

S.I. No. 98 of 1990.

**DISEASES OF ANIMALS (BOVINE SPONGIFORM ENCEPHALOPATHY)
(AMENDMENT) ORDER, 1990.**

I, MICHAEL O'KENNEDY, Minister for Agriculture and Food, in exercise of the powers conferred on me by sections 3 of the Diseases of Animals Act, 1966 (No. 6 of 1966), as adapted by the Agriculture (Alteration of Name of Department and Title of Minister) Order, 1987 (S.I. No. 97 of 1987), hereby order as follows:

1. (1) This Order may be cited as the Diseases of Animals (Bovine Spongiform Encephalopathy) (Amendment) Order, 1990.

(2) The Diseases of Animals (Bovine Spongiform Encephalopathy) Order, 1989 (S.I. No. 61 of 1989), and this Order may be cited together as the Diseases of Animals (Bovine Spongiform Encephalopathy) Orders, 1989 and 1990 and shall be construed together as one.

2. Article 15 of the Diseases of Animals (Bovine Spongiform Encephalopathy) Order, 1989, is hereby amended, as respects an affected or suspected animal which the Minister causes to be slaughtered on or after the 15th day of March, 1990, under the powers conferred on him by section 17 of the Diseases of Animals Act, 1966, by the substitution, for paragraph (1), of the following paragraph:

"(1) Where the Minister causes an affected or suspected animal to be slaughtered under the powers conferred on him by section 17 of the Act, the compensation payable by him shall be an amount equal to—

(a) where the animal was an affected animal, either—

(i) the market value of the animal, or

(ii) the average price in respect of the month which occurred two months prior to the month in which the animal was slaughtered,
whichever is the less, and

(b) where examination of samples taken from the animal slaughtered does not confirm that it was an affected animal, the market value of the animal."

GIVEN under my Official Seal, this 18th day of April, 1990.

MICHAEL O'KENNEDY,

Minister for Agriculture and Food.

EXPLANATORY NOTE.

This Order amends the Diseases of Animals (Bovine Spongiform Encephalopathy) Order, 1989 (S.I. No. 61 of 1989), by increasing from 15 March 1990 the rate of compensation for suspected animals, caused to be slaughtered by the Minister, in which Bovine Spongiform Encephalopathy is confirmed. The new level of compensation for an affected animal will be either the full market value of the animal or the average market price, whichever is the less.