

1975 No. 1702 (S. 237)

ANIMALS

DISEASES OF ANIMALS

**The Brucellosis (Eradication Areas) (Scotland) (No. 2)
Order 1975**

Made - - - - - 16th October 1975

Coming into Operation 1st November 1975

In exercise of the powers conferred by sections 1 and 5 of the Diseases of Animals Act 1950(a) and now vested in me (b), as read with the Diseases of Animals (Extension of Definitions) Order 1971(c), and as extended in the case of the said section 5 by section 106(3) of the Agriculture Act 1970(d), and by Article 3(1) of the Brucellosis (Area Eradication) (Scotland) Order 1971(e) as amended (f) and of all other powers enabling me in that behalf, I hereby make the following order:—

Citation and commencement

1. This order may be cited as the Brucellosis (Eradication Areas) (Scotland) (No. 2) Order 1975 and shall come into operation on 1st November 1975.

Interpretation

2. The Interpretation Act 1889(g) shall apply for the interpretation of this order as it applies for the interpretation of an Act of Parliament.

Declaration of brucellosis eradication areas

3. The areas respectively described in the Schedule hereto, being areas as respects which the Secretary of State is satisfied in each case that a substantial majority of the cattle therein are free from brucellosis, are hereby declared to be eradication areas for purposes connected with the control of brucellosis, and shall be known for such purposes by the names by which they are referred to in the said Schedule.

Restrictions on vaccination in eradication areas

4.—(1) No person other than—

(a) a veterinary inspector appointed by the Minister of Agriculture, Fisheries and Food;

(a) 1950 c. 36.

(b) By the Transfer of Functions (Animal Health) Order 1955 (S.I. 1955/958 (1955 I, p. 1184)).

(c) S.I. 1971/531 (1971 I, p. 1530).

(d) 1970 c. 40.

(e) S.I. 1971/1752 (1971 III, p. 4769).

(f) The amending orders are not relevant to the citation of powers of this order.

(g) 1889 c. 63.

- (b) a veterinary surgeon authorised for the purpose by the Secretary of State; or
- (c) a person to whom a licence has been issued for the purpose by a veterinary inspector, employed by the Minister of Agriculture, Fisheries and Food, and who complies with the conditions (if any) specified in such licence

shall vaccinate cattle against brucellosis in an area declared by this order to be an eradication area.

(2) Any person who vaccinates cattle, or causes or permits cattle to be vaccinated, in contravention of the preceding paragraph, or who fails to comply with a condition of such a licence as is referred in that paragraph, commits an offence against the Diseases of Animals Act 1950.

Application of the Brucellosis (Area Eradication) (Scotland) Order 1971, as amended

5. The provisions of the Brucellosis (Area Eradication) (Scotland) Order 1971 as amended (a), shall apply to, and have effect in the areas declared by this order to be eradication areas as from 1st November 1976.

Enforcement

6. This order shall, except where otherwise expressly provided, be enforced by the local authority.

William Ross,
One of Her Majesty's Principal
Secretaries of State.

New St. Andrew's House,
Edinburgh.
16th October 1975.

(a) S.I. 1972/738, 1972/1219, 1975/1332 (1972 II, p. 2338; 1972 II, p. 3610; 1975 II, p. 4534).

SCHEDULE

Article 3

NO. 21 ERADICATION AREA

In the Strathclyde Region, the Districts of East Kilbride, Hamilton, City of Glasgow, Lanark, Monklands and Motherwell; those parts of the parishes of Cadder and Glasgow lying in the District of Strathkelvin; that part of the parish of New Monkland lying in the District of Cumbernauld and Kilsyth.

NO. 22 ERADICATION AREA

In the Lothian Region, the parish of Inveresk in the District of East Lothian; the District of the City of Edinburgh except for that part of the parish of Kirkliston which lay in the former County of West Lothian and the parish of Dalmeny; the District of Midlothian; the parishes of Kirknewton, Mid-Calder and West Calder, in the District of West Lothian.

In the Borders Region, the parishes of Heriot and Stow in the District of Ettrick and Lauderdale.

NO. 23 ERADICATION AREA

In the Grampian Region, the Districts of the City of Aberdeen and Gordon; in the District of Kincardine and Deeside, the parishes of Arbuthnott, Banchory-Devenick, Banchory-Ternan, Benholm, Bervie, Drumoak, Dunnottar, Durris, Fettercairn, Fetteresso, Fordoun, Garvock, Glenbervie, Kinneff, Laurencekirk, Maryculter, Marykirk, St. Cyrus and Strachan.

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order declares three further areas in Scotland to be eradication areas and prohibits with effect from 1st November 1975 the vaccination against brucellosis of cattle in these areas unless undertaken by a Veterinary Inspector or other Veterinary Surgeon on behalf of the Secretary of State, or under a licence issued by a Veterinary Inspector employed by the Minister of Agriculture, Fisheries and Food.

In respect of these three further areas, the Order brings into effect the provisions of the Brucellosis (Area Eradication) (Scotland) Order 1971, as amended, on 1st November 1976.

By virtue of Article 3(1A) of the Brucellosis (Area Eradication) (Scotland) Order 1971, as amended, which disapplies the provisions of that Order to approved landing places, and no provision being made in this Order applying the same, none of the provisions of the 1971 Order (as amended) will apply to that area of land comprised in the Cattle Lairage, Merklands Wharf, Partick, Glasgow, which is such an approved landing place.