

## SCHEDULE 9

Regulation 102

## REVOCATIONS AND SAVINGS

## Part I

## Revocations

<i>Column 1 – enactment</i>	<i>Column 2 – references</i>	<i>Column 3 – extent</i>
The Bovine Spongiform Encephalopathy (No. 2) Order 1996	(S.I. <a href="#">1996/3183</a> )	The whole Order
The Bovine Spongiform Encephalopathy Compensation Order 1996	(S.I. <a href="#">1996/3184</a> )	The whole Order
The Specified Risk Material Order 1997	(S.I. <a href="#">1997/2964</a> )	Articles 5 and 7 to 14
The Specified Risk Material Regulations 1997	(S.I. <a href="#">1997/2965</a> )	The whole Regulations
The Bovine Spongiform Encephalopathy Compensation (Amendment) Order 1997	(S.I. <a href="#">1997/2365</a> )	The whole Order
The Specified Risk Material (Amendment) Regulations 1997	(S.I. <a href="#">1997/3062</a> )	The whole Regulations
The Bovine Spongiform Encephalopathy (No. 2) (Amendment) Order 1997	(S.I. <a href="#">1997/2387</a> )	The whole Order
The Fertilisers (Mammalian Meat and Bone Meal) Regulations 1998	(S.I. <a href="#">1998/954</a> )	The whole Regulations
The Fertilisers (Mammalian Meat and Bone Meal) (Conditions of Manufacture) Regulations 1998	(S.I. <a href="#">1998/955</a> )	The whole Regulations
The Sheep and Goats Spongiform Encephalopathy Order 1998	(S.I. <a href="#">1998/1645</a> )	The whole Order
The Sheep and Goats Spongiform Encephalopathy Regulations 1998	(S.I. <a href="#">1998/1646</a> )	The whole Regulations
The Sheep and Goats Spongiform Encephalopathy (Compensation) Order 1998	(S.I. <a href="#">1998/1647</a> )	The whole Order

*Status: This is the original version (as it was originally made).*

<i>Column 1 – enactment</i>	<i>Column 2 – references</i>	<i>Column 3 – extent</i>
The Specified Risk Material (Amendment) Regulations 1998	(S.I. <a href="#">1998/2405</a> )	The whole Regulations
The Specified Risk Material (Coming into Force Date) (Amendment) Regulations 1998	(S.I. <a href="#">1998/2431</a> )	The whole Regulations
The BSE Offspring Slaughter Regulations 1998	(S.I. <a href="#">1998/3070</a> )	The whole Regulations
The Bovine Spongiform Encephalopathy (No. 2) (Amendment) Order 1998	(S.I. <a href="#">1998/3071</a> )	The whole Order
The Specified Risk Material (Inspection Charges) Regulations 1999	(S.I. <a href="#">1999/539</a> )	The whole Regulations
The Animal By-Products Order 1999	(S.I. <a href="#">1999/646</a> )	Article 35(2) and Part II of Schedule 6
The Bovine Spongiform Encephalopathy (Feeding Stuffs and Surveillance) Regulations 1999	(S.I. <a href="#">1999/882</a> )	The whole Regulations
The Bovine Spongiform Encephalopathy (No. 2) (Amendment) Order 1999	(S.I. <a href="#">1999/921</a> )	The whole Order
The Food Standards Act 1999 (Transitional and Consequential Provisions and Savings (Scotland) Regulations 2000	( <a href="#">S.S.I. 2000/62</a> )	Regulation 6(10) and Part X of Schedule 4
The Specified Risk Material Order Amendment (Scotland) Regulations 2000	( <a href="#">S.S.I. 2000/344</a> )	Regulation 2(6)
The Specified Risk Material Amendment (Scotland) Regulations 2000	(S.I. <a href="#">2000/345</a> )	The whole Regulations
The Specified Risk Material Amendment (Scotland) Regulations 2001	(S.I. <a href="#">2001/3</a> )	The whole Regulations
The Specified Risk Material Amendment (No. 2) (Scotland) Regulations 2001	(S.I. <a href="#">2001/86</a> )	The whole Regulations
The Specified Risk Material Amendment (No. 3) (Scotland) Regulations 2001	(S.I. <a href="#">2001/288</a> )	The whole Regulations

