
STATUTORY INSTRUMENTS

1987 No. 135 (S. 10)

ANIMALS

ANIMAL HEALTH

The Brucellosis (Scotland) Amendment Order 1987

Made - - - - *28th January 1987*

Coming into force - - *9th February 1987*

The Secretary of State, in exercise of the powers conferred on him by sections 1, 6, 8, 86(1) and 87(2) of the Animal Health Act 1981(1), and of all other powers enabling him in that behalf, hereby makes the following Order:

Title and commencement

1. This Order may be cited as the Brucellosis (Scotland) Amendment Order 1987 and shall come into force on 9th February 1987.

Amendment

2. The Brucellosis (Scotland) Order 1979(2) shall be amended as follows:
- (a) in the definition of “cattle dealer” in article 2(1) the words “,and not for the purpose of rearing, fattening or breeding” shall be deleted;
 - (b) for article 20 (control of premises used by cattle dealers) there shall be substituted the following article:—

“Control of premises used by cattle dealers and others for the keeping of cattle

- 20.** No premises shall be used—
- (a) by a cattle dealer for the keeping of cattle in connection with his business as a dealer; or
 - (b) by any person who regularly purchases pregnant cattle for resale within 30 days of their expected date of calving or within 30 days of their having calved for the keeping of any such cattle so purchased,

(1) 1981 c. 22; for the extension of the Act to brucellosis *see* S.I. 1971/531.
(2) S.I. 1979/1596, to which there are amendments not relevant to this Order.

other than premises which have been approved for the purpose by a veterinary inspector or officer of the Secretary of State.”;

(c) for article 21 (animals other than cattle) there shall be substituted the following article:—

“Control of infection from other animals

21.—(1) Where a veterinary inspector or officer of the Secretary of State reasonably believes that an animal kept on any premises is, or may be, infected with brucellosis, he may by notice in writing served on the owner or other person in charge of cattle kept on any premises or on the occupier or person in charge of such premises, require him to keep the animal under control in such manner as may be specified in the notice or to confine it to such part of the premises as may be so specified.

(2) A notice served under paragraph (1) above in respect of an animal kept on any premises shall remain in force until such time as the animal dies or it is withdrawn by a further notice in writing served by a veterinary inspector on such owner, occupier or person.

(3) For the purposes of paragraphs (1) and (2) above “animal” means any kind of mammal except man.”.

New St. Andrew’s House,
Edinburgh
28th January 1987

John J. MacKay
Parliamentary Under Secretary of State, Scottish
Office

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Brucellosis (Scotland) Order 1979 (“the 1979 Order”). Article 20 of the 1979 Order prohibits a cattle dealer from using any premises for the keeping of cattle in connection with his business as a dealer unless they have first been approved by a veterinary inspector or officer of the Secretary of State. This Order extends that provision so as to prohibit any person who regularly purchases pregnant cattle for resale within 30 days of their expected date of calving or within 30 days of their having calved from using any premises for keeping any such cattle unless they have been similarly approved. It also amends the definition of “cattle dealer” so as to remove the exemption previously enjoyed by those dealers who intend to rear, fatten or breed cattle.

Article 21 of the 1979 Order allowed notice to be given to owners or persons in charge of cattle kept on any premises or to the occupiers of such premises, requiring them to ensure that cattle did not come into contact with other animals. This Order substitutes for this a provision enabling a veterinary inspector or officer of the Secretary of State to require the occupier or person in charge of any premises on which is kept any animal he reasonably believes is infected with brucellosis, or the owner or other person in charge of cattle kept on those premises, to keep that animal under control in a specified manner or to confine it to a specified part of the premises.