

Scottish Statutory Instrument 2002 No. 34

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

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SCOTTISH STATUTORY INSTRUMENTS

2002 No. 34

ANIMALS

ANIMAL HEALTH

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

Made 1st February 2002

Coming into force 18th February 2002

The Scottish Ministers, in exercise of the powers conferred by sections 1, 7, 8(1) and 83(2) of the Animal Health Act 1981[[1](#)] and of all other powers enabling them in that behalf, hereby make the following Order:

Citation, commencement and extent

1. - (1) This Order may be cited as the Disease Control (Interim Measures) (Scotland) Order 2002 and shall come into force on 18th February 2002.

This Order extends to Scotland only.

Interpretation

2. - (1) In this Order-

"the Act" means the Animal Health Act 1981;

"animals" means cattle, sheep, goats and all other ruminating animals, swine and elephants;

"approved disinfectant" means a disinfectant listed in the Diseases of Animals (Approved Disinfectants) Order 1978^[2];

"market premises" includes a market place, fairground, highway, sale-yard or other premises or place upon which markets, fairs and sales of animals are held, and any lair or enclosure adjoining or used in connection with a market;

"premises" includes land, with or without buildings;

"vehicle" includes a trailer and the detachable body of a vehicle and any all-terrain vehicle.

(2) Unless the context otherwise requires, any reference in this Order-

(a) to a numbered article is a reference to the article so numbered in this Order;

(b) to a numbered paragraph is a reference to the paragraph so numbered in the article in which it occurs;

(c) to a numbered Schedule is a reference to the Schedule so numbered in this Order.

(3) A reference in this Order to anything done in writing includes a reference to that thing being done by electronic communication, as defined in the Electronic Communications Act 2000^[3], which has been recorded and is consequently capable of being reproduced.

Restrictions on the movement of animals

3. - (1) Subject to paragraphs (2) and (3), no person shall move any animal from the premises on which it is located, unless(

(a) that movement is licensed under a specific or general licence issued, subject to the provisions of this Order, by the Scottish Ministers and in accordance with the conditions of that licence; and

(b) no animal has been moved onto those premises during the period of 20 days before the date on which the first mentioned animal is to be moved.

(2) The requirement contained in paragraph (1)(b) shall not apply-

(a) if the premises from which the animal is to be moved is a market, artificial insemination centre, exhibition, show or place for veterinary treatment or research;

(b) if the animal which is to be moved from the premises on which it is located is-

(i) cattle, where that movement commences on or after 18th March 2002; or

(ii) a sheep or a goat, where that movement commences on or after 18th May 2002,

and 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; or

(c) if the movement falls within a category specified in article 4.

(3) Where a licence has been granted by the Scottish Ministers, an inspector or the Minister of Agriculture, Fisheries and Food under an order made under section 8 of the Act authorising the movement of any animal from premises situated in England or in Wales to premises situated in Scotland or to premises situated in England or Wales through any part of Scotland-

(a) such provisions of that licence as are relevant shall apply in relation to that part of the movement which takes place in Scotland as if such an order extended to Scotland; and

(b) that movement shall, if the conditions contained in the licence are complied with, be deemed not to be a movement prohibited by virtue of paragraph (1).

Specific exemptions

4. The categories of movement for the purposes of article 3(2)(c) are-

(a) movement of any pig from premises where that movement is in accordance with the provisions of the Pigs (Records, Identification and Movement) Order 1995^[4];

(b) movement of any animal direct from premises-

(i) to a slaughterhouse; or

(ii) to a market for animals intended for immediate slaughter, provided that animal has not been presented at a market in the period of 20 days prior to the date when the movement is commenced;

(c) movement of any calf less than 30 days old from the premises on which it was born to-

(i) any other premises for the purpose of fostering that calf; or

(ii) to premises authorised by the Divisional Veterinary Manager for the purposes of the rearing of calves, provided that the calf is tagged and accompanied by a full cattle passport under the Cattle Identification Regulations 1998^[5];

(d) movement of any animal from premises to which a calf less than 30 days old has been moved from its holding of birth in accordance with sub-paragraph (c);

(e) movement of any lamb or kid less than 7 days old from the premises on which it was born to any other premises not more than 10 kilometres in distance by road from the first premises, provided that this movement is for the purpose of fostering that

lamb or kid and, provided that the lamb or kid is identified in accordance with the Sheep and Goats Identification (Scotland) Regulations 2000[6];

