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SCOTTISH STATUTORY INSTRUMENTS

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**2001 No. 187**

**ANIMALS**

**ANIMAL HEALTH**

**The Foot-and-Mouth Disease (Scotland) (Declaratory and Controlled Area) Amendment (No. 5) Order 2001**

*Made* - - - - *18th May 2001*

*Coming into force* - - *19th May 2001*

The Scottish Ministers, in exercise of the powers conferred by articles 17(1) and 30(1) of the Foot-and-Mouth Disease Order 1983<sup>(1)</sup> and of all other powers enabling them in that behalf, hereby make the following Order:

**Citation and commencement**

1. This Order may be cited as the Foot-and-Mouth Disease (Scotland) (Declaratory and Controlled Area) Amendment (No. 5) Order 2001 and shall come into force on 19th May 2001.

**Amendment of the Foot-and-Mouth Disease Declaratory (Controlled Area) (Scotland) (No. 3) Order 2001**

2.—(1) The Foot-and-Mouth Disease Declaratory (Controlled Area) (Scotland) (No. 3) Order 2001<sup>(2)</sup> is amended in accordance with this article.

(2) In article 4(4)<sup>(3)</sup>, for “in the form set out in Schedule 1 to this Order and subject to the conditions set out in that Schedule” there is substituted “in a form to be prescribed by the Scottish Ministers in accordance with the advice of the Chief Veterinary Officer”.

(3) For article 4(9B)<sup>(4)</sup>, there is substituted—

“(9B) In paragraph (9A) above, “the permitted areas” are all areas of Scotland, except those parts of Scotland where an order made by the Scottish Ministers under article 17(1) of the 1983 Order is in force.”.

(4) Schedule 1 is omitted.

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- (1) S.I.1983/1950, as amended by S.I. 1993/3119, S.I. 1995/2922 and, as regards Scotland, by S.S.I. 2001/52, 55 and 101. See article 3(1) for the definition of “the Minister”. The functions of “the Minister”, so far as exercisable in relation to Scotland, were transferred to the Scottish Ministers by section 53 of the Scotland Act 1998 (c. 46).
- (2) S.S.I. 2001/111, as amended by S.S.I. 2001/131, 146, 150, 159, 170 and 181.
- (3) Article 4(4) was amended by S.S.I. 2001/146.
- (4) Article 4(9B) was inserted by S.S.I. 2001/131 and amended by S.S.I. 2001/150 and 170.

### **Amendment of the Foot-and-Mouth Disease Declaratory (Scotland) Orders 2001**

**3.**—(1) The Orders referred to in paragraph (2) are amended in accordance with paragraphs (3) to (4) of this article.

(2) The Orders referred to in paragraph (1) are—

(a) the Foot-and-Mouth Disease (Scotland) Declaratory (No. 5) Order 2001<sup>(5)</sup>; and

(b) the Foot-and-Mouth Disease (Scotland) Declaratory (No. 6) Order 2001<sup>(6)</sup>.

(3) In paragraph 2(c) of Schedule 2, for “in the form set out in Schedule 3 to this Order”, there is substituted “in a form to be prescribed by the Scottish Ministers in accordance with the advice of the Chief Veterinary Officer”.

(4) Schedule 3 is omitted.

Pentland House,  
Edinburgh  
18th May 2001

*DAVID R DICKSON*  
A member of the staff of the Scottish Ministers

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<sup>(5)</sup> S.S.I. 2001/165, as amended by S.S.I. 2001/180.

<sup>(6)</sup> S.S.I. 2001/168.

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## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order further amends the Foot-and-Mouth Disease Declaratory (Controlled Area) (Scotland) (No. 3) Order 2001 (“the Controlled Area Order”).

It amends the ban on hunting and stalking deer by changing the permitted areas where in certain circumstances exceptions are allowed to the ban on hunting or stalking certain types of deer. Permitted areas now will comprise all of Scotland except the those parts of Scotland where an order made by the Scottish Ministers under Article 17(1) of the Foot-and-Mouth Disease Order 1983 is in force.

The Order also removes the prescribed form of the licence issued by an inspector for movement to slaughter under the Controlled Area Order, and under the Foot-and-Mouth Disease (Scotland) Declaratory (No. 5) Order 2001 and the Foot-and-Mouth Disease (Scotland) Declaratory (No. 6) Order 2001. It provides that such a licence shall be issued in a form to be prescribed by the Scottish Ministers in accordance with the advice of the Chief Veterinary Officer.