
SCOTTISH STATUTORY INSTRUMENTS

2009 No. 232

The Brucellosis (Scotland) Order 2009

PART 6

Ancillary, administration and enforcement

Restrictions on vaccination and therapeutic treatment

- 21.**—(1) No person other than—
- (a) a veterinary inspector;
 - (b) a veterinary surgeon authorised by the Scottish Ministers; or
 - (c) a person to whom a licence has been issued for the purpose by a veterinary inspector,
- may vaccinate bovine animals against brucellosis.
- (2) No person may treat bovine animals for brucellosis.
- (3) In this article, “veterinary surgeon” means a veterinary surgeon or veterinary practitioner registered under the Veterinary Surgeons Act 1966⁽¹⁾.

Marking of bovine animals and steers

- 22.**—(1) The owner or keeper of bovine animals or steers kept on any premises must, if so required by a veterinary inspector, mark those animals in a manner specified by the veterinary inspector.
- (2) A veterinary inspector may paint, stamp, clip or otherwise mark bovine animals or steers kept on any premises.
- (3) No person may without reasonable cause alter, remove, obliterate or deface or attempt to alter, remove, obliterate or deface any such mark.

Licences

- 23.**—(1) A licence granted under this Order may be—
- (a) subject to conditions necessary to prevent the spread of Brucellosis; and
 - (b) amended, suspended or revoked at any time.
- (2) A person moving anything under the authority of a specific licence must—
- (a) carry the licence or a copy of it at all times during the movement;
 - (b) on demand by an inspector, a veterinary inspector, an officer of the Scottish Ministers or a constable, furnish their name and address and produce the licence or copy and allow a copy or extract to be taken; and
 - (c) keep the licence for at least 6 months after the movement.

⁽¹⁾ 1966 c. 36; amended by S.I.1988/526, 1991/1412 and 2002/1479.

(3) A licence granted in England or Wales for an activity which could be licensed under this Order shall, unless the Scottish Ministers direct otherwise, have effect in Scotland as if it were a licence granted under this Order.

Powers of veterinary inspectors and inspectors

24.—(1) For the purpose of this Order a veterinary inspector or an inspector, on producing if so required a duly authenticated document showing the veterinary inspector's or the inspector's authority, has a right at all reasonable times to enter any premises, other than any part of any premises occupied as a private dwelling.

(2) A veterinary inspector may—

- (a) inspect and examine any bovine animal or any carcase on the premises;
- (b) make such tests in relation to and take such samples from any bovine animal or carcase on the premises as may be required for the purpose of diagnosis;
- (c) examine any records in whatever form on the premises and take copies of those records; and
- (d) take such other person as the veterinary inspector considers necessary for any purpose in relation to this Order.

(3) An inspector may—

- (a) inspect any bovine animal or any carcase on the premises;
- (b) examine any records in whatever form on the premises and take copies of those records; and
- (c) take such other person as the inspector considers necessary for any purpose in relation to the enforcement of this Order.

Enforcement

25.—(1) Subject to paragraph (2), this Order is enforced by the local authority.

(2) The Scottish Ministers may direct, in relation to a particular case or a particular class of case, that the duty imposed on a local authority by paragraph (1) may be discharged by the Scottish Ministers and not by the local authority.

Revocations

26. The instruments specified in the first column of the Schedule are revoked to the extent specified in the corresponding entry in the third column, subject to the savings provision in article 27.

Savings

27. The provisions of the Brucellosis and Tuberculosis Compensation (Scotland) Order 1978(2) continue to apply to any bovine animal for which compensation for brucellosis is determined before 26th June 2009 in accordance with article 3 of that Order.

(2) S.I. 1978/1485; amended by S.I. 1996/1358 and 1998/2181.