

1972 No. 964 (N.I.7)

NORTHERN IRELAND

**The Exported Animals (Compensation) (Northern Ireland)
Order 1972**

Laid before Parliament in draft

Made - - - 28th June 1972

Coming into Operation 12th July 1972

At the Court at Buckingham Palace, the 28th day of June 1972

Present,

The Queen's Most Excellent Majesty in Council

Whereas a draft of this Order has been approved by a resolution of each House of Parliament:

Now, therefore, Her Majesty, in exercise of the powers conferred by section 1(3) of the Northern Ireland (Temporary Provisions) Act 1972(a), and of all other powers enabling Her in that behalf, is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:—

Title and commencement

1. This Order may be cited as the Exported Animals (Compensation) (Northern Ireland) Order 1972 and shall come into operation on the fourteenth day after the day on which it is made.

Interpretation

2. The Interpretation Act (Northern Ireland) 1954(b) shall apply for the interpretation of the following provisions of this Order as it applies for the interpretation of an Act of the Parliament of Northern Ireland.

Limit on compensation payable in respect of slaughtered animals

3. After subsection (2)(d) of section 10 of the Exported Animals (Compensation) Act (Northern Ireland) 1952(c) (assessment of value of animals which have been or are about to be slaughtered) there shall be inserted—

“(e) the value of any animal slaughtered after 1st August 1972 shall be taken not to exceed £200.

(a) 1972 c. 22.

(b) 1954 c. 33 (N.I.).

(c) 1952 c. 24 (N.I.).

(3) The Ministry may by order made after consultation with the Trustees substitute for the sum referred to in subsection (2)(e) such sum as may be specified in the order in relation to any animal slaughtered after such date as may be specified in the order.

(4) An order made under subsection (3) shall be subject to negative resolution.”.

Compensation in respect of animals lost as a result of maritime perils

4.—(1) Sections 8 to 11, 13 and 21 of the Exported Animals (Compensation) Act (Northern Ireland) 1952 shall apply, subject to the modifications specified in paragraph (2), in relation to any animals which are lost after 30th September 1970 as a result of a maritime peril (as defined in the Marine Insurance Act 1906(a)) encountered by a ship on which they are being carried, in like manner as they apply in relation to animals which are slaughtered as mentioned in section 8 of the said Act of 1952.

(2) The modifications of the Exported Animals (Compensation) Act (Northern Ireland) 1952 for the purposes of paragraph (1) are—

(a) in section 8—

(i) for the words from “while” to “authorities” substitute “lost as a result of a maritime peril encountered by a ship on which they are being carried”;

(ii) for “such slaughter” substitute “the loss”;

(b) in section 9, omit subsections (6) and (7);

(c) in section 10—

(i) in subsection (1), for the words from “or are about to be” to “committee on,” substitute “lost as a result of a maritime peril encountered by a ship on which they are being carried, an assessment committee shall assess”;

(ii) in subsection (1), for “slaughtered or about to be slaughtered” and “slaughter” substitute “lost” and “loss” respectively;

(iii) for subsections (2) to (4) substitute—

“(2) The value of any animals lost as a result of a maritime peril encountered by a ship on which they were being carried shall be assessed as at the time immediately before the ship encountered the peril, but the value of any animal shall be taken not to exceed £200 or such other sum as the Ministry may by order made after consultation with the Trustees prescribe for the purposes of this subsection.

(2A) An order made under subsection (2) shall be subject to negative resolution.”;

(d) in section 11—

(i) in subsection (3), omit “and subject to any directions which may be given by the British authorities”;

(ii) in subsection (4) for “slaughter” substitute “loss”.

W. G. Agnew.

EXPLANATORY NOTE

(This Note is not part of the Order.)

The Exported Animals (Compensation) Act (Northern Ireland) 1952 makes provision for compensation in respect of losses sustained in exporting animals from Northern Ireland to Great Britain where the animals are slaughtered or detained in consequence of an outbreak of foot and mouth disease.

This Order limits the compensation payable in respect of any one animal and also, with effect from 1st October 1970, extends the right of compensation to cases of loss at sea.

SI 1972/964
ISBN 0-11-020964-8

