subsequent reports must be published at intervals not exceeding 5 years.

(4) Section 30(4) of the Small Business, Enterprise and Employment Act 2015(**5**) requires that a report published under this article must, in particular—

(a) set out the objectives intended to be achieved by the regulatory provision referred to in paragraph (1)(a);

(b) assess the extent to which those objectives are achieved;

(c) assess whether those objectives remain appropriate; and

(d) if those objectives remain appropriate, assess the extent to which they could be achieved in another way which involves less onerous regulatory provision.

(5) In this article, "regulatory provision" has the same meaning as in sections 28 to 32 of the Small Business, Enterprise and Employment Act 2015 (see section 32 of that Act).

George Eustice
Minister of State
Department for Environment, Food and Rural Affairs

6th December 2017

(**3**) S.I. 2014/2338.
(**4**) S.I. 2014/2337.
(**5**) 2015 c. 26.