

## SCOTTISH STATUTORY INSTRUMENTS

**2022 No. 334**

### **ANIMALS**

#### **The Tuberculosis (Scotland) Amendment Order 2022**

<i>Made</i>	- - - -	<i>10th November 2022</i>
<i>Laid before the Scottish Parliament</i>	- - - -	<i>14th November 2022</i>
<i>Coming into force</i>	- -	<i>28th November 2022</i>

The Scottish Ministers make the following Order in exercise of the powers conferred by sections 1 and 8(1)(b) of the Animal Health Act 1981<sup>(1)</sup> and all other powers enabling them to do so.

#### **Citation and commencement**

1. This Order may be cited as the Tuberculosis (Scotland) Amendment Order 2022 and comes into force on 28 November 2022.

#### **Commencement Information**

**II** Art. 1 in force at 28.11.2022, see [art. 1](#)

#### **Amendment of the Tuberculosis (Scotland) Order 2007**

- 2.—(1) The Tuberculosis (Scotland) Order 2007<sup>(2)</sup> is amended in accordance with this article.
- (2) In article 20(1) (notices, licences etc), after “licence” insert “, consent”.
- (3) In article 26 (prohibition on testing, vaccination and therapeutic treatment)—
- (a) after paragraph (a), insert—
- “(aa) take samples from a bovine animal for the purpose of applying a diagnostic test for tuberculosis,” and
- (b) omit “written”.

(1) [1981 c. 22](#). The functions of the Secretary of State in so far as within devolved competence were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act [1998 \(c. 46\)](#). See section 86 of the Animal Health Act 1981 for the exercise of functions in relation to tuberculosis.

(2) [S.S.I. 2007/147](#); relevant amending instruments are [S.S.I. 2014/71](#) and [S.S.I. 2018/333](#).

**Status:** Point in time view as at 28/11/2022.

**Changes to legislation:** There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Tuberculosis (Scotland) Amendment Order 2022. 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)

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#### Commencement Information

**I2** Art. 2 in force at 28.11.2022, see [art. 1](#)

St Andrew's House,  
Edinburgh  
10th November 2022

*MAIRI GOUGEON*  
A member of the Scottish Government

## EXPLANATORY NOTE

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

This Order amends the Tuberculosis (Scotland) Order 2007 (“the 2007 Order”).

Article 2(2) amends article 20 of the 2007 Order to provide that any consent given to testing, vaccination or therapeutic treatment under article 26 of the 2007 Order may be given subject to conditions, and may be amended, suspended or revoked in writing at any time.

Article 2(3) amends article 26 of the 2007 Order to include the taking of samples from a bovine animal for the purpose of applying a diagnostic test for tuberculosis as one of the actions for which consent is required from the Scottish Ministers.

**Status:**

Point in time view as at 28/11/2022.

**Changes to legislation:**

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