<i>Column 1 – enactment</i>	<i>Column 2 – references</i>	<i>Column 3 – extent</i>
The BSE Monitoring (Scotland) Regulations 2001	(S.I. <a href="#">2001/231</a> )	Regulations 2 to 9
The Processed Animal Protein (Scotland) Regulations 2001	( <a href="#">S.S.I. 2001/276</a> )	Regulations 4 to 9, 12 to 16, 26 and Schedules 1, 2 and 3
The Restriction on Pithing (Scotland) Regulations 2001	( <a href="#">S.S.I. 2001/73</a> )	The whole Regulations
The Processed Animal Protein (Scotland) Amendment Regulations 2001	( <a href="#">S.S.I. 2001/383</a> )	Regulation 2(2)
The Sheep and Goats Spongiform Encephalopathy (Compensation) Amendment (Scotland) Order 2001	( <a href="#">S.S.I. 2001/458</a> )	The whole Order
The BSE Monitoring (Scotland) Amendment Regulations 2002	( <a href="#">S.S.I. 2002/1</a> )	Regulation 2

Regulation 102(2)

## Part II

### Savings of things done under the Bovine Spongiform Encephalopathy (No. 2) Order 1996<sup>(1)</sup> and the Bovine Spongiform Encephalopathy Compensation Order 1996<sup>(2)</sup>

1. Any notice issued under the Bovine Spongiform Encephalopathy (No. 2) Order 1996 and having effect at the coming into force of these Regulations to prohibit or restrict the movement of an animal shall have effect as if it were a notice issued under regulation 79 of these Regulations to prohibit or restrict the movement of the animal; and a requirement of such a notice shall have effect as if it were a requirement of a notice issued under regulation 79 of these Regulations.

2. Any licence issued under the Bovine Spongiform Encephalopathy (No. 2) Order 1996 and having effect at the coming into force of these Regulations to permit the movement of an animal shall have effect as if it were a licence issued under regulation 79 of these Regulations.

3. Any notice of intended slaughter of—

- (a) an affected or suspected animal in Form C; or
- (b) an exposed animal in Form F,

issued under the Bovine Spongiform Encephalopathy (No. 2) Order 1996 and having effect at the coming into force of these Regulations shall have effect as if it were a notice of intended slaughter of the animal issued under regulation 81(1) of these Regulations.

4. Any notice of confirmation of intention to slaughter in Form G issued under the Bovine Spongiform Encephalopathy (No. 2) Order 1996 and having effect at the coming into force of these Regulations shall have effect as if it were a notice of confirmation of intended to slaughter issued under regulation 81(2)(b) of these Regulations.

(1) S.I. [1996/3183](#), as amended by S.I. [1997/2387](#), S.I. [1998/3071](#) and S.I. [1999/646](#) and [921](#).

(2) S.I. [1996/3184](#), as amended by S.I. [1997/2365](#).

5. Any notice requiring any cleansing and disinfection issued under article 9 of the Bovine Spongiform Encephalopathy (No. 2) Order 1996 and having effect at the coming into force of these Regulations shall have effect as if it were a notice issued under regulation 93 of these Regulations.

6. Any licence issued under article 12(2)(b) of the Bovine Spongiform Encephalopathy (No. 2) Order 1996 and having effect at the coming into force of these Regulations to permit the feeding to an animal or poultry of milk for research purposes in a research establishment shall have effect as if it were a licence issued under regulation 84(2)(b) of these Regulations.

7. Any licence issued under article 13(2) or 14(5) of the Bovine Spongiform Encephalopathy (No. 2) Order 1996 and having effect at the coming into force of these Regulations to permit the feeding to an animal of any feedingstuff for research purposes in a research establishment shall have effect as if it were a licence issued under regulation 11(2) or 12(5) of these Regulations.

8. Any notice issued under article 16(1) of the Bovine Spongiform Encephalopathy (No. 2) Order 1996 and having effect at the coming into force of these Regulations, requiring the disposal of any mammalian meat and bone meal or any MBM product and any other material with which it has come into contact, shall have effect as if it were a notice issued under regulation 29(2) of these Regulations.

