

## **POLICY NOTE**

### **THE ANIMAL HEALTH (MISCELLANEOUS AMENDMENTS) (SCOTLAND) ORDER 2013**

#### **SSI 2013/173**

1. The above instrument was made in exercise of the powers conferred by section 2(2) of the European Communities Act 1972, and sections 1, 8(1), 8A, 15(3), (4) and (5) 17(1), 23, 35(3) and 83(2) of the Animal Health Act 1981. These powers are exercised together by virtue of section 33(2) of the Interpretation and Legislative Reform (Scotland) Act 2010.

#### **Policy Objectives**

2. The purpose of this instrument is to reflect changes in the way that animal health services are organised by revising obsolete references to Divisional Veterinary Managers (DVMs) and, in a few instances, to the Chief Veterinary Officer, as the case may be.

#### **Background**

3. Over the last few years there have been changes to the way in which the agencies safeguarding animal health and welfare across Great Britain are organised. In particular, Animal Health (an executive agency of the Department for Environment, Food and Rural Affairs (Defra)) was created in 2007, and in 2011 it merged with the Veterinary Laboratories Agency to form the Animal Health and Veterinary Laboratories Agency (AHVLA).

4. One consequence of those changes is that the post of DVM no longer exists within AHVLA, and has been replaced (in Scotland) with an Operations Director (Scotland) and by three Veterinary Leads. The role of DVMs, as enshrined in a number of animal health related legislative instruments, was to receive notification of disease and to take action to control the spread of the disease so notified. In practice, anyone wishing to report a disease would have contacted the local AHVLA office (where staff are on-call 24 hours a day), which in turn would have alerted the DVM. This order does not change the essence of that arrangement, anyone wishing to report disease will continue to contact the local AHVLA office, which in turn will alert the appropriate authorised veterinary inspector.

5. Another organisational change is the abolishment of the post of Chief Veterinary Officer of Great Britain. Instead, there are now Chief Veterinary Officers for each of Scotland, England, Wales and Northern Ireland, with the Chief Veterinary Officer for England also acting as the Chief Veterinary Officer for the United Kingdom as a whole.

6. The main aim of this instrument is to respond to those changes by amending 24 separate statutory instruments by substituting references to DVMs with references to “authorised veterinary inspectors”.

7. The definition of authorised veterinary inspector is used in preference to naming a specific post (such as “Veterinary Lead”) to avoid the need for another instrument in the event of further organisational change. Authorised veterinary inspectors will be appointed by the Scottish Ministers to carry out the relevant functions.

8. In 3 of the 24 statutory instruments references to the Chief Veterinary Officer of Great Britain are also being updated by replacing them with references to the Chief Veterinary Officer for Scotland. This reflects the devolution of animal health policy and the role of the Chief Veterinary Officer for Scotland in responding to an incident of animal disease.

9. In another 3 of the 24 statutory instruments (and in one other instrument, bringing the total number of instruments being amended to 25) references to the State Veterinary Service have been deleted as that organisation no longer exists. A full list of the instruments affected is at Annex A.

10. There are no changes in responsibility or in the duties and responsibilities ascribed to either DVMs or to Chief Veterinary Officers as a consequence of this instrument, the aim is simply to update and clarify the legislation.

### **Consultation**

11. No consultation was carried out as there is no change in the existing duties and responsibilities of the post holders.

### **Impact Assessments**

12. An equality impact assessment has not been completed as there is no change in the existing duties and responsibilities of the post holders.

### **Financial Effects**

13. The Cabinet Secretary for Rural Affairs and the Environment confirms that no Business and Regulatory Impact Assessment (BRIA) is necessary as the instrument has no financial effects on the Scottish Government, local government or on business.

Directorate for Agriculture, Food and Rural Communities  
28 May 2013

## ANNEX A

The instrument updates the following 25 instruments (in date order) below:-

- The Export of Horses (Veterinary Examination) Order 1966
- The Rabies (Control) Order 1974
- The Importation of Animals Order 1977
- The Warble Fly (Scotland) Order 1982
- The Aujeszky's Disease Order 1983
- The Infectious Diseases of Horses Order 1987
- The Tuberculosis (Deer) Order 1989
- The Anthrax Order 1991
- The Equine Viral Arteritis Order 1995
- The Specified Diseases (Notification) Order 1996
- The Enzootic Bovine Leukosis (Scotland) Regulations 2000
- The Disease Control (Interim Measures) (Scotland) Order 2002
- The Diseases of Poultry (Scotland) Order 2003\*
- The Classical Swine Fever (Scotland) Order 2003\*
- The African Swine Fever (Scotland) Order 2003\*
- The Foot-and-Mouth Disease (Scotland) Order 2006
- The Foot-and-Mouth Disease (Slaughter and Vaccination) (Scotland) Regulations 2006<sup>†</sup>
- The Avian Influenza and Influenza of Avian Origin in Mammals (Scotland) Order 2006<sup>†</sup>
- The Avian Influenza (Slaughter and Vaccination) (Scotland) Regulations 2006<sup>†</sup>
- The Avian Influenza (H5N1 in Poultry) (Scotland) Order 2007<sup>‡</sup>
- The Tuberculosis (Scotland) Order 2007
- The Disease Control (Interim Measures) (Scotland) Amendment Order 2007
- The Disease Control (Interim Measures) (Scotland) Amendment (No. 2) Order 2007
- The Swine Vesicular Disease (Scotland) Order 2009
- The Sheep Scab (Scotland) Order 2010

### Notes

\* References to Chief Veterinary Officer for Great Britain are also being updated.

<sup>†</sup> References to the Chief Veterinary Officer for GB and to the Chief Veterinary Officer as an employee of the State Veterinary service are being updated.

<sup>‡</sup> Only amends references to the Chief Veterinary Officer as an employee of the State Veterinary Service.

AFRC: AHWD

28 May 2013