(f) movement of any animal from premises onto which a bull, ram or billy goat has been brought for breeding purposes provided that it is intended to be used for those purposes shortly after being so brought on;

(g) movement of any camelid, provided no animal that other than a camelid is present at the premises from which the camelid is being moved;

(h) movement of sheep which are away wintered and which are returning to the premises from which they were away wintered;

(i) movement of any animal between premises occupied by the same person or business;

(j) movement of any animal for the purpose of direct export from Great Britain or, prior to such export, movement to a place from where it is intended that it is so exported;

(k) movement of any animal which has been imported into the United Kingdom direct to any premises from its point of entry into the United Kingdom; or

(l) movement of sheep between premises where-

(i) those sheep are run with another owner's sheep in a common flock; or

(ii) the owners of the sheep on both premises are members of the same grazings committee appointed under section 47 of the Crofters (Scotland) Act 1993[7].

Separation of animals on premises

5. - (1) Animals to be moved from any premises shall be kept separate from animals which have been brought onto premises for the purposes of this Order if either-

(a) the animals which have been brought onto; or

(b) the animals to be moved from,

the premises are kept separate from the remainder of the animals on those premises, provided that the provisions of this article are complied with by the owner or person in charge of the animals concerned in respect of paragraphs (2), (3), (4)(c) and (5), or by other persons where specified in this article.

(2) The animals kept separate must in accordance with paragraph (1) be separated from other animals on the premises and on adjoining premises by-

(a) a natural barrier which may include fields which are empty of animals or an area of woodland or a stream; or

(b) solid walls or barriers in buildings,

and this separation must be adequate to prevent nose to nose contact with other animals on

the premises and on adjoining premises.

(3) The animals kept separate in accordance with paragraph (1) must be kept within fields, paddocks or buildings which must-

- (a) contain separate feeding and water troughs; and
- (b) be fenced with fencing kept in good repair so as to be made proof against the escape of the animals.

(4) In order to maintain biosecurity, any persons handling animals brought on to the premises and kept separate in accordance with paragraph (1)(a) must-

- (a) have their soiled clothing and footwear cleansed and disinfected with an approved disinfectant or removed before handling other animals;
- (b) not take any vehicles into the fields, paddocks or buildings unless doing so is necessary for the purposes of the welfare and essential husbandry of the separated livestock and in the event that such vehicles are taken in, the wheels and wheel arches of the vehicles must be cleansed and disinfected before those vehicles are used in circumstances where they may come into contact with or close proximity to other animals;
- (c) be informed, by the owner or person in charge of the animals, of-
 - (i) which animals are held separately; and
 - (ii) the requirements of this article under which the animals are held,

and any visitor to the fields, paddocks or buildings where animals kept separate in accordance with paragraph (1)(a) who have had access to any animals within the 7 days prior to the day of the visit must observe the conditions in sub-paragraph (a).

(5) In the case where the animals brought on to premises are kept separate from the remainder of the animals on the premises, the animals brought on must be inspected by the owner or person in charge of the animals at a frequency not less than daily for the 20 day period for which they must remain on the premises, for signs of disease.

(6) In order to maintain biosecurity, persons, before handling animals to be moved which are being kept separate in accordance with paragraph (1)(b) from the remainder of the animals on the premises, must-

- (a) wear footwear which can be properly cleansed and disinfected or remove the footwear used; and
- (b) be cleansed and disinfected with an approved disinfectant,

and any visitor to the fields, paddocks or buildings where animals kept separate in accordance with paragraph (1)(b) are kept who have had access to any animals within the 7 days prior to the day of the visit must observe the conditions in this paragraph.

(7) In order to maintain biosecurity, where animals to be moved are kept separate in accordance with paragraph (1)(b) from the remainder of the animals on the premises, then notwithstanding that animals which have been brought on to the premises are not kept separate from the remainder of the animals on the premises which are not to be moved, persons handling the animals brought on to the premises must, after handling the brought on animals, comply with the requirements of paragraphs (4)(a) and (b), and the owner or person in charge of such animals must comply with paragraph (4)(c).

Regulation of markets

6. Notwithstanding the requirements of the Markets, Sales and Lairs Order 1925^[8], no person may use any market premises for the purpose of holding a market unless the holding of that market is in compliance with the requirements set out in Schedule 2.

