EXPLANATORY NOTE

(This Note is not part of the Scheme, but is intended to indicate its general purport.)

This Scheme amends the Tuberculosis (Attested Herds) Scheme, 1950, by providing that, instead of bonus under Article 12 being payable to the person who owns the herd at the end of the six months bonus period, it shall be payable to the person who owns the herd on the date in June or December on which the number of cattle in the herd is determined, and that payment shall be due immediately after that date.

The Tuberculosis (Compensation) Order, 1950

1950 No. 2005

Made - - - -	11*th December*, 1950
Laid before Parliament	13*th December*, 1950
Coming into Operation	1*st January*, 1951

The Minister of Agriculture and Fisheries, by virtue and in exercise of the powers vested in him under subsection (3) of section 22 of the Agriculture Act, 1937(**a**), the Diseases of Animals Acts, 1894 to 1937, and of every other power enabling him in this behalf, with the approval of the Treasury, hereby makes the following Order:—

Citation and Commencement

1. This Order (which applies to Great Britain) may be cited as the Tuberculosis (Compensation) Order, 1950, and shall come into operation on the 1st day of January, 1951.

Interpretation

2.—(1) In this Order the expression " bovine animal " means a bull, cow, ox, heifer or calf.

(2) The Interpretation Act, 1889(**b**), applies to the interpretation of this Order as it applies to the interpretation of an Act of Parliament.

Compensation for animals slaughtered under section 22 of the Agriculture Act, 1937

3.—(1) Where, under the extended powers conferred by section 22 of the Agriculture Act, 1937(**a**), the Minister of Agriculture and Fisheries causes to be slaughtered a bovine animal which has reacted to a tuberculin test or a bovine animal which has been exposed to the infection of tuberculosis by contact with the first mentioned animal, the compensation payable by him for that animal shall be an amount equal to its market value but so that the compensation shall not in any case exceed one hundred pounds:

Provided that in the case of a bovine animal comprised in a herd which was at any time registered in the Register of Attested Herds kept in pursuance of the Tuberculosis (Attested Herds) Scheme, 1950(**c**), or any modification

(**a**) 1 Edw. 8. & 1 Geo. 6. c. 70. (**b**) 52 & 53 Vict. c. 63. (**c**) S.I. 1950 No. 1126, p. 177 above.

of that Scheme for the time being in force and the registration of which herd was subsequently cancelled, the compensation payable under this Order shall, if the said Minister thinks fit, be such less amount (not being less than the sum received by him on sale of the carcase of the animal after deducting reasonable expenses) as he may determine.

(2) For the purposes of this Order, the market value of a bovine animal means the price which might reasonably have been obtained from a purchaser in the open market who had no knowledge that it had been tested with tuberculin.

Saving for the Tuberculosis Order of 1938

4. Nothing in this Order shall affect the operation of the Tuberculosis Order of 1938(**a**), as amended by the Tuberculosis (Amendment) Order of 1946(**b**).

In witness whereof the Official Seal of the Minister of Agriculture and Fisheries is hereunto affixed this eleventh day of December, nineteen hundred and fifty.

(L.S.)

T. Williams,
Minister of Agriculture and Fisheries.

We approve,

W. A. Wilkins,
H. W. Bowden,
Two of the Lords Commissioners of His Majesty's Treasury.

Dated this eleventh day of December, 1950.

EXPLANATORY NOTE

(This Note is not part of the Order, but is intended to indicate its general purport.)

This Order prescribes the scale of compensation payable by the Minister of Agriculture and Fisheries for a bovine animal slaughtered under the powers conferred on him by section 22 of the Agriculture Act, 1937, when such animal had reacted to a tuberculin test or had been exposed to the infection of tuberculosis by contact with a reactor. The mode of ascertainment of the value is prescribed by the Tuberculosis (Slaughter of Reactors) Order, 1950, (S.I. 1950 No. 2007)(**c**).

A different scale of compensation is prescribed by the Tuberculosis Order of 1938 (as amended) for bovine animals found to be affected with tuberculosis otherwise than by a tuberculin test and that Order is expressly saved by the present Order.

(a) S.R. & O. 1938 (No. 165) I, p. 293. (b) S.R. & O. 1946 (No. 122) I, p. 39.
(c) Page 188 below.