
SCOTTISH STATUTORY INSTRUMENTS

2012 No. 178

The African Horse Sickness (Scotland) Order 2012

PART 1

Introduction

Citation, commencement and extent

1. This Order—
 - (a) may be cited as the African Horse Sickness (Scotland) Order 2012;
 - (b) comes into force on 1st July 2012; and
 - (c) extends to Scotland only.

Interpretation

- 2.—(1) In this Order—
 - “authorised veterinary inspector” means the veterinary inspector authorised by the Scottish Ministers to receive information about horses or carcasses infected or suspected of being infected with African horse sickness virus for the area concerned;
 - “carcase” means carcase of a horse;
 - “Chief Veterinary Officer” means the Chief Veterinary Officer for Scotland;
 - “contact premises” means premises that have an epidemiological connection with infected premises, including those that due to their proximity to infected premises the Chief Veterinary Officer considers have an epidemiological connection with infected premises;
 - “the Directive” means Council Directive [92/35/EEC](#) on laying down control rules and measures to combat African horse sickness⁽¹⁾;
 - “equipment” means, except in article 28(3)(a), any equipment that may have been in contact with blood or other bodily fluids from a horse, including needles and surgical or dental equipment, unless that equipment has either been sterilised following such contact or is securely confined in a sharps container complying with British Standard 7320⁽²⁾ (or equivalent standard);
 - “genetic material” means any semen, ovum or embryo of a horse;
 - “horse” means any animal of the family Equidae and includes hybrids of those animals;
 - “infected premises” means premises that have been declared to be infected premises under article 9(8) or 10(7);
 - “main occupier”, in relation to premises, means the person who has overall responsibility of the premises;

(1) OJ L 157, 10.6.1992, p.19, last amended by Council Directive [2008/73/EC](#) (OJ L 219, 14.8.2008, p.40).

(2) ISBN 0 580 18481 1, published 29th June 1990.

“occupier”, in relation to premises, includes any person who has ownership or charge of a horse on the premises;

“premises” includes any place;

“suspect premises” means premises that have been designated as suspect premises under article 8(2); and

“vector” means an insect of the genus *Culicoides* or any other species of arthropod capable of transmitting African horse sickness virus.

(2) In this Order, a reference to a notified horse or carcass is a reference to a horse or carcass (as the case may be) which is the subject of a notification given under article 5.

(3) Any reference in this Order to anything done in writing or produced in written form includes a reference to an electronic communication, within the meaning of section 15 of the Electronic Communications Act 2000⁽³⁾ which has been recorded and is consequently capable of being reproduced.

Extension of definitions of “animals” and “disease”

3. For the purposes of the Animal Health Act 1981 in its application to this Order—
- (a) the definition of “animals” in section 87(1) of that Act is extended to include horses; and
 - (b) the definition of “disease” in section 88(1) of that Act is extended to include African horse sickness.

Disapplication

4. This Order does not apply—
- (a) to anything done under the terms of a licence granted under the Specified Animal Pathogens (Scotland) Order 2009⁽⁴⁾; or
 - (b) at any border inspection post within the meaning of, and for so long as it remains approved for the purposes of, regulation 11 of the Trade in Animals and Related Products (Scotland) Regulations 2012⁽⁵⁾.

⁽³⁾ 2000 c.7, amended by the Communications Act 2003 (c.21), sections 406 and 411(2) and (3) and Schedule 17, paragraph 158.

⁽⁴⁾ S.S.I. 2009/45, amended by S.S.I. 2009/394.

⁽⁵⁾ S.S.I. 2012/177.