Regulation of shows and exhibitions

7. - (1) Any occasion at which animals are brought together for the purposes of show or exhibition shall be notified in writing by the person responsible for the organisation of the show or exhibition to the Divisional Veterinary Manager prior to the holding of the show or exhibition.

(2) In conducting a show or exhibition of the nature referred to in paragraph (1), the person responsible for the organisation of that show or exhibition shall take all reasonable steps to comply with any guidance on the conduct of the show or exhibition issued by the Divisional Veterinary Manager.

General provisions as to authorisations and licences

8. - (1) The person in charge of any animal to which an authorisation or specific licence issued under this Order relates shall, on demand made under this Order by a constable or by an inspector or other officer of the Scottish Ministers or of a local authority, produce the authorisation or licence, and allow a copy thereof or an extract therefrom to be taken, and shall also, if so required, provide the name and address of that person.

(2) An authorisation or licence granted under this Order shall be in writing, shall be subject to such conditions as are specified in it, may, subject to paragraph (4), be varied, suspended or revoked at any time by notice in writing issued by the Scottish Ministers and shall be served, if the licence is a specific licence, on the person to whom it was granted or if it is a general licence, notified in such manner as the Scottish Ministers may reasonably consider most appropriate.

(3) In the case of a general licence, the Scottish Ministers may, subject to paragraph (4), vary or suspend that general licence in its application to any movement by a specific person or of specific animals.

(4) Where a person is aggrieved by a decision of the Scottish Ministers to refuse to issue an authorisation or a specific licence, as to the conditions imposed in an authorisation or a specific licence, or to vary, suspend or revoke an authorisation or specific licence under paragraph (2), or in the case of a general licence to vary or suspend that licence in its application to any movement under paragraph (3), that person may, within the period of 21 days of the date when that person receives notice of that decision, require that the Scottish Ministers review that decision, and in carrying out that review the Scottish Ministers shall-

(a) afford that person an opportunity of making representations for consideration by an officer of the Scottish Ministers who has not been involved in the initial decision who will prepare a report following consideration of those representations;

(b) supply a copy of the report by that officer to the aggrieved person;

(c) consider the report by that officer before making a decision on the review; and

(d) give to the aggrieved person notification of the decision on the review and the reasons for that decision.

(5) The making of a request to review the decision of the Scottish Ministers, if relating to the conditions to be imposed or relating to variation, suspension or revocation, shall not have the effect of suspending the decision concerned pending that review.

Powers of officers of the Scottish Ministers and inspectors of local authorities in case of default

9. - (1) If the owner or occupier of any premises or the owner or person in charge of any animal fails to move, detain or otherwise deal with that animal in accordance with any requirement imposed by or under any of the provisions of this Order or in accordance with any condition specified in a licence granted under any such provision, the Scottish Ministers or an inspector of a local authority may, without prejudice to any proceedings for an offence arising out of such default, take all such steps as may be necessary to ensure that the animal is moved, detained or otherwise dealt with in accordance with that requirement or condition.

(2) The amount of any expenses reasonably incurred by the Scottish Ministers or by an inspector of a local authority in the exercise of a power conferred by paragraph (1) may be recovered on demand as a debt by the Scottish Ministers or by the local authority, as the case may be, from the person in default.

Enforcement

10. - (1) Subject to paragraph (2), the provisions of this Order shall be enforced by the local authority.

(2) The Scottish Ministers may direct, in relation to cases of a particular description, or in relation to a particular case, either that this Order shall be enforced by them and not by the local authority or that this Order shall be enforced both by them and by the local authority.

Amendments to the Pigs (Records, Identification and Movement) Order 1995

11. - (1) The Pigs (Records, Identification and Movement) Order 1995 is amended in accordance with the following provisions of this article.

(2) For article 5(3), there is substituted-

" (3) In the case of movements between holdings in Great Britain it shall not be lawful to move a pig in Scotland unless before the movement commences, it is marked-

(a) in the case of a pig moving to an exhibition or show, or for breeding purposes where it is intended to be returned to the premises from which it is moved, with an identification mark comprising the country code "UK", the herd mark of the holding on which the mark was or is to be applied, and an individual identification number allotted to the pig by the owner or person in charge of it; or

(b) in all other cases-

(i) with an identification mark which complies with the paragraph (2) above; or

(ii) with an identification mark which will last at least until the pig reaches its destination and which, either by itself or by reference to a

document accompanying the pig during the movement, enables the holding from which the pig was last moved to be identified."

