

Scottish Statutory Instrument 2002 No. 369

The Disease Control (Interim Measures) (Scotland) Amendment Order 2002

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SCOTTISH STATUTORY INSTRUMENTS

2002 No. 369

ANIMALS

ANIMAL HEALTH

The Disease Control (Interim Measures) (Scotland) Amendment Order 2002

<i>Made</i>	<i>12th August 2002</i>
<i>Coming into force</i>	<i>13th August 2002</i>

The Scottish Ministers, in exercise of the powers conferred by sections 1, 7 and 8(1) of the Animal Health Act 1981[1], and of all other powers enabling them in that behalf, hereby make the following Order:

Citation and commencement

1. This Order may be cited as the Disease Control (Interim Measures) (Scotland) Amendment Order 2002 and shall come into force on 13th August 2002.

Amendments to the Disease Control (Interim Measures) (Scotland) Order 2002

2. - (1) The Disease Control (Interim Measures) (Scotland) Order 2002[2] is amended in accordance with the following provisions of this article.

(2) In article 2(1) (interpretation) for ", swine and elephants" there is substituted "(other than camelids) and swine".

(3) In article 3(1), after "and (3)", there is inserted "and article 4A".

(4) In article 4 (specific exemptions)-

(a) paragraph (g) is omitted; and

(b) in paragraph (o) "camelids" is omitted.

(5) After article 4 there is inserted-

" Conditional exemption

4A. The requirement contained in article 3(1)(b) shall not apply if the animal which is to be moved from the premises on which it is located is one which-

(a) is marketed within the area of-

(i) Orkney Islands Council,

(ii) Shetland Islands Council, or

(iii) Comhairle nan Eilan Siar, ("the Islands area");

(b) is thereafter marketed on the Scottish mainland within the period of 20 days from the date of the marketing referred to in paragraph (a); and

(c) prior to being presented to market on the Scottish mainland in terms of paragraph (b) is held on premises whether in the Islands area or on the Scottish mainland separately from animals which have been brought on to the premises in accordance with the provisions of article 5 and the premises have been authorised for those purposes by the Scottish Ministers after receipt of the declaration in the form specified in Schedule 1."

(6) In Schedule 2 (requirements on markets)-

(a) in paragraph 3[3]-

(i) for "rubber boots" there is substituted "robust footwear which is capable of being properly cleansed and disinfected"; and

(ii) "(except in the case of those handling or leading breeding bulls or other haltered cattle who may, instead of rubber boots, wear robust footwear capable of being cleansed and disinfected)" is omitted;

(b) in paragraph 5-

(i) for "rubber boots" there is substituted "footwear"; and

(ii) for "boots are" there is substituted "any footwear is".

ROSS FINNIE

A member of the Scottish Executive

St Andrew's House, Edinburgh

12th August 2002

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Disease Control (Interim Measures) (Scotland) Order 2002 ("the principal Order"). It amends the 20 day standstill on the movement of animals contained in articles 3, 4 and 5 of the principal Order, as follows.

It lifts the controls contained in the principal Order in relation to camelids and elephants.

It allows animals which are located in the areas of the Orkney Islands Council, the Shetland Islands Council or Comhairle nan Eilan Siar, and which have been marketed there, to be marketed on the Scottish mainland within the 20 day "standstill" period, provided they have been kept separately from other stock, in accordance with the provisions of Article 5 of the principal Order.

The Order also substitutes for the requirement that persons having access to a market shall wear rubber boots, a requirement that such persons shall wear "robust footwear which is capable of being properly cleansed and disinfected".

A breach of the terms of the principal Order or of a licence issued thereunder constitutes an offence under the Animal Health Act 1981.

A Regulatory Impact Assessment has not been prepared for this Order.

Notes:

[1] 1981 c.22. See section 86(1) for the definition of "the Ministers". The functions of the Ministers of the Crown were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998 (c.46).back

[2] S.S.I. 2002/34, as amended by S.S.I. 2002/221.back

[3] Paragraph 3 was substituted by S.S.I. 2002/221.back

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