

1972 No. 738 (S.53)

## ANIMALS

## DISEASES OF ANIMALS

**The Brucellosis (Area Eradication) (Scotland) Amendment  
Order 1972**

*Made* - - - - - *5th May 1972*  
*Coming into Operation* *1st June 1972*

In exercise of the powers conferred upon me by sections 1, 5 and 85(1) of the Diseases of Animals Act 1950(a) as read with the Transfer of Functions (Animal Health) Order 1955(b) and the Diseases of Animals (Extension of Definitions) Order 1971(c), and of all other powers enabling me in that behalf, I hereby make the following order:—

*Citation and commencement*

1. This order may be cited as the Brucellosis (Area Eradication) (Scotland) Amendment Order 1972 and shall come into force on 1st June 1972.

*Interpretation*

2.—(1) In this order “the principal order” means the Brucellosis (Area Eradication) (Scotland) Order 1971(d).

(2) The Interpretation Act 1889(e) shall apply for the interpretation of this order as it applies for the interpretation of an Act of Parliament.

*Amendment of the principal order*

3. The principal order shall be amended as follows:—

(a) by inserting at the beginning of Article 3(1) the following words—  
“Subject to the provisions of paragraph (1A) of this Article”;

(b) in Article 3(1)(b) by deleting the words “a date or dates to be appointed by order of the Secretary of State” and substituting therefor the words “1st November 1972”;

(a) 1950 c. 36.

(c) S.I. 1971/531 (1971 I, p. 1530).

(e) 1889 c. 63.

(b) S.I. 1955/958 (1955 I, p. 1184).

(d) S.I. 1971/1752 (1971 III, p. 4769).

(c) by inserting the following paragraph at the end of Article 3(1)—

“(1A) Notwithstanding the provisions of the preceding paragraph, the provisions of this order shall not apply to any export quarantine station in any Eradication Area or Attested Area unless those provisions shall be applied thereto in the order declaring the area to be an Eradication Area or Attested Area, as the case may be, for purposes connected with the control of brucellosis”;

(d) by adding the following paragraph at the end of Article 3—

“(3) In this Article “export quarantine station” means an export quarantine station within the meaning of section 36(1) of the Diseases of Animals Act 1950”;

(e) by adding at the end of Article 4 the following paragraphs—

“(3) Nothing in this Article shall apply to cattle being moved direct to any premises within an Eradication Area or Attested Area which are, for the purposes of this order approved from time to time by a veterinary inspector or by an officer of the Secretary of State for the temporary accommodation of cattle immediately before their exportation from Great Britain.

(4) Any such approval as is referred to in the preceding paragraph may be given subject to such conditions as may be specified therein, and may, by notice in writing, on the failure of the owner or occupier of the premises to which it relates to comply with any of those conditions be withdrawn or varied at any time, but without prejudice to anything lawfully done pursuant to the approval before such withdrawal or variation took effect”; and

(f) by adding at the end of Article 5 the following paragraphs—

“(3) Nothing in this Article shall apply to cattle being moved direct to any premises within an Eradication Area or Attested Area which are, for the purposes of this order approved from time to time by a veterinary inspector or by an officer of the Secretary of State for the temporary accommodation of cattle immediately before their exportation from Great Britain;

(4) Any such approval as is referred to in the preceding paragraph may be given subject to such conditions as may be specified therein, and may, by notice in writing, on the failure of the owner or occupier of the premises to which it relates to comply with any of those conditions be withdrawn or varied at any time, but without prejudice to anything lawfully done pursuant to the approval before such withdrawal or variation took effect”.

(Sgd.) *Gordon Campbell*,  
One of Her Majesty's  
Principal Secretaries of State.

St. Andrew's House,  
Edinburgh.  
5th May 1972.

## EXPLANATORY NOTE

*(This Note is not part of the Order.)*

This Order amends the Brucellosis (Area Eradication) (Scotland) Order 1971 by disapplying the provisions of that Order from affecting permanent export quarantine stations as from 1st June 1972. It also provides for the provisions of Articles 4 and 5 of the principal Order not to apply to temporary quarantine stations and applies the provisions of the principal Order as amended to the eradication areas known as No. 3 Eradication Area, No. 4 Eradication Area and No. 5 Eradication Area.

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