

Scottish Statutory Instrument 2003 No. 228

The Disease Control (Interim Measures) (Scotland) Amendment Order 2003

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SCOTTISH STATUTORY INSTRUMENTS

2003 No. 228

ANIMALS

ANIMAL HEALTH

The Disease Control (Interim Measures) (Scotland) Amendment Order 2003

Made

27th March 2003

Coming into force

31st March 2003

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 2003 and shall come into force on 31st March 2003.

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 each of articles 3(1)(b) (restrictions on the movement of animals), 4(b)(ii), 4(m)(i) and (ii) (specific exemptions)[3], and 4A(b) (conditional exemptions)[4] for "20 days" where it appears there is substituted "13 days".

(3) In article 3(2) (restrictions on the movement of animals)[5]-

(i) in sub-paragraph (a), "(except in the case of a pig moved from a slaughterhouse prior to slaughter)" is omitted; and

(ii) for sub-paragraph (b) there is substituted-

" (b) where the animal to be moved has been held separately from animals which have been moved onto the premises in accordance with the provisions of article 5 and the premises have been authorised for those purposes by the Scottish Ministers before the animal moves onto those premises, after receipt of the declaration in the form specified in Schedule 1;"

(4) In article 5(5) (separation of animals on premises)-

(i) for "the 20 day" there is substituted "any"; and

(ii) after "must remain" there is added "separated".

Consequential revocation

3. Article 2(2)(b) of the Disease Control and Animal Movements (Interim Measures) (Scotland) Amendment Order 2002[6] is revoked.

ROSS FINNIE
A member of the Scottish Executive

St Andrew's House, Edinburgh
27th March 2003

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 reduces the 20 day standstill period on the movement of animals contained in articles 3, 4 and 5 of the principal Order to a 13 day period. In addition, consequential amendments are required to

articles 4A and 5(5), and there is a need for a consequential revocation to article 2(2)(b) of the Disease Control and Animal Movements (Interim Measures) (Scotland) Amendment Order 2002.

The controls contained in the principal Order have effect in relation to cattle, sheep, goats and all other ruminating animals. Where the movement of pigs is subject to the Pigs (Records Identification and Movement) Order 1995 (S.I. 1995/11 as amended), a 20 day standstill period will remain in force.

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, 369 and 530.[back](#)

[3] Paragraph (m) of article 4 was inserted by S.S.I. 2002/221.[back](#)

[4] Article 4A was inserted by S.S.I. 2002/369.[back](#)

[5] Article 3(2) was amended by S.S.I. 2002/221.[back](#)

[6] S.S.I. 2002/221.[back](#)

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