

---

WELSH STATUTORY INSTRUMENTS

---

**2013 No. 1662**

**The African Horse Sickness (Wales) Regulations 2013**

**PART 8**

**Inspection, enforcement and miscellaneous provisions**

**Compensation for horses killed and things seized**

- 33.**—(1) The Welsh Ministers, in accordance with this regulation—
- (a) may pay compensation for any horse killed under regulation 12 or 16(6)(e);
  - (b) must pay compensation for anything seized under these Regulations, unless it is returned.
- (2) No compensation is payable for a horse that, at the time it was killed, was affected with African horse sickness.
- (3) The amount of any compensation payable under paragraph (1)(a)—
- (a) subject to sub-paragraph (b), is the value of the horse immediately before it was killed;
  - (b) may not in any case exceed £2500 for any horse.
- (4) The amount of any compensation payable under paragraph (1)(b)—
- (a) subject to sub-paragraph (b), is the value of the thing seized at the time of its seizure;
  - (b) in the case of any genetic material coming from the same horse, may not in any case exceed £2500 (regardless of the nature or number of items of genetic material seized).
- (5) The value of the horse or thing seized (as the case may be) is—
- (a) the amount determined in writing by the Welsh Ministers (“the Welsh Ministers’s valuation”), or
  - (b) where the determination of the value has been referred to an appointed valuer under paragraph (6), the amount determined in writing by that valuer instead.
- (6) If—
- (a) the Welsh Ministers’s valuation is less than £2500, and
  - (b) within 14 days after receiving the Welsh Ministers’s valuation, the owner of the horse killed or (as the case may be) the thing seized gives written notice to the Welsh Ministers disputing that valuation, with reasons,
- the Welsh Ministers must refer the determination of the value to an appointed valuer.
- (7) The appointed valuer must be a person—
- (a) appointed jointly by the owner and the Welsh Ministers for the purpose of conducting a valuation under this regulation, or
  - (b) failing agreement on such appointment within 10 days of receipt of the notice given under paragraph (6), appointed by the Welsh Ministers for that purpose.
- (8) The determination of value by the appointed valuer is final and binding on the Welsh Ministers and the owner (but this is subject to paragraphs (3)(b) and (4)(b)).

(9) Fees charged or expenses incurred by an appointed valuer for work done under this regulation must be paid—

- (a) where the valuer's determination is equal to or less than the Welsh Ministers's valuation, by the owner,
- (b) otherwise, by the Welsh Ministers.

(10) Nothing in this regulation authorises any delay in the killing of a horse for the purposes of controlling African horse sickness.

---

**Commencement Information**

**II** Reg. 33 in force at 31.7.2013, see [reg. 1\(c\)](#)

**Changes to legislation:**

There are currently no known outstanding effects for the The African Horse Sickness (Wales) Regulations 2013, Section 33.