
SCOTTISH STATUTORY INSTRUMENTS

2010 No. 419

The Sheep Scab (Scotland) Order 2010

PART 3

CLEARANCE OF SHEEP FROM COMMON LAND

Seizure of sheep by local authority

- 10.**—(1) A local authority may seize and detain—
- (a) any sheep which are found on land specified in a clearance notice while that notice is in force and which have not been authorised to go onto that land by the local authority; and
 - (b) any affected sheep living in the local authority area where the owner cannot immediately be identified.
- (2) Where sheep are seized and detained under paragraph (1), the owner of the sheep may take possession of the sheep if, within 7 days following seizure, that person—
- (a) establishes his or her right of ownership of the sheep; and
 - (b) pays to the local authority the expenses incurred in seizing and detaining the sheep.
- (3) In the event that no person has claimed possession of the sheep within 7 days of seizure, the local authority may—
- (a) treat and sell the sheep; or
 - (b) cause the sheep to be slaughtered and sell the carcase.
- (4) Where a local authority exercises an option under paragraph (3), it must—
- (a) deduct expenses incurred from the proceeds of sale; and
 - (b) retain any sums remaining for payment to any person who can establish that the sheep belonged to him or her.