SCOTTISH STATUTORY INSTRUMENTS

2002 No. 221

ANIMALS

ANIMAL HEALTH

The Disease Control and Animal Movements (Interim Measures) (Scotland) Amendment Order 2002

Made - - - -	*8th May 2002*
Coming into force - -	*9th May 2002*

The Scottish Ministers, in exercise of the powers conferred by sections 1, 7 and 8(1) of the Animal Health Act 1981(**1**) and of all other powers enabling them in that behalf, hereby make the following Order:

Citation, commencement and extent

1.—(1) This Order may be cited as the Disease Control and Animal Movements (Interim Measures) (Scotland) Amendment Order 2002 and shall come into force on 9th May 2002.

(2) This Order extends to Scotland only.

Amendments to the Disease Control (Interim Measures) (Scotland) Order 2002

2.—(1) The Disease Control (Interim Measures) (Scotland) Order 2002(**2**) is amended in accordance with the following provisions of this article.

(2) In article 3 (restrictions on the movement of animals)–

(a) in paragraph (2)(a), for "or place for veterinary treatment or research", there is substituted ", place for veterinary treatment or research or slaughterhouse (except in the case of a pig moved from a slaughterhouse prior to slaughter)"; and

(b) for paragraph (2)(b), there is substituted–

"(b) if the animal which is to be moved from the premises on which it is located is–

(i) cattle;

(ii) a pig; or

(**1**) 1981 c. 22. See section 86(1) for the definition of "the Ministers". The functions of the Ministers of the Crown were transferred to the Scottish Ministers by section 53 of the Scotland Act 1998 (c. 46).

(**2**) S.S.I. 2002/34.

(iii) a sheep or a goat, where that movement commences on or after 18th May 2002,

and where the cattle, pig, sheep or goat to be moved has been held separately from animals which have been moved onto the premises in accordance with the provisions of article 5 and the premises have been authorised for those purposes by the Scottish Ministers before the animal moves onto those premises, after receipt of the declaration in the form specified in Schedule 1;".

(3) In article 4 (specific exemptions)–

(a) at the end of paragraph (a), there is inserted–

"and in accordance with article 3(2)(b)";

(b) in each of paragraphs (d) and (f) after "any animal", there is inserted–

"by virtue only of the fact that it comes";

(c) for paragraphs (g) and (h), there are substituted–

"(g) movement of any camelid, provided that no animal other than a camelid has been present at the premises from which the camelid is being moved within the period of 20 days prior to the date of movement;

(h) movement of sheep returning from premises at which they were away wintered to the premises from which they were away wintered;"; and

(d) for paragraph (l), there is substituted–

"(l) movement of any animal between premises in respect of which a right of grazing in common with other proprietors is exercisable;

(m) movement of any animal from premises to a show or exhibition, provided that the animal either–

(i) has not been at a show or exhibition within the period of 20 days prior to the date of movement; or

(ii) has been at a show or exhibition within the period of 20 days prior to the date of movement but has been held separately on the premises from which it is moved in accordance with the provisions of article 5(1)(a), (2), (3) and (4), those premises also having been authorised for this purpose by the Scottish Ministers before the animal returned to those premises from the first such show or exhibition;

(n) movement of any animal (other than to a show or exhibition) from premises by virtue only of the fact that it comes from premises in relation to which an animal has been returned after being moved to a show or exhibition;

(o) movement of pigs, sheep, goats, cattle, camelids or deer from premises to a place for veterinary treatment or research provided (except in the case of pigs) that the animals will be isolated from all other animals whilst the treatment is carried out;

(p) movement of pigs, cattle, sheep and goats from premises to an artificial insemination centre;

(q) movement of any animal by virtue only of the fact that it comes from premises in relation to which an animal has been returned after being moved in accordance with paragraph (o) or (p).".

(4) After article 6 (regulation of markets), there is inserted–

"**Offence of unauthorised access to stock areas in market premises**

6A. Any person taking access to alleys, pens, sale rings and loading banks of the stock area within market premises who has not been permitted such access by the person holding a market under article 6, or who has been permitted such access but does not comply with the conditions of such access specified in paragraph 3 of Schedule 2, commits an offence against the Act.".

