



Northern Ireland
Assembly

**COMMITTEE FOR
AGRICULTURE AND
RURAL DEVELOPMENT**

OFFICIAL REPORT
(Hansard)

Diseases of Animals Bill

29 September 2009

NORTHERN IRELAND ASSEMBLY

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RURAL DEVELOPMENT**

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Members present for all or part of the proceedings:

Mr Ian Paisley Jnr (Chairperson)
Mr Tom Elliott (Deputy Chairperson)
Mr Willie Clarke
Mr Pat Doherty
Mr William Irwin
Dr William McCrea
Mr Francie Molloy
Mr George Savage
Mr Jim Shannon

Witnesses:

Colette McMaster) Department of Agriculture and Rural Development

Clause 8 (Biosecurity guidance)

The Chairperson (Mr Paisley Jnr):

The Committee Clerk will speak on clause 8 of the Diseases of Animals Bill.

The Committee Clerk:

Members will be aware that there has been a lot of toing and froing between the Department, the Committee and our legal advisers in respect of clause 8. The Committee was of the view that the link between the reduction of compensation for reasons of biosecurity should be specific to brucellosis. The Committee office sought legal advice with respect to that. The legal advice

stated that there was no legal impediment to having brucellosis specified in the Bill. The Department has taken that on board, has agreed with us, and has come up with an amendment to clause 8, which members have a copy of. Again, the Committee office took legal advice in respect of that and the legal advice that we have received and that has previously been copied to members indicates that that meets with the Committee's objective to ensure that the link between the reduction of compensation and biosecurity should be made specific to brucellosis.

The Committee office recommends to members that they accept the amendment. If members are content for him to do so, the Chair will formally put the Question. Irrespective of whether the Committee agrees to the amendment, an addendum to the report that was published earlier in the year will be compiled and will come before the Committee at its next meeting.

The Chairperson:

I beg to move

That the Committee recommend to the Assembly that the clause be amended as follows: In page 8, line 43, at end insert

“(3) The Department may by order prescribe the circumstances in which it may withhold, either wholly or partly, compensation or any other payment in respect of an animal slaughtered under this Order where -

- (a) the slaughter has been necessitated by brucellosis;
- (b) guidance relating to brucellosis has been published under Article 4A(3) and has not been withdrawn; and
- (c) the owner or person having charge of the animal has failed to comply with that guidance.”

Question put and agreed to.

Mr Elliott:

I agree, but I would like the report to state that, in light of the efficiency savings, we are deeply disappointed that the Department will have to take on additional staff to progress that policy.

The Chairperson:

Yes, because what came out in today's presentation was that there has been an attempt to disguise what biosecurity is really being used for. We have had an answer on that today and it has been refuted to some degree, but having clarity and certainty on that from the beginning probably would have avoided a dispute. We are at this point; nevertheless, it is important that that caveat is noted. It is noted in our minutes and in the legal advice, which members have a copy of.

Ms Colette McMaster (Department of Agriculture and Rural Development):

I want to clarify absolutely that the purpose of the biosecurity measure is to eradicate brucellosis. The knock on benefit of driving towards the reduction of brucellosis — with the intention of eradicating it — is that it is going to reduce costs. That will be the effect, and that is good. It will reduce the cost for Government ultimately and reduce costs for industry too.

The Chairperson:

Yes, Mr Lavery clarified those points, but I understand why you want to defend your colleague. We have heard the evidence and we have heard Mr Lavery's description, and our decision stands as being made.