1995 No. 273

ANIMALS

Diseases of Animals (Modification No. 2) Order (Northern Ireland) 1995

Made	*3rd July 1995*
Coming into operation . .	*1st August 1995*

The Department of Agriculture, being satisfied that the modification of Schedule 2 to the Diseases of Animals (Northern Ireland) Order 1981(**a**) set out in Article 2 is necessary or expedient for the purposes of that Order, in exercise of the powers conferred on it by Article 16(2) of that 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 No. 2) Order (Northern Ireland) 1995 and shall come into operation on 1st August 1995.

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

2. In Part II of Schedule 2 to the principal Order for paragraph 12A there shall be substituted the following paragraph—

"12A. *Bovine spongiform encephalopathy:*

(1) The compensation shall—

(*a*) where examination by the Department of tissues taken from the animal slaughtered confirms that it was affected with bovine spongiform encephalopathy, be either—

(i) the market value of the animal; or

(ii) the indicative market price in respect of the month of the year in which the market value of the animal was determined rounded down to the nearest £1,

whichever is the less;

(*b*) where examination by the Department of tissues taken from the animal slaughtered does not confirm that it was affected with bovine spongiform encephalopathy, be either—

(i) the market value of the animal; or

(ii) 125% of the amount referred to in head (*a*)(ii),

whichever is the less.

(a) S.I. 1981/1115 (N.I. 22). The relevant amending Order is S.R. 1990 No. 135