(3) For article 11(3), there is substituted-

" (3) It shall be the duty of the person in charge of the collecting centre in the case of a movement to a farm, within the period of three days after the movement is commenced, to send a further copy of the declaration to the local authority of the area in which the collecting centre is situated."

(4) For article 15(1), there is substituted-

" (1) Upon receipt of a declaration a local authority shall-

(a) if the premises to which a pig is to be moved is in the area of another local authority, forthwith send a copy of the declaration to that authority; and

(b) intimate the movements thereunder to the Scottish Ministers in such a form as the Scottish Ministers may reasonably require."

(5) For Schedules 2, 3, 4, 6 and 7, there are substituted the Schedules 2, 3, 4, 6 and 7 contained in Schedule 3 to this Order.

Transitional provisions

12. The provisions of article 3(1)(a) shall not apply to the movement of any animal for so long as that movement is authorised under a licence granted before the coming into force of this order under or by virtue of the Foot-and-Mouth Disease Order 1983^[9] (as varied in relation to Scotland by article 4 of the Foot-and-Mouth Disease Declaratory (Controlled Area) (Scotland) Order 2001^[10]) or which would have been so authorised but for the revocation of any declaratory order made under the said Order of 1983 provided that in either case any such movement is carried out in accordance with the conditions of any such licence.

ROSS FINNIE

A member of the Scottish Executive

St. Andrews House, Edinburgh
1st February 2002

SCHEDULE 1

Article 3(2)(b)

OWNER/KEEPER DECLARATION

I

(full name of owner of premises or owner's representative)

of

(address of premises)

representative of

(if appropriate)

I have read and understood the conditions for separation of animals on premises contained in article 5 of the Disease Control (Interim Measures) (Scotland) Order 2002. I have complied with those conditions and agree that I am responsible for compliance therewith by my staff and the persons contracted by me.

I understand that failure to comply with these conditions by me, my staff or the persons contracted by me may lead to the withdrawal of the authorisation of my premises under article 3(2) of the Disease Control (Interim Measures) (Scotland) Order 2002.

Signed

Print Name

(*Owner/*Owners representative (*delete as appropriate))

Date

SCHEDULE 2

Article 6

REQUIREMENTS ON MARKETS

Biosecurity

1. A biosecurity officer responsible for ensuring compliance with the requirements of this Schedule must be appointed by any person holding a market.

2. Any person holding a market shall ensure all fixtures, fittings and inner areas that are maintained in good repair and are capable of being cleansed and disinfected.

3. Access may be permitted to alleys, pens, sale rings and loading banks of the stock area within the market premises, but any person holding a market shall ensure that those persons having access (including personnel working in the market) must wear clean clothing suitable for the purpose and rubber boots when having such access (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).

4. A record of all personnel working in the market must be prepared and retained by any person holding a market for a period not less than 6 months, and such personnel who have regular contact with livestock outwith the market must be identified as such in that record.

5. Facilities must be provided by any person holding a market which are suitable for washing and disinfecting rubber boots, and that person shall ensure that boots are disinfected thoroughly on movement of persons from the stock areas to the public areas.

6. Any person holding a market shall ensure that the stock area of the market premises is cleansed and disinfected between market days.

7. A contingency plan for dealing with suspected notifiable diseases must be drawn up by any person holding a market, and approved by the Divisional Veterinary Manager.

8. Facilities must be provided by any person holding a market to allow for the removal of dead animals, bedding and excreta from vehicles as soon as possible.

Notification of sheep movements

9. A record must be prepared by any person holding a market of-

(a) the information contained in the movement document required to be prepared for the purposes of regulation 13 of the Sheep and Goats Identification (Scotland) Regulations 2000 of all sheep which are presented at the market; and

(b) the lot number of any sheep sold (if used) or other identifier whether by group or otherwise; and

the information referred to under sub-paragraphs (a) and (b) above must be associated with the holding of destination of groups of sheep sold.

10. The information recorded under paragraph 9 above must be notified by any person holding a market to the Scottish Ministers, in such form and manner as the Scottish Ministers may require, within 3 days of the date on which the market is held.

11. Any person holding a market must issue the sheep movement document referred to in paragraph 9(a) above for each animal leaving the market.

