

2001 No. 130

ANIMALS

ANIMAL HEALTH

**The Foot-and-Mouth Disease (Ascertainment of Value)
(Scotland) (No. 3) Order 2001**

Made *30th March 2001*

Coming into force *5.00 p.m. on 30th March 2001*

The Scottish Ministers, in exercise of the powers conferred by sections 1 and 34(7) of the Animal Health Act 1981(a) and of all other powers enabling them in that behalf, hereby make the following Order:

Citation, commencement and extent

1.—(1) This Order may be cited as the Foot-and-Mouth Disease (Ascertainment of Value) (Scotland) (No. 3) Order 2001 and shall come into force at 5.00 p.m. on 30th March 2001.

(2) This Order extends to Scotland only.

Ascertainment of value of an animal

2.—(1) For the purposes of the Animal Health Act 1981, the value of an animal caused to be slaughtered by the Scottish Ministers because of foot-and-mouth disease shall be ascertained in accordance with this article and not the Diseases of Animals (Ascertainment of Compensation) Order 1959(b).

(2) In this article, “standard value” means in respect of any animal of a category specified in the Schedule to this Order, the amount set out for that animal in that Schedule.

(3) If the owner of an animal elects not to have that animal valued by a valuer, the value for that animal shall be the standard value.

(4) Where the owner of an animal—

(a) elects to have an animal valued by a valuer; or

(b) has not made any election under paragraph (3) or sub-paragraph (a) above in respect of an animal liable to be caused to be slaughtered by the Scottish Ministers prior to the slaughter of that animal,

the value of the animal, for the purpose of paragraph 3(2) of Schedule 3 to the Animal Health Act 1981 shall be the amount determined in writing by a valuer appointed by the Scottish Ministers.

(5) The valuer shall be paid by the Scottish Ministers in respect of the expenses of that valuer incurred pursuant to paragraph (4) above.

(6) If, within 14 days after receipt of the valuation in accordance with paragraph (4) above, the owner has not given notice to the Scottish Ministers in writing which disputes that valuation, the owner shall be deemed to have accepted that valuation.

(a) 1981 c.22. See section 86(1) for the definitions of “the Ministers”. The functions of “the Ministers”, so far as exercisable in relation to Scotland, were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998 (c.46).

(b) S.I. 1959/1335.

(7) Where such notice has been given in accordance with paragraph (6) above, the owner shall in that notice either—

- (a) accept the standard value; or
- (b) elect that the question of the value of the animal be referred to an arbiter.

(8) Where the owner elects that the question of the value of an animal be referred to an arbiter in terms of paragraph (7)(b) above, the arbiter shall be appointed jointly by the Scottish Ministers and the owner of the animal, or failing such appointment, by an arbiter appointed by the President of the Institute of Auctioneers and Appraisers in Scotland and liability for the costs of the arbiter shall be determined by the arbiter.

(9) Once the value of the animal has been determined in accordance with paragraph (4) above, nothing in this article shall require any delay in the slaughtering of animals pursuant to the powers of the Scottish Ministers under section 31 of, and Schedule 3(1) to, the Animal Health Act 1981.

Revocation and saving

3.—(1) Subject to paragraph (2) below, the Foot-and-Mouth Disease (Ascertainment of Value) (Scotland) (No. 2) Order 2001(a) (“the No. 2 Order”) is revoked.

(2) Notwithstanding the revocation of the No. 2 Order by virtue of paragraph (1) above, that Order shall continue to have effect for the purposes of determination of the value of an animal under article 2(2) of the No. 2 Order.

Pentland House,
Edinburgh
30th March 2001

DAVID R DICKSON
A member of the staff of the Scottish Ministers

SCHEDULE

<i>Animal</i>	<i>Rate</i> (£)
SHEEP	
Breeding ewes (in lamb/lamb at foot)	90
Cull/draft ewes	32
Hoggets (male and female old season's lamb)	55
New season's lamb	60
Rams	150
PIGS	
Gilts	190
Breeding sows	130
Cull sows	80
Piglets on sow	18
Stores: Breeding units (weaners)	30
Stores: Finishing unit	55
Boars	520
CATTLE	
Clean cattle: steers (over 7 months and no more than 30 months old)	600
Clean cattle: heifers (over 7 months and no more than 30 months old)	500
Clean cattle: young bulls (over 7 months and no more than 30 months old)	580
Breeding cows (including calves 1 month old or younger)	1,100
Breeding heifers	900
Breeding bulls	1,000
Calves (over one month and up to 7 months old)-	
Dairy breed Male	150
Dairy breed Female	300
Dairy/beef cross breed Male	250
Dairy/beef cross breed Female	150
Cull cattle (including clean cattle more than 30 months old)	325

EXPLANATORY NOTE

(This note is not part of the Order)

This Order, which extends to Scotland only, replaces the existing system for ascertaining the value of animals slaughtered because of foot-and-mouth disease.

It replaces the Foot-and-Mouth Disease (Ascertainment of Value) (Scotland) (No. 2) Order 2001 with amendments to the procedure for valuation and the Schedule of values to allow a standard value for calves.

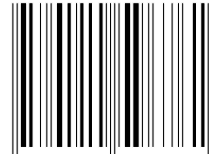
A Regulatory Impact Assessment has not been prepared.

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