

EXECUTIVE NOTE TO
THE BLUETONGUE (SCOTLAND) AMENDMENT ORDER 2012

SSI 2012/184

The above instrument was made in exercise of the powers conferred by paragraph 1A of Schedule 2 to the European Communities Act 1972 and section 72 of the Animal Health Act 1981. The instrument is not subject to Parliamentary procedure.

Policy Objectives

Bluetongue is a disease affecting ruminants (such as cattle, sheep and goats) and is transmitted by insect vectors. It is regulated at EU level by Council Directive 2000/75/EC, which lays down specific provisions for the control and eradication of the disease. Commission Regulation (EC) No 1266/2007 contains implementing rules for that Directive. One of those rules is a requirement for passive clinical surveillance. This is contained in point 2(1) of Annex 1 to the Commission Regulation. Amongst other things it includes, in its first indent, a requirement that owners or holders of animals as well as veterinarians must report promptly any suspicion of bluetongue to the competent authority.

Article 7 of the Bluetongue (Scotland) Order 2008 (SSI 2008/11) makes the Scottish Ministers the competent authority in relation to Scotland. Article 8 makes it an offence against the Animal Health Act 1981 for the owner or keeper of an animal, or a veterinarian, not to report promptly any suspicion of bluetongue in accordance with the first indent of point 2(1) of Annex 1 of the Commission Regulation.

This Order implements Commission Implementing Regulation (EU) No 456/2012. Put shortly, this amends Annex 1 of the Commission Regulation so that the requirement to report any suspicion of bluetongue is no longer contained in the first indent of point 2(1) of Annex 1, but is instead simply in point 2.1 of that Annex. It is accordingly necessary to amend article 8 of the 2008 Order so that it correctly reflects the source of the requirement to report. The substance of the requirement is unchanged.

Commission Regulation (EU) No 456/2012 was published on 31 May 2012 and enters into force five days following its publication in the Official Journal of the European Union. It is accordingly necessary for this amending instrument to take effect on 5 June 2012.

As this will be the third amendment to the Bluetongue (Scotland) Order 2008 the intention is to restate the 2008 Order, with some other amendments, later this year.

Scottish Government
AHWD: Animal Disease Control

May 2012