9. Any notice issued under article 16(2) of the Bovine Spongiform Encephalopathy (No. 2) Order 1996 and having effect at the coming into force of these Regulations, requiring the collection and transport of any feedingstuff, shall have effect as if it were a notice issued under regulation 29(3) of these Regulations.

10. Any requirement to keep a record in relation to consignments of mammalian meat and bone meal or any such product under article 17 of the Bovine Spongiform Encephalopathy (No. 2) Order 1996 and having effect at the coming into force of these Regulations shall have effect as if it were a requirement to keep a record under regulation 26 of these Regulations.

11. The compensation payable in respect of any bovine animal slaughtered before the coming into force of these Regulations pursuant to the exercise by the Scottish Ministers of powers under section 32(1) of the Animal Health Act 1981 shall be calculated in accordance with the provisions of the Bovine Spongiform Encephalopathy Compensation Order 1996.  
Regulation 102(3)

## Part III

### Savings of things done under the Specified Risk Material Order 1997(3)

1. Any licence issued under article 8(5) of the Specified Risk Material Order 1997 and having effect at the coming into force of these Regulations to permit the feeding to any creature of any specified risk material or feedingstuff for research purposes in a research establishment shall have effect as if it were a licence for the purposes of regulation 47(6) of these Regulations.

2. Any approval issued under article 10(1) of the Specified Risk Material Order 1997 and having effect at the coming into force of these Regulations shall have effect as if it were a licence issued under regulation 56(1) of these Regulations.

3. Any approval issued under article 12(2) of the Specified Risk Material Order 1997 and having effect at the coming into force of these Regulations shall have effect as if it were an approval issued under regulation 51(2) of these Regulations.  
Regulation 102(4)

## Part IV

### Savings of things done under the Specified Risk Material Regulations 1997(4)

1. Any approval by the Scottish Ministers under regulation 6(1) of the Specified Risk Material Regulations 1997 and having effect at the coming into force of these Regulations shall have effect as if it were a licence issued under regulation 55(1) or 56(1) of these Regulations.

2. Any authorisation by the Agency under regulation 6(2) of the Specified Risk Material Regulations 1997 and having effect at the coming into force of these Regulations shall have effect as if it were a licence issued under regulation 55(1) of these Regulations.

3. Any authorisation by the Agency under regulation 15(7) of the Specified Risk Material Regulations 1997 and having effect at the coming into force of these Regulations shall have effect as if it were a licence issued under regulation 55(1) of these Regulations.

4. Any designation by the Agency under regulation 15A(4) and (5) of the Specified Risk Material Regulations 1997 and having effect at the coming into force of these Regulations shall have effect as if it were a licence issued under regulation 55(1) of these Regulations.

5. Any appointment by the Agency of a meat technician under regulation 16(4) of the Specified Risk Material Regulations 1997 and having effect at the coming into force of these Regulations shall have effect as if it were an appointment of the meat technician under regulation 41(4) of these Regulations.

6. Any appointment by the Agency of a meat technician under regulation 18(5) of the Specified Risk Material Regulations 1997 and having effect at the coming into force of these Regulations shall have effect as if it were an appointment of the meat technician under regulation 42(5) of these Regulations.

7. Any written directions for the disposal of specified risk material in a safe manner under regulation 26(1) of the Specified Risk Material Regulations 1997 and having effect at the coming into force of these Regulations shall have effect as if they were such directions under regulation 72(1) of these Regulations.

8. Any approval of the storage of specified risk material under regulation 28(2) of the Specified Risk Material Regulations 1997 and having effect at the coming into force of these Regulations shall have effect as if it were an approval issued under regulation 51(2) of these Regulations.  
Regulation 102(5)

## Part V

### Savings of things done under the Fertilisers (Mammalian Meat and Bone Meal) (Conditions of Manufacture) Regulations 1998(5)

1. Any appointment of an authorised officer under regulation 9(1) of the Fertilisers (Mammalian Meat and Bone Meal) (Conditions of Manufacture) Regulations 1998 and having effect at the coming into force of these Regulations shall have effect as if it were an appointment of that officer as an inspector for the purposes of these Regulations.

