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SCOTTISH STATUTORY INSTRUMENTS

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**2001 No. 290**

**ANIMALS**

**ANIMAL HEALTH**

**The Foot-and-Mouth Disease Declaratory (Controlled Area) (Scotland) (No. 3) Amendment (No. 5) Order 2001**

*Made - - - - 16th August 2001*  
*Coming into force at 12.00*  
*noon on - - - - 16th August 2001*

The Scottish Ministers, in exercise of the powers conferred by article 30(1) of the Foot-and-Mouth Disease Order 1983(1) 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 Declaratory (Controlled Area) (Scotland) (No. 3) Amendment (No. 5) Order 2001 and shall come into force at 12.00 noon on 16th August 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(2) is amended in accordance with this article.

(2) In article 4—

(a) in paragraph (4)(b) for the words “paragraph (8) below”, there is substituted “paragraph (8) (a) below, or to a place authorised by the Scottish Ministers under paragraph (8)(b) below, as the case may be,”;

(b) for paragraphs (7) and (8) there are substituted—

“(7) Subject to paragraph (8) below, no person shall use any premises for fairs, markets, shows (including standing sales of stock on farm) or other gatherings of animals, except as licensed by an inspector of the local authority or the Scottish Ministers.

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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, 181, 187, 204, and 246.

- (8) Notwithstanding the prohibition in paragraph (7) above—
- (a) the use of premises as a collecting centre may be permitted by licence issued by an inspector of the local authority in accordance with the advice of the Chief Veterinary Officer; and
  - (b) the use of a place in the course of movement of animals may be authorised by the Scottish Ministers for the purposes of paragraph (4)(b) above.”;
  - (c) in paragraph (10), for “paragraph (4)” there is substituted “paragraphs (4) and (7)”; and
  - (d) in paragraph (11), after “Part” there is inserted “(other than licences issued under paragraph (7) above)”.

Pentland House Edinburgh  
16th August 2001

*J R WILDGOOSE*  
A member of the staff of the Scottish Ministers

## EXPLANATORY NOTE

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

This Order amends the Foot-and-Mouth Disease Declaratory (Controlled Area) (Scotland) (No. 3) Order 2001 (“the Controlled Area Order”) to allow the Scottish Ministers to authorise the use of places other than collecting centres for licensing onward movement of animals to slaughterhouses. It further amends the restrictions in the Controlled Area Order on gatherings of animals to allow an inspector of a local authority, or the Scottish Ministers, to permit these by licence, and to specifically prohibit on farm sales of standing stock.