

SCHEDULE 3

CONTROL AND ERADICATION OF TSE IN BOVINE ANIMALS

Compensation for a suspect animal

10.—(1) If an animal is killed because it was suspected of being affected with a TSE the compensation is either—

- (a) the market value of the animal; or
- (b) the average 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 lesser.

(2) The average market price must be an amount obtained by dividing the total amount of the prices shown in returns, made in accordance with paragraph 16, for a four week period ending on the last Saturday of the month of the year (“the calculation month”) occurring two such months before the month for which the price is being calculated, as having been paid for animals by the total number of the animals stated in those returns to have been sold.

(3) The average market price must be calculated by the Department where returns have been obtained for sales totalling not less than 100 animals during the calculation month.

(4) Where in any calculation month the requirements of sub-paragraph (3) are not met the average market price must be the same amount as that for the most recent previous calculation month for which an average price was calculated in accordance with sub-paragraphs (2) and (3).

(5) For the purposes of sub-paragraphs (2) and (3) animals means commercial grade cows and in-calf heifers, both of which are intended for use in the production of milk.