SCHEDULE 3

Article 11(5)

SCHEDULES 2, 3, 4, 6 AND 7 AS INSERTED BY THIS SCHEDULE

" SCHEDULE 2

Article 9

MOVEMENT OF PIGS FROM A FARM - FORM OF DECLARATION

The Pigs (Records, Identification and Movement) Order 1995 (Article 9)

Declaration relating to movement of pigs from a farm

I, of hereby declare as follows:-

(a) I am the owner (or the duly authorised agent for this purpose of the owner) of the pigs which are described below and which are to be moved as so described;

(b) no pigs have been moved on to the premises described below from which the said pigs are to be moved ("my farm") since (day/month/year) (being 20 days before the date of the movement) except in accordance with article 8(3) of the Pigs (Records, Identification and Movement) Order 1995.

<i>Date of movement</i>	<i>Number of pigs to be moved</i>	<i>Description of pigs to be moved</i>	<i>Identification marks</i>	<i>Address of premises from which pigs are to be moved stating CPH number</i>	<i>Address of place of destination to which pigs are to be moved, stating CPH number</i>

I understand that the making of any statement in this declaration which is false in a material particular may constitute an offence against the Animal Health Act 1981.

Dated

Signed

Owner/Agent for owner (delete as appropriate)

Name in block letters

[The following must appear on the back of the declaration]

Conditions

1. The person in charge of the pigs moved under this declaration must-

(a) carry a copy of it throughout the movement and produce it on demand to a constable or an inspector and, if required by that person, give the name and address of the person in charge of the pigs; and

(b) deliver the copy to the person in charge of the premises to which the pigs are moved (whose duty it is to retain it for a period of not less than six months from the date of receipt and to produce it on demand to a constable or an inspector).

2. Where this declaration relates to the movement of pigs to a slaughterhouse, it does not authorise the movement unless the pigs are to be slaughtered within 72 hours of arrival at the slaughterhouse and not removed therefrom alive.

3. Transport - C&D restrictions

4. Transport - Multiple pick-up restrictions

5. A copy of this declaration must be sent to your Local Authority within 3 days unless the pigs are to be moved for immediate slaughter.

SCHEDULE 3

Article 9

MOVEMENT OF PIGS FROM A FARM FOR BREEDING, EXHIBITION, ARTIFICIAL INSEMINATION OR VETERINARY TREATMENT- FORM OF DECLARATION

The Pigs (Records, Identification and Movement) Order 1995 (Article 9)

Declaration relating to movement of pigs from a farm for breeding, exhibition, artificial insemination or veterinary treatment

I, of hereby declare as follows:-

(a) I am the owner (or the duly authorised agent for this purpose of the owner) of the pigs which are described below and which are to be moved as so described;

(b) no pigs have been moved on to the premises described below from which the said pigs are to be moved ("my farm") since (day/month/year) (being 20 days before the date of the movement) except in accordance with article 8(3) of the Pigs (Records, Identification and Movement) Order 1995.

<i>Date of movement</i>	<i>Number of pigs to be moved</i>	<i>Description of pigs to be moved</i>	<i>Identification marks</i>	<i>Address of premises from which pigs are to be moved stating CPH number</i>	<i>Address of place of destination to which pigs are to be moved, stating CPH number</i>

I understand that the making of any statement in this declaration which is false in a material particular may constitute an offence against the Animal Health Act 1981.

Dated

Signed

Owner/Agent for owner (delete as appropriate)

Name in block letters

[The following must appear on the back of the declaration]

Conditions

1. The person in charge of the pigs moved under this declaration must-
 - (a) carry a copy of it throughout the movement and produce it on demand to a constable or an inspector and, if required by that person, give the name and address of the person in charge of the pigs; and
 - (b) deliver the copy to the person in charge of the premises to which the pigs are moved (whose duty it is to retain it for a period of six months from the date of receipt and to produce it on demand to a constable or an inspector).
2. Transport - C&D restrictions
3. Transport - Multiple pick-up restrictions
4. If during the 20-day period of detention the pigs are to be exhibited at a further show or exhibition, a declaration will be required for their movement.
5. A copy of this declaration must be sent to your Local Authority within 3 days.

