

SCHEDULE 1

Compensation

Part IV

Compensation for carcasses, parts of carcasses or blood of TSE susceptible animals seized or disposed of under regulation 83

1. Subject to paragraph 5 below, the compensation for any carcase, part of any carcase or any blood seized or disposed of under regulation 83 shall be compensation to the owner of the carcase, part or blood of an amount equal to the value of the carcase, part or blood at the time it was seized or disposed of.
2. The value of any carcase, part or blood seized or disposed of under regulation 83 shall be determined—
 - (a) by agreement between the Secretary of State and the owner of the carcase, part or blood retained, seized or disposed of; or
 - (b) by arbitration.
3. The owner of a carcase, part of a carcase or blood seized or disposed of under regulation 83 shall pay any reasonable costs or expenses incurred by the Secretary of State or the National Assembly in connection with the seizure or disposal.
4. These costs or expenses may be deducted from the amount of any compensation payable to the owner for the value of the carcase, part 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 Secretary of State or the National Assembly may serve on the owner a notice specifying the amount of the excess and the period for payment of this amount to the authority serving the notice (“the serving authority”).
6. The owner shall pay to the serving authority 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 serving authority from the owner.