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## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order replaces the Cattle Compensation (England) Order 2012 ([S.I. 2012/1379](#)), which expires on 1st July 2019.

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), subject to the exception set out in article 4(2)(b).

Article 5 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; but where there are no, or inadequate, sale price data available for the relevant category of cattle, the Secretary of State may instead calculate the compensation by reference to the market value of the animal as ascertained in accordance with the Individual Ascertainment of Value (England) Order 2019 ([S.I. 2019/946](#)).

Article 4(3)(b) provides that 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 2019.

The levels of compensation are set out in the Schedule. 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 owner in arranging for the tuberculosis testing of animals (paragraph 4 of the Schedule). There is a provision for the owner 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). Other reductions to the compensation payable are made in accordance with paragraphs 6, 7 and 8 of the Schedule.

Paragraph 9 of the Schedule contains a table setting out the categories on which the average market prices are based by reference to the sex, age, livestock type (beef or dairy) and status of the cattle (pedigree or non-pedigree) and, if female, whether calved or not calved. The average market price for each category is published every month on the website of the Department for Environment, Food and Rural Affairs at [www.gov.uk/publications](http://www.gov.uk/publications).

An impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public sector is foreseen.

**Changes to legislation:**

There are currently no known outstanding effects for the The Cattle Compensation (England) Order 2019.