
STATUTORY INSTRUMENTS

2023 No. 565

**The Exotic Equine Diseases (Compensation)
(England) (No. 2) Order 2023**

PART 3

Interpretation

3. In this Order—

- (a) “disease” means a disease specified in the Schedule to this Order;
- (b) “horse” means an animal of the family Equidae and includes any cross between animals of that family.

Compensation

4.—(1) Where the Secretary of State causes a horse to be slaughtered on suspicion of being affected by disease under section 32 of the Animal Health Act 1981⁽¹⁾, the amount of compensation payable to the owner of the horse, following the results of laboratory testing for the relevant disease, is—

- (a) for a horse confirmed by the Secretary of State as affected by the relevant disease, £1.00;
- (b) for a horse, which following such a test is confirmed as not affected by the relevant disease, £2985.00, or the value of the horse immediately before it was slaughtered, whichever is less.

(2) In a case under paragraph (1)(b), the Secretary of State must carry out a valuation of the horse and notify the owner of the horse of that valuation in writing as soon as practicable.

(3) The value of the horse for the purposes of paragraph (1)(b) is to be determined in writing—

- (a) by the Secretary of State; or
- (b) where the determination of the value has been referred to an appointed valuer under paragraph (4), by that valuer.

(4) If the written valuation made by the Secretary of State under paragraph (2) is less than £2985.00 and the owner of the horse gives written notice to the Secretary of State disputing that valuation with reasons within 14 days of receiving that valuation, the Secretary of State must refer the determination of the value of that horse to an appointed valuer.

(5) The appointed valuer must be—

- (a) appointed jointly by the owner and the Secretary of State for the purpose of conducting a valuation under this Order; or
- (b) failing agreement on such appointment within 10 days of the Secretary of State’s receipt of the notice given under paragraph (4), appointed by the Secretary of State for that purpose.

(6) A determination of the value of a horse by the appointed valuer—

(1) 1981 c. 22.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- (a) must be conducted without delay; and
 - (b) is final and binding on the Secretary of State.
- (7) Fees charged or expenses incurred by an appointed valuer for work done under this Order must be paid in full—
- (a) where the determination of the value of a horse made by the appointed valuer is equal to or less than the valuation made by the Secretary of State, by the owner;
 - (b) in any other circumstances, by the Secretary of State.
- (8) Nothing in this Order authorises a delay in the killing of a horse for the purposes of disease control.

Revocation

5. The Equines Infectious Anaemia (Compensation) (England) Order 2006(2) is revoked.