
SCOTTISH STATUTORY INSTRUMENTS

2006 No. 44

The Foot-and-Mouth Disease (Scotland) Order 2006

PART 3

Measures following confirmation of disease

Power to prohibit entry to land or agricultural buildings in a protection zone

35.—(1) Subject to paragraph (2), and with the prior written consent of the Scottish Ministers, an inspector may, notwithstanding the existence of any public footpath or other right of way, prohibit the entry of any person—

- (a) on to any land (excluding buildings but including any common, unenclosed or waste land);
or
- (b) into any agricultural building (excluding any dwellinghouse),

in a protection zone by causing a notice to that effect to be displayed at every entrance to that land or building.

(2) No person other than—

- (a) the owner of any animal on that land or in that building or a person authorised by him, who enters for the purpose of tending that animal; or
- (b) a person entering under the authority of a licence granted by an inspector,

shall enter any land or building in respect of which a notice is displayed under paragraph (1).

(3) No person shall remove or alter a notice displayed under this article except at the direction of an inspector.

(4) Any prohibition on entry to land or buildings imposed under this article is revoked if the declaration creating the protection zone is amended in accordance with article 36 so that the protection zone becomes part of a surveillance zone.

(5) Any prohibition on entry to land or buildings imposed under this article may be revoked in whole or in part by—

- (a) the removal of all relevant notices in accordance with the directions of an inspector; or
- (b) a declaration of the Scottish Ministers.