---

(4) S.I. 1997/2965, as amended by S.I. 1997/3062, 1998/2405 (as amended by S.I. 1998/2431) and 1999/539, and S.S.I. 2000/62, 323 and 345 and 2001/3, 86 and 288.  
(5) S.I. 1998/955.

2. Any appointment of a person under section 67(3)(a) of the Agriculture Act 1970<sup>(6)</sup>, deemed by virtue of regulation 9(3) of the Fertilisers (Mammalian Meat and Bone Meal) (Conditions of Manufacture) Regulations 1998 to be a person appointed under regulation 9(1) of those Regulations and having effect at the coming into force of these Regulations, shall have effect as if it were an appointment of that person as an inspector for the purposes of these Regulations.

Regulation 102(6)

## Part VI

Savings of things done under the Sheep and Goats Spongiform Encephalopathy Order 1998<sup>(7)</sup>, the Sheep and Goats Spongiform Encephalopathy Regulations 1998<sup>(8)</sup> and the Sheep and Goats Spongiform Encephalopathy (Compensation) Order 1998<sup>(9)</sup>

1. Any notice issued under article 4 or 5 of the Sheep and Goats Spongiform Encephalopathy Order 1998 and having effect at the coming into force of these Regulations to prohibit or restrict the movement of an animal shall have effect as if it were a notice issued under regulation 79 of these Regulations to prohibit or restrict the movement of the animal; and a requirement of such a notice shall have effect as if it were a condition of a notice issued under regulation 79 of these Regulations.

2. Any licence issued under the Sheep and Goats Spongiform Encephalopathy Order 1998 and having effect at the coming into force of these Regulations to permit the movement of an animal shall have effect as if it were a licence issued under regulation 79 of these Regulations.

3. Any notice requiring any cleansing and disinfection issued under article 6 of the Sheep and Goats Spongiform Encephalopathy Order 1998 and having effect at the coming into force of these Regulations shall have effect as if it were a notice issued under regulation 93 of these Regulations.

4. Any notice of intended slaughter of an affected or suspected animal in Form C served under article 7 the Sheep and Goats Spongiform Encephalopathy Order 1998 and having effect at the coming into force of these Regulations shall have effect as if it were a notice of intended slaughter of the animal issued under regulation 81(1) of these Regulations.

5. Any appointment of a veterinary inspector for the purposes of the Sheep and Goats Spongiform Encephalopathy Regulations 1998 by the appropriate Minister (within the meaning of those Regulations) and having effect at the coming into force of these Regulations shall have effect as if it were an appointment of that veterinary inspector as a veterinary inspector by the Scottish Ministers for the purposes of these Regulations.

6. The compensation payable in respect of any sheep or goat slaughtered before the coming into force of these Regulations pursuant to the exercise by the Scottish Ministers of powers under section 32(1) of the Animal Health Act 1981 shall be calculated in accordance with the provisions of the Sheep and Goats Spongiform Encephalopathy (Compensation) Order 1998.

Regulation 102(7)

<sup>(6)</sup> 1970 c. 40. Section 67 was amended by paragraph 85(2) of Schedule 13 to the Local Government etc. (Scotland) Act 1994 (c. 39) and S.S.I. 2001/334.

<sup>(7)</sup> S.I. 1998/1645.

<sup>(8)</sup> S.I. 1998/1646.

<sup>(9)</sup> S.I. 1998/1647 as amended by S.S.I. 2002/1.

## Part VII

### Savings of things done under the Bovine Spongiform Encephalopathy (Feeding Stuffs and Surveillance) Regulations 1999<sup>(10)</sup>

Any appointment of an authorised officer for the purposes of the Bovine Spongiform Encephalopathy (Feeding Stuffs and Surveillance) Regulations 1999 by the appropriate Minister (within the meaning of those Regulations) or a local authority and having effect at the coming into force of these Regulations shall have effect as if it were an appointment of that officer as an inspector by the Scottish Ministers or the local authority (as the case may be) for the purposes of these Regulations.

