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SCOTTISH STATUTORY INSTRUMENTS

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**2007 No. 387**

**ANIMALS**

**ANIMAL HEALTH**

**The Disease Control (Interim Measures)  
(Scotland) Amendment Order 2007**

*Made* - - - - - *23rd August 2007*

*Coming into force* - - - - - *24th August 2007*

The Scottish Ministers make the following Order in exercise of the powers conferred by sections 1, 7, 8A and 8(1) of the Animal Health Act 1981<sup>(1)</sup> and all other powers enabling them to do so.

**Title, commencement and extent**

1.—(1) This Order may be cited as the Disease Control (Interim Measures) (Scotland) Amendment Order 2007, and comes into force on 24th August 2007.

(2) This Order extends to Scotland only.

**Amendment**

2.—(1) The Disease Control (Interim Measures) (Scotland) Order 2002<sup>(2)</sup> is amended in accordance with this article.

(2) In article 3—

- (a) in paragraph (1)(b) for “13” substitute “20”; and
- (b) omit paragraph 2(b).

(3) In article 4—

- (a) in paragraph (b)(ii) for “13” substitute “20”;
- (b) omit paragraphs (c)(ii), (d) to (h), (m), (n), (p), (q), and (r) to (s); and
- (c) in paragraph (i) after “premises” insert “within a radius of 8 kilometres”.

(4) In article 4A—

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(1) 1981 c. 22. Section 8A was inserted by section 6 of the [Animal Health and Welfare \(Scotland\) Act 2006 \(asp 11\)](#) (“the 2006 Act”). Section 8 was amended by paragraph 1 of schedule 2 to the 2006 Act. The functions conferred under the 1981 Act on “the Ministers” (as defined in section 86 of that Act) are now exercisable by the Scottish Ministers. They were transferred, so far as within devolved competence, by virtue of section 53 of the [Scotland Act 1998 \(c. 46\)](#).

(2) [S.S.I. 2002/34](#), as amended by [S.S.I. 2002/221](#), [369](#) and [530](#) and [2003/228](#).

- (a) in paragraph (b) for “13” substitute “20”; and
  - (b) in paragraph (c) omit from “animals” to the end of that paragraph, and substitute “other animals on the premises”.
- (5) Omit article 5.
- (6) After article 6A insert–

**“Holding of markets**

- 6B.**—(1) No person shall use any market premises for the purpose of holding a market–
- (a) before 0001 hours on 27 August 2007; and
  - (b) unless the person holding the market has notified the Divisional Veterinary Manager in writing at least 24 hours before the market is due to take place.
- (2) The person holding a market shall take all reasonable steps to comply with any guidance on the conduct of the same issued by the Divisional Veterinary Manager.”.
- (7) In article 7–
- (a) in paragraph (1), after “Manager” insert “at least 24 hours”; and
  - (b) at the end, insert–
- “(3) No person shall hold an exhibition or show before 0001 hours on 27 August 2007.”.
- (8) For article 12 substitute–

**“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 would have been authorised under a licence granted before the coming into force of this Order by virtue of the Foot-and-Mouth Disease (Scotland) Order 2006(3), but for the revocation of a declaratory order made under that Order, and provided that the movement is carried out in accordance with the conditions of such a licence.”.
- (9) In Schedule 2, after paragraph 11 insert–

**“Examination by veterinary inspector**

- 12.** Any person holding a market shall ensure that a veterinary inspector is in attendance, and that the inspector examines every animal there for signs of disease no later than the time the animal leaves the market.”.

Pentland House,  
Edinburgh  
23rd August 2007

*NEIL RITCHIE*  
A member of the staff of the Scottish Ministers

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## EXPLANATORY NOTE

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

This Order amends the Disease Control (Interim Measures) (Scotland) Order 2002 (“the 2002 Order”).

The 2002 Order imposes movement controls on cattle, sheep, goats, all other ruminating animals (other than camelids) and swine. A 13 day standstill at the premises of destination has effect, subject to exceptions. It also regulates the holding of exhibitions, markets and shows.

This Order increase the standstill period to 20 days, and removes certain of the exceptions in the 2002 Order. In particular, it removes the exception that permits the movement of animals that were held separately from the remainder of animals on the premises of origin.

This Order provides that no exhibition, market or sale shall take place between the date this order comes into force and 0001 hours on 27 August 2007. After that date an exhibition, market or sale can take place subject to 24 hours notice being given to the Divisional Veterinary Manager.

This Order has the effect that a veterinary inspector shall attend every market, and inspect each animal there for signs of disease no later than the animal leaves the market.

A regulatory impact assessment has not been prepared for this Order.