SCHEDULE 4

Article 9

MOVEMENT OF PIGS ON RETURN TO FARM AFTER MOVEMENT FROM FARM FOR BREEDING PURPOSES,- FORM OF DECLARATION

The Pigs (Records, Identification and Movement) Order 1995 (Article 9)

Declaration relating to movement of pigs on return to farm after movement from farm for breeding purposes

I, of hereby declare as follows:-

- (a) I am the person in charge of the premises on which are kept the boars or sows which have been mated with the sows or boars described below;
- (b) no pigs have been moved on to the premises described below from which the said pigs are to be moved ("my farm") since (day/month/year) (being 20 days before the date of the movement) except in accordance with article 8(3) of the Pigs (Records, Identification and Movement) Order 1995.

<i>Date of movement</i>	<i>Number of pigs to be moved</i>	<i>Description of pigs to be moved</i>	<i>Identification marks</i>	<i>Address of premises from which pigs are to be moved stating CPH</i>	<i>Address of place of destination to which pigs are to be moved, stating CPH</i>

				<i>number</i>	<i>number</i>

I understand that the making of any statement in this declaration which is false in a material particular may constitute an offence against the Animal Health Act 1981.

Dated

Signed

Person in charge of the premises described above

Name in block letters

[The following must appear on the back of the declaration]

Conditions

1. The person in charge of the boars or sows moved under this declaration must-

(a) carry a copy of it throughout the movement and produce it on demand to a constable or an inspector and, if required by that person, give the name and address of the person in charge of the pigs; and

(b) deliver the copy to the person in charge of the premises to which the pigs are moved (whose duty it is to retain it for a period of six months from the date of receipt and to produce it on demand to a constable or an inspector).

2. Transport - C&D restrictions

3. Transport - Multiple pick-up restrictions

4. A copy of this declaration must be sent to your Local Authority within 3 days.

SCHEDULE 6

Article 9

MOVEMENT OF PIGS FROM A COLLECTING CENTRE - FORM OF DECLARATION

The Pigs (Records, Identification and Movement) Order 1995 (Article 11)

Declaration relating to movement of pigs from a collecting centre

I, of hereby declare that I am the occupier of the collecting centre known as (or the duly authorised agent for this purpose of the occupier) from which the pigs described below are to be moved as so described.

<i>Date of movement</i>	<i>Number of pigs</i>	<i>Description of pigs to</i>	<i>Identification marks</i>	<i>Address of premises from</i>	<i>Address of place of</i>
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	<i>to be moved</i>	<i>be moved</i>		<i>which pigs are to be moved stating CPH number</i>	<i>destination to which pigs are to be moved, stating CPH number</i>

I understand that the making of any statement in this declaration which is false in a material particular may constitute an offence against the Animal Health Act 1981.

Dated

Signed

Owner/Agent for owner (delete as appropriate)

Name in block letters

[The following must appear on the back of the declaration]

Conditions

1. The person in charge of the boars or sows moved under this declaration must-

(a) carry a copy of it throughout the movement and produce it on demand to a constable or an inspector and, if required by that person, give the name and address of the person in charge of the pigs; and

(b) (except in the case of pigs intended for direct export) deliver the copy to the person in charge of the premises to which the pigs are moved (whose duty it is to retain it for a period of six months from the date of receipt and to produce it on demand to a constable or an inspector).

2. Where this declaration relates to the movement of pigs to a slaughterhouse, it does not authorise the movement unless the pigs are to be slaughtered within 72 hours of arrival at the slaughterhouse and not removed therefrom alive.

3. Transport - C&D restrictions

4. Transport - Multiple pick-up restrictions

5. A copy of this declaration must be sent to your Local Authority within 3 days unless the pigs are to be moved for immediate slaughter.

SCHEDULE 7

Article 12

MOVEMENT OF PIGS OTHER THAN MOVEMENT AUTHORISED UNDER ARTICLE 9, 10 OR 11 - FORM OF LICENCE

The Pigs (Records, Identification and Movement) Order 1995 (Article 12)

Licence for movement of pigs other than movement from a farm and on return after movement for certain purposes and from collecting centres

(Name and address of person to whom licence is granted) is hereby licensed to move the pigs described in the table below as described in that table.

The licence is issued subject to the requirements set out overleaf (and to the following additional conditions). (Insert any required conditions or, if there are none, delete words in brackets.)

This licence is valid on the day of issue only*/for eight days including the day of issue*. It must be returned to the issuing authority if not used.

