

---

SCOTTISH STATUTORY INSTRUMENTS

---

**2012 No. 199**

**The Bluetongue (Scotland) Order 2012**

**PART 3**

**Confirmation of bluetongue**

**Control zones**

**15.**—(1) The Scottish Ministers must, on confirmation of bluetongue on premises in Scotland, declare a control zone.

(2) If bluetongue is confirmed outside Scotland by a competent authority other than the Scottish Ministers, the Scottish Ministers may declare a control zone in Scotland.

(3) The size of a control zone is to be such as the Scottish Ministers consider necessary to reduce the spread of bluetongue.

(4) A person must not move an animal, into, out of, or within a control zone.

(5) A control zone may be extended or reduced by the Scottish Ministers on the basis of epidemiological, geographical, ecological or meteorological circumstances.

(6) The Scottish Ministers may, in declaring a control zone, specify such other measures as they consider necessary to reduce the risk of the spread of bluetongue.

**Restricted, protection and surveillance zones**

**16.**—(1) The Scottish Ministers must, on confirmation of bluetongue on premises in Scotland, declare an appropriate area a restricted zone.

(2) If bluetongue is confirmed outside Scotland by a competent authority, the Scottish Ministers may, if they consider it appropriate for disease control purposes, declare a restricted zone in Scotland.

(3) The Scottish Ministers may in declaring a restricted zone declare that an area around infected premises is a protection zone and the area beyond that protection zone is a surveillance zone.

(4) A surveillance zone must not include any area in which vaccination against bluetongue using live attenuated vaccine has been carried out in the twelve month period before confirmation of bluetongue.

(5) A person must not move an animal out of a protection zone except as authorised by a licence granted by the Scottish Ministers.

(6) A person must not move an animal, embryo, ovum or semen out of a restricted zone except as authorised by a licence granted by the Scottish Ministers.

(7) A person must not move an animal out of or within a restricted zone if it is showing clinical signs of bluetongue on the day of movement.

(8) The Scottish Ministers must grant a licence under paragraph (5) or (6) if the movement is permitted under the Commission Regulation, and the conditions of such a licence must be such as to ensure that the movement is made in accordance with the Commission Regulation.

### **Premises straddling zones**

**17.**—(1) Premises partly inside a temporary control zone and partly inside a free area are treated as being wholly inside the temporary control zone.

(2) Premises partly inside a control zone are treated as being wholly inside that zone.

(3) Otherwise—

(a) if a restricted zone has been divided into a protection zone and a surveillance zone premises partly inside the protection zone and partly inside the surveillance zone are treated as being wholly inside the protection zone;

(b) premises partly inside a restricted zone and partly inside a free area are treated as being wholly inside the restricted zone; and

(c) premises partly inside a restricted zone and partly inside a temporary control zone are treated as being wholly inside the restricted zone.

### **Slaughterhouses**

**18.**—(1) The Scottish Ministers may designate slaughterhouses for the purposes of slaughtering animals transported out of a restricted zone.

(2) The conditions of any designation must be such as to ensure that the slaughterhouse operates in accordance with the Commission Regulation.

(3) The operator of a slaughterhouse in a surveillance zone may only slaughter an animal from a protection zone if licensed to do so by the Scottish Ministers.

### **Movement of animals from a restricted zone**

**19.**—(1) This article applies where an animal has been within a restricted zone at any time within the 60 day period before it is moved to premises in a free area.

(2) The occupier of premises in a free area to which an animal to which this article applies has been moved must notify the movement to the Scottish Ministers within 3 working days from the arrival of the animal.

(3) An inspector may, by notice served on the occupier of any premises referred to in paragraph (2), or on the keeper of an animal at such premises, prohibit the movement of any animal from the premises except under the authority of a licence issued by an inspector.

(4) In this article and in article 20, “restricted zone” means a zone anywhere in the European Union consisting either or both of protection and surveillance zones.

### **Movement of vaccinated animals**

**20.**—(1) This article applies to an animal to which paragraph (2) applies that has been within a restricted zone at any time within the 60 day period before the animal is moved from a place in the United Kingdom to—

(a) a free area; or

(b) a surveillance zone.

(2) This paragraph applies to an animal which is moved from a protection or restricted zone on the ground that it is exempt from the exit ban established pursuant to Article 9(1) and point 1 of Article 10 of Council Directive [2000/75/EC](#) laying down specific provision for the control and eradication of bluetongue by reason that the animal complies with the condition set out in point 5 of Part A of Annex III to the Commission Regulation.

(3) The occupier of the premises where such an animal is received, and the keeper of such an animal, must ensure that the animal is accompanied by a veterinary certificate.

(4) In this article—

“veterinary certificate” means—

- (a) a certificate by a veterinary surgeon confirming that an animal identified in the certificate has been vaccinated by the veterinary surgeon, and that any supplementary vaccinations or boosters required at the date of the certificate to maintain immunity against bluetongue have been administered, or a copy; or
- (b) a health certificate as referred to in point 5 of Part A of Annex III to the Commission Regulation, with the additional wording required to be added by that paragraph, or a copy; and

“veterinary surgeon” means a person registered in the register of veterinary surgeons, or the supplementary register, kept under the Veterinary Surgeons Act 1966<sup>(1)</sup>.

### **Slaughter of animals**

**21.** Section 32 of the Animal Health Act 1981 (which relates to slaughter and compensation) continues to apply to bluetongue<sup>(2)</sup>.

---

(1) 1966 c.36.

(2) Section 32 was applied to bluetongue by S.S.I. 2008/11, which is revoked by article 34 of this Order.