
EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Tuberculosis (Scotland) Order 2007 (“the principal Order”). Scotland was recognised as officially tuberculosis free (“OTF”) in terms of Directive [64/432/EEC](#), Annex A, Section 4 on 8 September 2009. Additional pre movement testing of bovine animals from England and Wales is required to protect Scotland’s OTF status.

Article 2(2) inserts definitions of “cross-border holding” and “low incidence area” in the principal Order.

Article 2(3) inserts provisions in the principal Order to provide for the testing of animals before they move from areas in England or Wales where there is a low incidence of tuberculosis, unless such animals were born and kept at all times on premises in a low incidence area.

Article 2(4) inserts a new provision in the principal Order disapplying pre and post movement testing in relation to movements of animals from one part of a cross-border holding to another.

Article 2(5) inserts references to tests applied under article 8(4) and (7) of the principal Order to ensure that the keeper arranges for a veterinary inspector to apply the test and for the keeper to meet the cost of the test.

A regulatory impact assessment has not been prepared as this instrument has no impact on the costs of business.