



NATIONAL ASSEMBLY FOR WALES

STATUTORY INSTRUMENTS

2001 No. 1176 (W.62)

ANIMALS, WALES

ANIMAL HEALTH

The Foot-And-Mouth Disease (Ascertainment of Value) (Wales) (No. 3) Order 2001

Made at:-

3.45 p.m. on 26th March 2001

Coming into force at:-

5.00 p.m. on 26th March 2001

The National Assembly for Wales and the Minister of Agriculture Fisheries and Food, in exercise of the powers conferred on them by sections 1 and 34(7) of the Animal Health Act 1981(a) and of all other powers enabling them in that behalf, make the following Order:

Title, extent and commencement

1. This Order may be cited as the Foot-And-Mouth Disease (Ascertainment of Value) (Wales) (No. 3) Order 2001; it extends to Wales and comes into force at 3:45p.m. on 26th March 2001.

(a) 1981 c.22. See section 86(1) for the definitions of "the Ministers" and "the Minister". Functions of "the Ministers", so far as exercisable by the Secretary of State for Scotland in relation to Wales were transferred to the Minister of Agriculture, Fisheries and Food by the Transfer of Functions (Agriculture and Food) Order 1999 (S.I. 1999/3141). Functions of "the Ministers", so far as exercisable by the Secretary of State for Wales in relation to Wales, were transferred to the National Assembly for Wales by the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672).

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(a).

(2) In this article, "standard value" means in respect of any animal, 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.

(a) S.I. 1959/1335.

(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 paragraph 3(1) of Schedule 3 to, the Animal Health Act 1981.

Revocation

3. The Foot-and-Mouth Disease (Ascertainment of Value) (Wales) (No. 2) Order 2001(a) is revoked.

Signed on behalf of the National Assembly for Wales under section 66(1) of the Government of Wales Act 1998(b)

Signed at 3.15 p.m.
on 26th March 2001

Rhodri Morgan

The First Secretary
National Assembly for Wales

Signed at 3.45 p.m.
on 26th March 2001

Helene Hayman

Minister of State
Ministry of Agriculture, Fisheries and Food

(a) S.I. 2001/1142 (W.57).

(b) 1998 c.38.

 SCHEDULE

Animal	Rate(£)
SHEEP	
Breeding ewes (in lamb/lamb at foot)	90
Cull/draft ewes	32
Hoggets (male and female old season's lamb)	55
New season's lamb	60
Rams	150
PIGS	
Gilts	190
Breeding sows	130
Cull sows	80
Piglets on sow	18
Stores: Breeding units (weaners)	30
Stores: Finishing unit	55
Boars	520
CATTLE	
Clean cattle: steers (under 30 months old)	600
Clean cattle: heifers (under 30 months old)	500
Clean cattle: young bulls (under 30 months old)	580
Breeding cows	1,100
Breeding heifers	900
Breeding bulls	1,000
Cull cattle (including clean cattle over 30 months old)	325

EXPLANATORY NOTE

(This note is not part of the Order)

This Order revokes the Foot-and-Mouth Disease (Ascertainment of Value) (Wales) (No.2) Order 2001 (S.I. 2001/1142) (W.57) and sets out the requirements for the valuation of animals slaughtered or liable to be slaughtered as a result of Foot-and-Mouth disease.

A Regulatory Appraisal has not been prepared.

2001 No. 1176 (W.62)

ANIMALS, WALES

ANIMAL HEALTH

**The Foot-And-Mouth Disease (Ascertainment of Value)
(Wales) (No. 3) Order 2001**

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