

2001 No. 179

AGRICULTURE

**The Artificial Insemination of Cattle (Emergency Licences)
(Scotland) Regulations 2001**

Made 15th May 2001

Coming into force 17th May 2001

Laid before the Scottish Parliament 17th May 2001

The Scottish Ministers in exercise of the powers conferred by section 10(1) and (2)(a) of the Animal Health and Welfare Act 1984(a) and of all other powers enabling them in that behalf, hereby make the following Regulations:

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Artificial Insemination of Cattle (Emergency Licences) (Scotland) Regulations 2001 and shall come into force on 17th May 2001.

(2) These Regulations shall extend to Scotland only.

Interpretation

2. In these Regulations—

“the 1985 Regulations” means the Artificial Insemination of Cattle (Animal Health) (Scotland) Regulations 1985(b);

“emergency licence” means an emergency licence issued under regulation 3 below; and

“outbreak of foot-and-mouth disease” means a period during which one or more areas within Great Britain are declared to be infected or controlled areas by an order made for those purposes under the Foot-and-Mouth Disease Order 1983(c).

Power to issue emergency licences during outbreaks of foot-and-mouth disease

3.—(1) During an outbreak of foot-and-mouth disease, the Scottish Ministers may issue an emergency licence for the purposes of paragraph (2) below.

(2) Notwithstanding the provisions of the 1985 Regulations, an emergency licence may authorise the licence holder to do anything specified in the licence that would otherwise be prohibited by any provision of the 1985 Regulations, subject to any conditions and exclusions as may be specified in the licence.

(3) An emergency licence shall expire 2 months after the end of the outbreak of foot-and-mouth disease during which it is issued.

(4) Subject to paragraph (5) below regulations 7(11), 26 and 27(b) of the 1985 Regulations apply to emergency licences as they apply to licences issued under the 1985 Regulations.

(a) 1984 c.40; see section 10(8) for the definition of “appropriate Minister”. The functions of the Secretary of State were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998 (c.46).

(b) S.I. 1985/1857, amended by S.I. 1987/904 and 1992/1192.

(c) S.I. 1983/1950, as amended by S.I. 1993/3119, S.I. 1995/2922 and, as regards Scotland, by S.S.I. 2001/52, 55 and 101.

(5) For the purposes of the reference to regulation 26 of the 1985 Regulations in paragraph (4) above, matters requiring to be in writing shall include electronic forms of communication.

St Andrew's House,
Edinburgh
15th May 2001

RHONA BRANKIN
Authorised to sign by the Scottish Ministers

EXPLANATORY NOTE

(This note is not part of the Regulations)

Regulation 3 of these Regulations empowers the Scottish Ministers to issue emergency licences during outbreaks of foot-and-mouth disease (as defined in regulation 2).

These Regulations further provide that these emergency licences may authorise the licensee to do things that would normally be prohibited by the Artificial Insemination of Cattle (Animal Health) (Scotland) Regulations 1985 (“the 1985 Regulations”), which controls a range of activities related to the artificial insemination of cattle.

Failure to comply with the conditions of an emergency licence, or to make any statement or furnish any information for the purposes of obtaining a licence under these Regulations which is known to be false or is not believed to be true, is an offence under section 10(6) of the Animal Health and Welfare Act 1984, for which the maximum penalty is three months imprisonment and/or a fine at level 3 on the standard scale (currently, £1,000).

A Regulatory Impact Assessment has not been prepared in respect of these Regulations.

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