
STATUTORY INSTRUMENTS

1998 No. 2073

ANIMALS

ANIMAL HEALTH

The Brucellosis and Tuberculosis (England and Wales) Compensation (Amendment) Order 1998

<i>Made</i>	- - - -	<i>21st August 1998</i>
<i>Laid before Parliament</i>		<i>25th August 1998</i>
<i>Coming into force</i>	- -	<i>26th August 1998</i>

The Minister of Agriculture, Fisheries and Food in relation to England and the Secretary of State for Wales in relation to Wales, in exercise of the powers conferred on them by section 32(3) of the Animal Health Act 1981⁽¹⁾, and of all other powers enabling them in that behalf, with the approval of the Treasury in accordance with the said section 32(3), hereby make the following Order:

Title and commencement

1. This Order may be cited as the Brucellosis and Tuberculosis (England and Wales) Compensation (Amendment) Order 1998 and shall come into force on 26th August 1998.

Amendment to the Brucellosis and Tuberculosis (England and Wales) Compensation Order 1978

2. The Brucellosis and Tuberculosis (England and Wales) Compensation Order 1978⁽²⁾ shall be amended by substituting for paragraph (2) of article 3 (compensation for and ascertainment of value of bovine animals slaughtered for brucellosis or tuberculosis) the following provisions—

“(2) In the case of brucellosis the compensation shall be—

- (a) where the slaughtered animal is an affected animal or a reactor, an amount equal to 75% of either—
 - (i) its market value, or
 - (ii) 125% of the average price in respect of the month which occurred 2 months prior to the month in which the market value of the animal was determined in

(1) 1981 c. 22. See Section 86(1)(c) for a definition of “the Ministers”.
(2) S.I. 1978/1483 as amended by S.I. 1981/1417 and S.I. 1996/1352.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

accordance with paragraph (3) below, rounded down to the nearest multiple of £4.

whichever is the less;

- (b) subject to sub-paragraph (c) below, where the slaughtered animal has been exposed to the infection of brucellosis, an amount equal to its market value;
- (c) where the slaughtered animal has been exposed to the infection of brucellosis and is or was comprised in a herd which is not an accredited herd and which is undergoing a series of diagnostic tests for brucellosis, the said compensation shall be an amount equal to 75% of its market value.

(2A) In the case of an animal slaughtered for tuberculosis after the coming into force of this Order the compensation shall be its market value.”.

21st August 1998

Jeff Rooker
Minister of State, Ministry of Agriculture,
Fisheries and Food

Signed by authority of the Secretary of State for Wales

21st August 1998

Peter Hain
Parliamentary Under Secretary of State, Welsh
Office

We approve

21st August 1998

Jim Dowd
Bob Ainsworth
Two of the Lords Commissioners of Her
Majesty’s Treasury

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Brucellosis and Tuberculosis (England and Wales) Compensation Order 1978 (S.I.1978/1483 as amended by S.I. 1981/1412 and S.I. 1996/1352). The effect of the amendment is that the amount of compensation payable for cattle slaughtered for tuberculosis by the Minister of Agriculture, Fisheries and Food or the Secretary of State after the coming into force of the Order is changed to the market value of the animal.

A regulatory impact assessment has been prepared and placed in the library of each House of Parliament. Copies can be obtained from the Animal Health (Disease Control) Division of the Ministry of Agriculture, Fisheries and Food, Government Buildings, Hook Rise South, Tolworth, Surbiton, Surrey KT6 7NF.

NOTE AS TO EARLIER COMMENCEMENT ORDERS

(This Note is not part of the Order)

This Order amends the Brucellosis and Tuberculosis (England and Wales) Compensation Order 1978 (S.I. 1978/1483 as amended by S.I. 1981/1412 and S.I. 1996/1352). The effect of the amendment is that the amount of compensation payable for cattle slaughtered for tuberculosis by the Minister of Agriculture, Fisheries and Food or the Secretary of State after the coming into force of the Order is changed to the market value of the animal.

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