
SCOTTISH STATUTORY INSTRUMENTS

2012 No. 177

The Trade in Animals and Related Products (Scotland) Regulations 2012

PART 5

Administration

Enforcement

27.—(1) At a [^{F1}border control post] these Regulations are enforced—

- (a) in relation to animals by the Scottish Ministers; and
- (b) in relation to products by the local authority.

(2) Outside a [^{F1}border control post], these Regulations are enforced—

[^{F2}(za) in relation to aquatic animals and aquaculture animal products by the Scottish Ministers;]

(a) in relation to animals [^{F3}, other than those mentioned in sub-paragraph (za),] by the local authority;

(b) in relation to products [^{F4}, other than those mentioned in sub-paragraph (za),]—

- (i) except where head (ii) applies, by the local authority; or
- (ii) by the [^{F5}Food Standards Scotland] at any cutting plant, game-handling establishment or slaughterhouse, or premises at which the Agency enforces the Food Hygiene (Scotland) Regulations 2006 ^{M1}.

(3) In addition, in relation to products, these Regulations are enforced by a general customs official in any place (other than the inspection facilities in a [^{F1}border control post]) where goods are subject to customs supervision by that official under [^{F6}the Taxation (Cross-border Trade) Act 2018.]

(4) The Scottish Ministers may direct, in relation to cases of a particular description or a particular case, that the Scottish Ministers will discharge any duty imposed on a local authority under this regulation.

(5) The Scottish Ministers may recover from the local authority concerned any expenses reasonably incurred by them under paragraph (4).

[^{F7}(6) Where a customs officer exercising a statutory function at any place under customs supervision discovers any animal or product suspected of being non-compliant, that officer must detain it and notify such detention to an authorised officer of the relevant enforcement authority.]

[^{F8}(7) In paragraph (2)(za)—

“aquatic animal” has the same meaning as in Council [Directive 2006/88/EC](#) on animal health requirements for aquaculture animals and products thereof, and on the prevention and control of certain diseases in aquatic animals; and

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to *The Trade in Animals and Related Products (Scotland) Regulations 2012*. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

“aquaculture animal product” means any product of an aquaculture animal to which Article 6(1), 8(1) or (3) or 12(1) of [Commission Regulation \(EC\) No 1251/2008](#) implementing Council [Directive 2006/88/EC](#) as regards conditions and certification requirements for the placing on the market and the import into the Community of aquaculture animals and products thereof and laying down a list of vector species applies.]

Textual Amendments

- F1** Words in reg. 27(1)(2)(3) substituted (14.12.2019) by [The Official Controls \(Agriculture etc.\) \(Scotland\) Regulations 2019](#) (S.S.I. 2019/412), regs. 1(1), **24(23)(a)**
- F2** Reg. 27(2)(za) inserted (8.1.2016) by [The Trade in Animals and Related Products \(Scotland\) Amendment Regulations 2015](#) (S.S.I. 2015/401), regs. 1(1), **2(2)(a)(i)** (with reg. 3)
- F3** Words in reg. 27(2)(a) inserted (8.1.2016) by [The Trade in Animals and Related Products \(Scotland\) Amendment Regulations 2015](#) (S.S.I. 2015/401), regs. 1(1), **2(2)(a)(ii)** (with reg. 3)
- F4** Words in reg. 27(2)(b) inserted (8.1.2016) by [The Trade in Animals and Related Products \(Scotland\) Amendment Regulations 2015](#) (S.S.I. 2015/401), regs. 1(1), **2(2)(a)(iii)** (with reg. 3)
- F5** Words in reg. 27(2)(b)(ii) substituted (1.4.2015) by [The Food \(Scotland\) Act 2015 \(Consequential and Transitional Provisions\) Order 2015](#) (S.S.I. 2015/100), arts. 1(2), 2, **sch. para. 31**
- F6** Words in reg. 27(3) substituted (31.12.2020) by [The Trade in Animals and Related Products \(EU Exit\) \(Scotland\) \(Amendment\) Regulations 2020](#) (S.S.I. 2020/458), regs. 1(3), **2(22)**
- F7** Reg. 27(6) substituted (14.12.2019) by [The Official Controls \(Agriculture etc.\) \(Scotland\) Regulations 2019](#) (S.S.I. 2019/412), regs. 1(1), **24(23)(b)**
- F8** Reg. 27(7) inserted (8.1.2016) by [The Trade in Animals and Related Products \(Scotland\) Amendment Regulations 2015](#) (S.S.I. 2015/401), regs. 1(1), **2(2)(b)** (with reg. 3)

Marginal Citations

- M1** [S.S.I. 2006/3](#), to which there are amendments not relevant to these Regulations.

Changes to legislation:

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Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:

Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- sch. 2 Pt. 1 para. 1(4) inserted by [S.S.I. 2019/71 reg. 29\(21\)\(b\)\(iii\)](#) (This amendment not applied to legislation.gov.uk. S.S.I. 2019/71, reg. 29 revoked immediately before IP completion day by virtue of S.S.I. 2020/458, regs. 1(2), 3)
- sch. 2 Pt. 1 para. 3(2) inserted by [S.S.I. 2019/71 reg. 29\(21\)\(d\)\(iii\)](#) (This amendment not applied to legislation.gov.uk. S.S.I. 2019/71, reg. 29 revoked immediately before IP completion day by virtue of S.S.I. 2020/458, regs. 1(2), 3)
- sch. 2 Pt. 1 para. 4(6) inserted by [S.S.I. 2019/71 reg. 29\(21\)\(e\)\(v\)](#) (This amendment not applied to legislation.gov.uk. S.S.I. 2019/71, reg. 29 revoked immediately before IP completion day by virtue of S.S.I. 2020/458, regs. 1(2), 3)
- sch. 2 Pt. 1 para. 1(3) omitted by [S.S.I. 2019/71 reg. 29\(21\)\(b\)\(ii\)](#) (This amendment not applied to legislation.gov.uk. S.S.I. 2019/71, reg. 29 revoked immediately before IP completion day by virtue of S.S.I. 2020/458, regs. 1(2), 3)
- sch. 2 Pt. 1 para. 4(5) omitted by [S.S.I. 2019/71 reg. 29\(21\)\(e\)\(iv\)](#) (This amendment not applied to legislation.gov.uk. S.S.I. 2019/71, reg. 29 revoked immediately before IP completion day by virtue of S.S.I. 2020/458, regs. 1(2), 3)
- sch. 2 Pt. 1 para. 3(1) sch. 2 Pt. 1 para. 3 renumbered as sch. 2 Pt. 1 para. 3(1) by [S.S.I. 2019/71 reg. 29\(21\)\(d\)\(ii\)](#) (This amendment not applied to legislation.gov.uk. S.S.I. 2019/71, reg. 29 revoked immediately before IP completion day by virtue of S.S.I. 2020/458, regs. 1(2), 3)
- sch. 2 Pt. 1 para. 2(6) substituted by [S.S.I. 2019/71 reg. 29\(21\)\(c\)\(iii\)](#) (This amendment not applied to legislation.gov.uk. S.S.I. 2019/71, reg. 29 revoked immediately before IP completion day by virtue of S.S.I. 2020/458, regs. 1(2), 3)
- sch. 2 Pt. 1 para. 4(1) substituted by [S.S.I. 2019/71 reg. 29\(21\)\(e\)\(i\)](#) (This amendment not applied to legislation.gov.uk. S.S.I. 2019/71, reg. 29 revoked immediately before IP completion day by virtue of S.S.I. 2020/458, regs. 1(2), 3)
- sch. 2 Pt. 1 para. 5(3) substituted by [S.S.I. 2019/71 reg. 29\(21\)\(f\)](#) (This amendment not applied to legislation.gov.uk. S.S.I. 2019/71, reg. 29 revoked immediately before IP completion day by virtue of S.S.I. 2020/458, regs. 1(2), 3)
- sch. 2 Pt. 1 para. 6 substituted by [S.S.I. 2019/71 reg. 29\(21\)\(g\)](#) (This amendment not applied to legislation.gov.uk. S.S.I. 2019/71, reg. 29 revoked immediately before IP completion day by virtue of S.S.I. 2020/458, regs. 1(2), 3)
- sch. 2 Pt. 1 para. 2(3)(a) word substituted by [S.S.I. 2019/71 reg. 29\(21\)\(c\)\(ii\)](#) (This amendment not applied to legislation.gov.uk. S.S.I. 2019/71, reg. 29 revoked immediately before IP completion day by virtue of S.S.I. 2020/458, regs. 1(2), 3)
- sch. 2 Pt. 1 para. 4(3) word substituted by [S.S.I. 2019/71 reg. 29\(21\)\(e\)\(ii\)](#) (This amendment not applied to legislation.gov.uk. S.S.I. 2019/71, reg. 29 revoked immediately before IP completion day by virtue of S.S.I. 2020/458, regs. 1(2), 3)
- sch. 2 Pt. 1 para. 1(1) words omitted by [S.S.I. 2019/71 reg. 29\(21\)\(b\)\(i\)](#) (This amendment not applied to legislation.gov.uk. S.S.I. 2019/71, reg. 29 revoked immediately before IP completion day by virtue of S.S.I. 2020/458, regs. 1(2), 3)
- sch. 2 Pt. 1 para. 3 words omitted by [S.S.I. 2019/71 reg. 29\(21\)\(d\)\(i\)](#) (This amendment not applied to legislation.gov.uk. S.S.I. 2019/71, reg. 29 revoked immediately before IP completion day by virtue of S.S.I. 2020/458, regs. 1(2), 3)
- sch. 2 Pt. 1 para. 2(1) words substituted by [S.S.I. 2019/71 reg. 29\(21\)\(c\)\(i\)](#) (This amendment not applied to legislation.gov.uk. S.S.I. 2019/71, reg. 29 revoked immediately before IP completion day by virtue of S.S.I. 2020/458, regs. 1(2), 3)

- sch. 2 Pt. 1 para. 4(4) words substituted by [S.S.I. 2019/71 reg. 29\(21\)\(e\)\(iii\)](#) (This amendment not applied to [legislation.gov.uk](#). S.S.I. 2019/71, reg. 29 revoked immediately before IP completion day by virtue of S.S.I. 2020/458, regs. 1(2), 3)
- Sch. 3 para. 8 inserted by [S.I. 2024/541 reg. 16\(3\)](#)
- Sch. 5 para. 5(1A)-(1D) inserted by [S.I. 2024/541 reg. 16\(4\)\(c\)\(i\)](#)
- Sch. 5 para. 5(6)(za) inserted by [S.I. 2024/541 reg. 16\(4\)\(c\)\(iv\)](#)
- Sch. 6 inserted by [S.I. 2024/20 Sch. 4](#)
- reg. 13(2A)(2B) inserted by [S.S.I. 2019/71 reg. 29\(10\)\(a\)](#) (This amendment not applied to [legislation.gov.uk](#). S.S.I. 2019/71, reg. 29 revoked immediately before IP completion day by virtue of S.S.I. 2020/458, regs. 1(2), 3)
- reg. 30(2A) inserted by [S.S.I. 2019/71 reg. 29\(18\)\(b\)](#) (This amendment not applied to [legislation.gov.uk](#). S.S.I. 2019/71, reg. 29 revoked immediately before IP completion day by virtue of S.S.I. 2020/458, regs. 1(2), 3)