
EXPLANATORY NOTE

(This note is not part of the Order)

This Order revokes and replaces the Cattle Compensation (England) Order 2006 (S.I. 2006/168).

The Order provides for rates of compensation where the Secretary of State causes an animal to be slaughtered under section 32(1) of the Animal Health Act 1981 (c. 22) in its application to brucellosis, tuberculosis or enzootic bovine leukosis (article 3).

Article 4 provides that the amount of compensation payable on the slaughter of domestic cattle is either the average market price for the category into which the slaughtered animal falls at the relevant date (defined in article 2), calculated in accordance with Part 1 of the Schedule, or the market value of the animal as ascertained in accordance with the Individual Ascertainment of Value (England) Order 2012 (S.I. 2012/1380) if there are no or inadequate sale price data available for the relevant category of cattle.

The amount of compensation payable on the slaughter of a buffalo or bison is the market value of that animal, ascertained in accordance with the Individual Ascertainment of Value (England) Order 2012 (article 4(1)(c)).

Compensation is reduced from the average market price for the relevant category of animal that is slaughtered for the control of tuberculosis where there has been a delay of more than 60 days on the part of the keeper in arranging for the tuberculosis testing of animals (paragraph 4 of the Schedule). There is a provision for the keeper to request a review by a person appointed by the Secretary of State of such a decision to reduce the compensation payable (paragraph 5 of the Schedule).

Paragraph 6 in Part 2 of the Schedule contains a table which provides that the categories on which the average market prices are based are defined by the sex, age, livestock type (beef or dairy), pedigree status and, if female, whether calved or not calved. The average market price for each category is published every month on the Department for Environment, Food and Rural Affairs' website.

Article 5 requires the Secretary of State to review the operation and effect of this Order and publish a report of that review, no later than 30th June 2017.

A full impact assessment of the effect that this instrument will have on the costs of business and the voluntary sector is available on the Defra website (www.defra.gov.uk) and is published with the Explanatory Memorandum alongside this instrument on www.legislation.gov.uk.