

---

SCOTTISH STATUTORY INSTRUMENTS

---

**2007 No. 147**

**The Tuberculosis (Scotland) Order 2007**

**PART 5**

**Slaughter and compensation**

**Notification of intended slaughter of bovine animals**

**17.**—(1) Where the Scottish Ministers intend to cause a bovine animal to be slaughtered under section 32 of the Act in its application to tuberculosis, a veterinary inspector may serve a notice on the keeper of the animal informing that person of the intended slaughter and requiring that person to detain the animal pending such slaughter (or pending its surrender and removal for such slaughter) on such part of the premises as is specified in the notice and to isolate it as far as reasonably practicable from such other animals as are so specified.

(2) The person on whom such a notice has been served—

- (a) shall comply with the notice; and
- (b) shall not move the animal, or cause or permit it to be moved, off that part of the premises on which it is required to be detained, except under the authority of a licence issued by a veterinary inspector.

**Compensation**

**18.**—(1) Where the Scottish Ministers cause a bovine animal to be slaughtered under section 32 of the Act in its application to tuberculosis, they shall pay compensation in accordance with this article and article 19.

(2) The compensation payable shall be the market value of the animal.

**Ascertainment of market value**

**19.**—(1) Notwithstanding the provisions of article 4 of the Diseases of Animals (Ascertainment of Compensation) Order 1959<sup>(1)</sup> the market value of a bovine animal shall, for the purposes of payment of compensation under this Order, be determined—

- (a) by agreement between the Scottish Ministers and the owner of the animal;
- (b) by agreement between two valuers, one appointed by the Scottish Ministers and the other by the owner;
- (c) by one valuer, appointed jointly by the Scottish Ministers and the owner; or
- (d) failing agreement or appointment, by a valuer nominated by the President of the Institute of Auctioneers and Appraisers in Scotland.

(2) The valuer or valuers shall give to the Scottish Ministers and the owner of the animal, a certificate in writing of the value of the animal.

---

(1) S.I.1959/1335.

(3) Any valuer appointed or nominated under paragraph (1) shall be paid by the Scottish Ministers.

(4) Only individuals acting alone may be appointed or nominated for the purposes of this article.