

SCHEDULE 1

COMPENSATION

Part VII

COMPENSATION FOR OFFSPRING ANIMALS OF TSE SUSCEPTIBLE ANIMALS SLAUGHTERED UNDER REGULATION 94(1)

1. The compensation payable for an offspring animal slaughtered in accordance with regulation 94(1) shall be an amount equal to the market value of the animal.

2.—(1) The market value of the animal shall be determined –

- (a) by agreement between the Department and the owner of the animal and such agreement shall be final and binding on the Department and the owner;
- (b) if the owner and the Department fail to reach such agreement, by an independent valuer paid by the Department and selected by the owner from a list of at least three such independent valuers submitted by the Department to the owner; or
- (c) if the owner refuses or neglects to select an independent valuer in accordance with subparagraph (b), by an independent valuer selected by the Department.

(2) An independent valuer selected in accordance with paragraph (1)(b) or (c) shall give to the Department and the owner a certificate in writing of his valuation and such valuation shall be final and binding on the Department and the owner.