

This Scottish Statutory Instrument has been made in consequence of a defect in [S.S.I. 2006/4](#) and is being issued free of charge to all known recipients of that instrument.

SCOTTISH STATUTORY INSTRUMENTS

2006 No. 82

AGRICULTURE

The Older Cattle (Disposal) (Scotland) Amendment Regulations 2006

| | | |
|------------------------------------------------|---------|---------------------------|
| <i>Made</i> | - - - - | <i>27th February 2006</i> |
| <i>Laid before the Scottish Parliament</i> | - - - - | <i>28th February 2006</i> |
| <i>Coming into force</i> | - - | <i>22nd March 2006</i> |

The Scottish Ministers, in exercise of the powers conferred by section 2(2) of the European Communities Act 1972⁽¹⁾ and of all other powers enabling them in that behalf, hereby make the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Older Cattle (Disposal) (Scotland) Amendment Regulations 2006 and shall come into force on 22nd March 2006.

Amendment of the Older Cattle (Disposal) (Scotland) Regulations 2006

2. The Older Cattle (Disposal) (Scotland) Regulations 2006⁽²⁾ are amended in accordance with regulations 3 to 5.

3. For regulation 9(1), substitute—

“9.—(1) Any person who contravenes or fails to comply with regulations 4, 5(3) or 8(1) or with a notice served under these Regulations, shall be guilty of an offence.”.

4. For regulation 10(a), substitute—

“(a) on summary conviction, to a fine not exceeding the statutory maximum or to imprisonment for a term not exceeding three months or both;”.

(1) [1972 c. 68](#). Section 2(2) was amended by the Scotland Act [1998 \(c. 46\)](#), Schedule 8, paragraph 15(3). The functions conferred upon the Minister of the Crown under section 2(2) of the European Communities Act 1972, insofar as within devolved competence, were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998.

(2) [S.S.I. 2006/4](#).

5. In the Schedule, in each place where “operators” appears, substitute “occupiers”.

St Andrew’s House,
Edinburgh
27th February 2006

ROSS FINNIE
A member of the Scottish Executive

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Older Cattle (Disposal) (Scotland) Regulations 2006 (“the principal Regulations”) which make provision for the enforcement of Commission Regulation (EC) No. 716/96 adopting exceptional support measures for the beef market in the United Kingdom (O.J. No. L 99, 20.4.96, p.14).

Regulation 3 amends regulation 9 of the principal Regulations to make it an offence to fail to comply with a notice served under the principal Regulations and to provide a more detailed offence provision.

Regulation 4 amends regulation 10 of the principal Regulations to provide for a fine, on summary conviction, not exceeding the statutory maximum.

Regulation 5 amends the Schedule to the principal Regulations by substituting references to “occupiers” for those to “operators”.

A full Regulatory Impact Assessment has not been produced for this instrument as it has no impact on the costs of business.