
STATUTORY INSTRUMENTS

2001 No. 1242

**The Foot-and-Mouth Disease
(Ascertainment of Value) (No. 4) Order 2001**

Ascertainment of value of an animal

2.—(1) For the purposes of paragraph 3(2) of Schedule 3 to the Animal Health Act 1981 the value of an animal slaughtered by the Minister because of foot-and-mouth disease shall be in accordance with this article and not the Diseases of Animals (Ascertainment of Compensation) Order 1959(1).

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

(3) If the owner of an animal does not wish to have that animal valued by a valuer, the value for that animal is the standard value.

(4) Where the owner of an animal—

(a) decides that he wishes to have the animal valued by a valuer; or

(b) has not expressed any wish under paragraph (3) or (4)(a) in respect of an animal liable to be slaughtered at the direction of the Minister prior to the slaughter of that animal,

the value of the animal is the amount determined in writing by a valuer appointed by the Minister.

(5) The valuer shall be paid by the Minister.

(6) If, within 14 days after the owner has received the valuation made in accordance with paragraph (4), he has not given notice in writing that he disputes that valuation, he shall be deemed to have accepted that valuation.

(7) Where the owner has given notice in accordance with paragraph (6) he may either—

(a) accept the standard value; or

(b) refer the question of the value of the animal to an arbitrator appointed jointly by the Minister and the owner of the animal, or failing such appointment, by an arbitrator appointed by the President of the Royal Institution of Chartered Surveyors.

(8) Liability for the costs of the arbitrator shall be determined by the arbitrator.

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