

Department for Environment, Food and Rural Affairs

Bovine tuberculosis compensation payments to deer owners in England scheme

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1. Introduction

The current aid scheme for Bovine Tuberculosis compensation payments to deer owners in England, administered by Defra, was due to close on 31 March 2019. New agriculture state aid regulations were agreed by the Commission at the end of July 2014 (EC 704/2014). Paragraph 735(b) of the guidelines accompanying these regulations confirm that existing schemes need to close and if continued be registered in line with the new regulations.

The legal basis on which compensation payments are made to deer keepers changed on 1 October 2014.

Tuberculosis is a disease considered to be of public concern, as borne out by the fact it is incorporated in Council Directive 77/391/EEC7. The aid schemes form part of a Bovine tuberculosis control programme in England.

Deer are monitored for bovine tuberculosis in line with a programme governed by Community and national legislation. Deer owners in England whose animals are slaughtered as part of a bovine Tuberculosis control programme are to be compensated in accordance with The Tuberculosis (Deer and Camelid) (England) Order 2014; and The Tuberculosis (Deer and Camelid) Slaughter and Compensation (England) Order 2014 made under section 32(3) of the Animal Health Act 1981. This Act gives the power for any animal which is affected or suspected of being affected with tuberculosis to be slaughtered in the interests of human and animal health.

2. Aims and Objectives

To compensate deer owners for losses caused by the slaughter of their animals as a result of bovine Tuberculosis.

3. Legal basis

The Animal Act 1981; The Tuberculosis (Deer and Camelid) (England) Order 2014; and The Tuberculosis (Deer and Camelid) Slaughter and Compensation (England) Order 2014.

4. Duration of the scheme

The current scheme for deer expires on 31 March 2019. This is an ongoing requirement so the new scheme will commence on 1 January 2015 and will close to new entrants on 31 December 2020.

5. Who is eligible?

Owners of deer in England whose animals are slaughtered for bovine Tuberculosis control.

6. What funding is available?

Deer owners in England whose animals are slaughtered as part of a bovine Tuberculosis control programme are to be compensated in accordance with The Tuberculosis (Deer and Camelid) Slaughter and Compensation (England) Order 2014 which outlines the amount of compensation to be paid.

i. The compensation for deer slaughtered for tuberculosis shall be (a) the sum of £600; or (b) an amount equal to 50 per cent of the market value of the deer, whichever is the less.

ii. The market value of a deer shall be the price which might have reasonably obtained for it at the time of valuation from a purchase in the open market as if it were an animal which has not been exposed to the infection of tuberculosis.

iii. The market value is determined by an independent valuer with expertise in deer. Each deer is individually assessed.

iv. For the scheme the authorities do not receive funding for the EU's Veterinary Fund.

7. State Aid

The scheme is only open to small and medium sized enterprises

This measure is aimed at compensating owners for losses caused by animal disease. In accordance with Article 26.1 of EC regulation 702/2014, it shall be compatible with the internal market within the meaning of Article 107(3)(c) of the Treaty and shall be exempted from the notification requirement of Article 108(3) thereof where it fulfils the conditions laid down in paragraphs 2 to 13 of this Article and in Chapter I. The scheme will abide by Article 26(5) in relation to direct payment.

The aid intensity for this will not exceed 100%. The aid will be limited to losses caused by bovine Tuberculosis, which is currently endemic in England.

This scheme is specific to bovine Tuberculosis as mentioned in the list of animal diseases established by the World Organisation for Animal Health and/or in Annex 1 to EC Regulation 652/2014 and specifically relates to compensation payments to deer - owners in England.

The aid does not relate to measures in respects of which Community legislation provides that the cost of such measures is to be borne by the agricultural holding. The scheme will comply with Article 26.7 through to Article 26.9 of EC Regulation 702/2014.

8. Ineligible costs

Compensation will only be granted to deer owners in England whose animals are slaughtered as part of a bovine Tuberculosis control programme. Owners with animals that die or are killed for any other reason, even if Tuberculosis is subsequently identified in carcasses, will not be compensated. No compensation is paid to landowners for slaughter of wild deer that are not kept and managed by them.



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