SCOTTISH STATUTORY INSTRUMENTS

2005 No. 173

ANIMAL HEALTH

The TSE (Scotland) Amendment Regulations 2005

Made - - - -	*22nd March 2005*
Laid before the Scottish Parliament - - - -	*22nd March 2005*
Coming into force - -	*1st May 2005*

The Scottish Ministers, in exercise of the powers conferred by section 2(2) of the European Communities Act 1972(**1**) and of all other powers enabling them in that behalf, hereby make the following Regulations:

PROSPECTIVE

Citation, commencement and extent

1.—(1) These Regulations may be cited as the TSE (Scotland) Amendment Regulations 2005 and shall come into force on 1st May 2005.

(2) These Regulations extend to Scotland only.

Commencement Information

I1 Reg. 1 in force at 1.5.2005, see **reg. 1(1)**

Amendment of the TSE (Scotland) Regulations 2002

2.—(1) The TSE (Scotland) Regulations 2002(**2**) are amended in accordance with paragraphs (2) and (3).

(2) In regulation 3(1) (interpretation) for the definition of "the Community Transitional Measures" substitute–

""the Community Transitional Measures" means–

(**1**) 1972 c. 68. Section 2(2) was amended by the Scotland Act 1998 (c. 46), Schedule 8, paragraph 15(3). The function conferred upon a Minister of the Crown under section 2(2) of the 1972 Act, insofar as within devolved competence, was transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998.

(**2**) S.S.I. 2002/255, as amended by S.S.I. 2003/198, S.S.I. 2003/411 and 2004/277.

(a) Commission Regulation (EC) No. 1248/2001 of 22nd June 2001 amending Annexes III, X and XI to Regulation (EC) No. 999/2001 of the European Parliament and of the Council as regards epidemio surveillance and testing of transmissible spongiform encephalopathies(**3**);

(b) Commission Regulation (EC) No. 1326/2001 of 29th June 2001 laying down transitional measures to permit the changeover to the Regulation of the European Parliament and of the Council (EC) No. 999/2001 laying down rules for the prevention, control and eradication of certain transmissible spongiform encephalopathies, and amending Annexes VII and XI to that Regulation(**4**);

(c) Commission Regulation (EC) No. 270/2002 of 14th February 2002 amending Regulation (EC) No. 999/2001 of the European Parliament and of the Council as regards specified risk material and epidemio–surveillance for transmissible spongiform encephalopathies and amending Regulation (EC) No. 1326/2001 as regards animal feeding and the placing on the market of ovine and caprine animals and products thereof(**5**);

(d) Commission Regulation (EC) No. 1494/2002 of 21st August 2002 amending Annexes III, VII and XI to Regulation (EC) No. 999/2001 of the European Parliament and the Council as regards monitoring of bovine spongiform encephalopathy, eradication of transmissible spongiform encephalopathy, removal of specified risk materials and rules for importation of live animals and products of animal origin(**6**);

(e) Commission Regulation (EC) No. 1139/2003 of 27th June 2003 amending Regulation (EC) No. 999/2001 of the European Parliament and of the Council as regards monitoring programmes and specified risk material(**7**); and

(f) Commission Regulation (EC) No. 1492/2004 of 23rd August 2004 amending Regulation (EC) No. 999/2001 of the European Parliament and of the Council as regards eradication measures for transmissible spongiform encephalopathies in bovine, ovine and caprine animals, the trade and importation of semen and embryos of ovine and caprine animals and specified risk material(**8**);".

(3) In Schedule 6A (Enforcement of Annex VII to the Community TSE Regulation)–

(a) in paragraph 1(2) omit "Commission Regulation (EC) No. 1494/2002";

(b) in paragraph 10, for "paragraph 3.1" substitute "paragraph 4";

(c) in paragraph 11, for "paragraph 3.2" substitute "paragraph 5";

(d) in paragraph 12, for "paragraph 5" substitute "paragraph 7";

(e) in paragraph 13, for "paragraph 6" substitute "paragraph 8";

(f) in paragraph 14–

(i) in sub paragraph (1) for "paragraph 4" substitute "paragraph 6"; and

(ii) in sub paragraph (2) for "paragraph 7" substitute "paragraph 9".

Commencement Information

I2 Reg. 2 in force at 1.5.2005, see **reg. 1(1)**

(**3**) O.J. No. L 173, 27.6.01, p.12.
(**4**) O.J. No. L 177, 30.6.01, p.60.
(**5**) O.J. No. L 45, 15.2.02, p.4.
(**6**) O.J. No. L 225, 22.8.02, p.3.
(**7**) O.J. No. L 160, 28.6.03, p.22.
(**8**) O.J. No. L 274, 24.8.04, p.3.