* delete as appropriate

Pigs and movements to which this licence relates

<i>Number of pigs to be moved</i>	<i>Description of pigs to be moved</i>	<i>Identification marks</i>	<i>Address of premises from which pigs are to be moved stating CPH number</i>	<i>Address of place of destination to which pigs are to be moved, stating CPH number</i>

Date of issue

Signature

[Name in block letters]

An inspector for the purposes of the Animal Health Act 1981

IMPORTANT SEE CONDITIONS ON THE BACK

[The following must appear on the back of the licence]

Conditions

1. This licence shall be valid only for the period stated, and may be revoked by the issuing authority at any time before the authorised movement begins.

2. Where this licence relates to the movement of pigs to a slaughterhouse, it does not authorise the movement unless the pigs are to be slaughtered within 72 hours of arrival at the slaughterhouse and not removed from there alive.

3. The person in charge of the pigs moved under this declaration must-

(a) carry a copy of it throughout the movement and produce it on demand to a constable or an inspector and, if required by that person, give the name and address of the person in charge of the pigs; and

(b) deliver the copy to the person in charge of the premises to which the pigs are moved (whose duty it is to retain it for a period of six months from the date of receipt and to produce it on demand to a constable or an inspector).

4. Transport - C&D restrictions

5. Transport - Multiple pick-up restrictions."

EXPLANATORY NOTE

(This note is not part of the Order)

This Order, which extends to Scotland only, principally imposes restrictions on the movement of cattle, sheep, goats and other ruminating animals, swine and elephants in Scotland.

It requires that any such movement from premises must be permitted by a specific or general licence issued by the Scottish Ministers and further requires that no animal was moved onto those premises during the period of 20 days before such movement (article 3), except where movements are exempted from that requirement under articles 3(2), 4 and 5.

The Order also requires that market premises should not be used for that purpose except in compliance with the requirements in Schedule 2 (article 6).

Shows or exhibitions must be notified to the Divisional Veterinary Manager prior to the holding of a show or exhibition, and in the conduct of those shows or exhibitions reasonable steps must be taken to comply with any guidance issued by the Divisional Veterinary Manager (article 7).

It requires that licences must be produced on demand to a constable or inspector or officer of the Scottish Ministers or the local authority, provides that the Scottish Ministers may vary, suspend or revoke licences at any time, and provides that the Scottish Minister shall review at the request of the person aggrieved, such a variation, suspension or revocation (article 8).

The Order provides for officers of the Scottish Ministers and inspectors of the local authorities to take steps as may be necessary to deal with animals where the owners have not complied with this Order and to recover the expenses of taking those steps from those who have not so complied (article 9).

The Order shall be enforced by the local authority, unless the Scottish Ministers so direct, and the Scottish Ministers may direct joint enforcement (article 10).

It amends the Pigs (Records, Identification and Movement) Order 1995 to specify the form of identification to be used in the case of a movement of a pig to a show or for breeding purposes, reduces the period within which the person in charge of a collecting centre must notify pig movements to the local authority to 3 days, alters the declarations contained in Schedules to that Order to require a similar period and requires the local authority to intimate pig movements to the Scottish Ministers (article 11).

A breach of the terms of this 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 section 53 of the Scotland Act 1998 (c.46).[back](#)

[2] S.I. 1978/32, as amended by S.I. 1983/1071 and 1999/919 and as further amended in relation to Scotland only by S.S.I. 2001/45 and 51.[back](#)

[3] 2000 c.7.[back](#)

[4] S.I. 1995/11, as amended by S.I. 1995/2922 and S.S.I. 2000/167 and 300.[back](#)

[5] S.I. 1998/871, as amended by S.I. 1998/1796, 2969 and 1999/1339.[back](#)

[6] S.S.I. 2000/418.[back](#)

[7] 1993 c.44.[back](#)

[8] S.I. 1925/1349, as amended by S.I. 1926/546, 1927/982 and 1996/3265.[back](#)

[9] S.I. 1983/1950, as amended by S.I. 1993/3119, S.I. 1995/2922 and further amended, as regards Scotland, by S.S.I. 2001/52/55, 101 and 390.[back](#)

[10] S.S.I. 2001/111, as amended by S.S.I. 2001/131, 146, 150, 159, 170, 181, 187, 204, 246, 290 and 481.[back](#)

ISBN 0 11059994 2

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