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SCOTTISH STATUTORY INSTRUMENTS

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**2011 No. 77**

**ANIMALS**

**ANIMAL HEALTH**

**The Sheep Scab (Scotland) Amendment Order 2011**

*Made* - - - - *9th February 2011*

*Coming into force* - - *14th March 2011*

The Scottish Ministers make the following Order in exercise of the powers conferred by sections 1, 8(1) and 15(4) of the Animal Health Act 1981<sup>(1)</sup> and all other powers enabling them to do so.

**Citation and commencement**

1. This Order may be cited as the Sheep Scab (Scotland) Amendment Order 2011 and comes into force on 14th March 2011.

**Amendment to the Sheep Scab (Scotland) Order 2010**

2.—(1) The Sheep Scab (Scotland) Order 2010<sup>(2)</sup> is amended as follows.

(2) In article 4(3) (notification of sheep scab or suspected sheep scab), for “that person must”, substitute “the Divisional Veterinary Manager must, in so far as it is reasonably practicable to do so and”.

(3) In article 5(6) (restrictions on the movement of sheep) for sub-paragraph (b) substitute—

“(b) from a veterinary surgeon, written confirmation that in the veterinary surgeon’s opinion there are no affected sheep or affected carcasses on the premises.”.

(4) In article 6(7) (service of notice requiring veterinary enquiry) for sub-paragraph (b) substitute

“(b) from a veterinary surgeon, written confirmation that in the veterinary surgeon’s opinion there are no affected sheep or affected carcasses on the premises.”.

St Andrew’s House, Edinburgh  
9th February 2011

*RICHARD LOCHHEAD*  
A member of the Scottish Executive

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(1) [1981 c.22](#) (“the 1981 Act”). Section 8 was amended by paragraph 1 of schedule 2 to the Animal Health and Welfare (Scotland) Act 2006 ([asp 11](#)). Powers to make orders under these sections were originally conferred on “the Ministers”, as defined in section 86(1) of the 1981 Act. The functions of the Ministers were, insofar as within devolved competence, transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998 ([c.46](#)).

(2) [S.S.I. 2010/419](#).

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## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order is made under powers in the Animal Health Act 1981. It amends the Sheep Scab (Scotland) Order 2010 with effect that when a person, other than the owner or keeper of affected sheep or carcasses, notifies the Divisional Veterinary Manager that he or she knows or suspects sheep or carcasses have sheep scab, the DVM must then inform the owner or keeper of the sheep that notification has been made (article 2(2)).

Article 2(3) and (4) omits reference to veterinary surgeons providing confirmation that there have not been affected sheep or affected carcasses on premises within the previous 16 days.

No business and regulatory impact assessment has been prepared for these Regulations as no impact upon business, charities or voluntary bodies is foreseen.