Regulation 102(8)

## Part VIII

### Savings of things done under the BSE Monitoring (Scotland) Regulations 2001<sup>(11)</sup>

1. Any appointment of an inspector for the purposes of the BSE Monitoring (Scotland) Regulations 2001 by the Scottish Ministers or a local authority and having effect at the coming into force of these Regulations shall have effect as if it were an appointment of that inspector by the Scottish Ministers or the local authority (as the case may be) as an inspector for the purposes of these Regulations.

2. Any appointment of a veterinary inspector for the purposes of the BSE Monitoring (Scotland) Regulations 2001 by the Scottish Ministers and having effect at the coming into force of these Regulations shall have effect as if it were an appointment of that veterinary inspector as a veterinary inspector by the Scottish Ministers for the purposes of these Regulations.

3. Any appointment of an agent under regulation 3 of the BSE Monitoring (Scotland) Regulations 2001 by the Scottish Ministers to receive notifications under that regulation and having effect at the coming into force of these Regulations shall have effect as if it were an appointment of that agent by the Scottish Ministers under regulation 10 of these Regulations to receive notifications under that regulation.

Regulation 102(9)

## Part IX

### Savings of things done under the Processed Animal Protein (Scotland) Regulations 2001<sup>(12)</sup>

1. Any approval by the Scottish Ministers under regulation 5 of the Processed Animal Protein (Scotland) Regulations 2001 and having effect at the coming into force of these Regulations shall have effect as if it were an approval by the Scottish Ministers under regulation 16 of these Regulations.

2. Any approval by the Scottish Ministers under regulation 6 of the Processed Animal Protein (Scotland) Regulations 2001 and having effect at the coming into force of these Regulations shall have effect as if it were an approval by the Scottish Ministers under regulation 17(1) of these Regulations.

---

<sup>(10)</sup>

<sup>(11)</sup>

<sup>(12)</sup>

S.I. 1999/882 as amended by S.S.I. 2001/276.  
S.S.I. 2001/231, as amended by S.S.I. 2002/1.  
S.S.I. 2001/276 as amended by S.S.I. 2001/383.

3. Any approval by the Scottish Ministers under regulation 7 of the Processed Animal Protein (Scotland) Regulations 2001 and having effect at the coming into force of these Regulations shall have effect as if it were an approval by the Scottish Ministers under regulation 17(2) of these Regulations.

4. Any authorisation of premises for the purposes of paragraph 6 of Annex I to the Commission Decision by the Scottish Ministers under regulation 13(2) of the Processed Animal Protein (Scotland) Regulations 2001 and having effect at the coming into force of these Regulations shall have effect as if it were a registration of the premises for those purposes by the Scottish Ministers under regulation 23(1)(b) of these Regulations.

5. Any authorisation of premises for the purposes of paragraph 3 of Annex II to the Commission Decision by the Scottish Ministers under regulation 14(2) of the Processed Animal Protein (Scotland) Regulations 2001 and having effect at the coming into force of these Regulations shall have effect as if it were a registration of the premises for those purposes by the Scottish Ministers under regulation 24(1)(b) of these Regulations.

6. Any authorisation of premises for the purposes of paragraph 2 of Annex III to the Commission Decision by the Scottish Ministers under regulation 15(2) of the Processed Animal Protein (Scotland) Regulations 2001 and having effect at the coming into force of these Regulations shall have effect as if it were a registration of the premises for those purposes by the Scottish Ministers under regulation 24(2)(b) of these Regulations.

7. Any appointment of an inspector for the purposes of the Processed Animal Protein (Scotland) Regulations 2001 by the Scottish Ministers or a local authority and having effect at the coming into force of these Regulations shall have effect as if it were an appointment of that inspector as an inspector by the Scottish Ministers or the local authority (as the case may be) for the purposes of these Regulations.

8. Any appointment of a veterinary inspector for the purposes of the Processed Animal Protein (Scotland) Regulations 2001 by the Scottish Ministers and having effect at the coming into force of these Regulations shall have effect as if it were an appointment of that veterinary inspector as a veterinary inspector by the Scottish Ministers for the purposes of these Regulations.