

SCHEDULE 1

COMPENSATION

Part IV

COMPENSATION FOR CARCASSES, PARTS OF CARCASSES OR BLOOD OF TSE SUSCEPTIBLE ANIMALS RETAINED, SEIZED OR DISPOSED OF UNDER REGULATION 83

1. Subject to paragraph 5, the compensation for any carcass, part of any carcass or any blood seized or disposed of under regulation 83 shall be an amount equal to the value of the carcass, part of the carcass or blood at the time it was seized or disposed of.

2. The value of any carcass, part of a carcass or blood seized or disposed of under regulation 83 shall be determined –

- (a) by agreement between the Department and the owner of the carcass, part of the carcass or blood retained, seized or disposed of; or
- (b) by arbitration.

3. The owner of a carcass, part of a carcass or blood seized or disposed of under regulation 83 shall pay any reasonable costs or expenses incurred by the Department in connection with the seizure or disposal.

4. These costs or expenses shall be deducted from the amount of any compensation payable to the owner for the value of the carcass, part of the carcass or blood seized or disposed of.

5. If the amount of these costs and expenses exceed the amount of compensation payable to the owner, the Department shall serve on the owner a notice specifying the amount of the excess and the period for payment of this amount to the Department.

6. The owner shall pay to the Department the amount of the excess within the period specified in the notice.

7. On the expiry of this period, the amount of the excess shall be recoverable as a debt by the Department from the owner.