(5) Article 11(5) is omitted.

(6) In Schedule 2 (requirements on markets)–

(a) in paragraph 2, "that" is omitted; and

(b) for paragraph 3, there is substituted–

"**3.** Access may be permitted to alleys, pens, sale rings and loading banks of the stock area within the market premises, but any person holding a market shall ensure that those persons having access (including personnel working in the market) must wear clean clothing suitable for the purpose and rubber boots when having such access (except in the case of those handling or leading breeding bulls or other haltered cattle who may, instead of rubber boots, wear robust footwear capable of being cleansed and disinfected).".

Amendment to the Pigs (Records, Identification and Movement) Order 1995

3. For Schedules 2, 3, 4, 6 and 7 to the Pigs (Records, Identification and Movement) Order 1995(**3**), there are substituted the Schedules 2, 3, 4, 6 and 7 contained in the Schedule to this Order.

Amendment to the Sheep and Goats Movement (Interim Measures) (Scotland) Order 2002

4. For article 4 (maximum number of eartags) of the Sheep and Goats (Interim Measures) (Scotland) Order 2002(**4**), there is substituted–

"**4.** No person shall apply a movement eartag under article 3(1) if the sheep or goat has been marked with any three eartags (in any combination) of the following types of eartag:–

(a) an eartag under article 3 of this Order;

(b) an eartag under the 2000 Regulations; or

(c) any eartag required by legislation in force in another part of the British Islands which is equivalent to an eartag under paragraphs (a) or (b).".

St. Andrews House,Edinburgh
8th May 2002

ROSS FINNIE
A member of the Scottish Executive

(**3**) S.I.1995/11, as amended by S.I. 1995/2922 and S.S.I. 2000/167 and 300 and 2002/34. Schedules 2, 3, 4, 6 and 7 were substituted by S.S.I. 2002/34.
(**4**) S.S.I. 2002/38.

SCHEDULE Article 3

SCHEDULES 2, 3, 4, 6 AND 7 AS INSERTED BY THIS SCHEDULE

"SCHEDULE 2 Article 9

MOVEMENT OF PIGS FROM A FARM – FORM OF DECLARATION

The Pigs (Records, Identification and Movement) Order 1995 (Article 9)

Declaration relating to movement of pigs from a farm

I, of hereby declare as follows:–

(a) I am the owner (or the duly authorised agent for this purpose of the owner) of the pigs which are described below and which are to be moved as so described;

(b) this movement is made under the authority of and in accordance with the conditions of a licence issued by the Scottish Ministers under article 3(1)(a) of the Disease Control (Interim Measures) (Scotland) Order 2002;

(c) no pigs have been moved on to the premises described below from which the said pigs are to be moved ("my farm") since (day/month/year) (being 20 days before the date of the movement) except in accordance with article 8(3) of the Pigs (Records, Identification and Movement) Order 1995;

(d) no cattle, sheep, goats or other ruminating animals or elephants have been moved onto the premises described below from which the said pigs are to be moved or onto premises in the same occupation or business since (day/month/year) (being 20 days before the date of the movement) except in accordance with articles 3, 4 and 5 of the Disease Control (Interim Measures) (Scotland) Order 2002.

Date of movement	*Number of pigs to be moved*	*Description of pigs to be moved*	*Identification marks*	*Name, address (including postcode) and CPH number of premises from which pigs are to be moved*	*Name, address (including postcode) and CPH number of place of destination to which pigs are to be moved*

I understand that the making of any statement in this declaration which is false in a material particular may constitute an offence against the Animal Health Act 1981.

Dated

Signed

Owner/Agent for owner (delete as appropriate)

Name in block letters

[The following must appear on the back of the declaration]

Conditions

1. The person in charge of the pigs moved under this declaration must–

(a) carry a copy of it throughout the movement and produce it on demand to a constable or an inspector and, if required by that person, give the name and address of the person in charge of the pigs; and

(b) deliver the copy to the person in charge of the premises to which the pigs are moved (whose duty it is to retain it for a period of not less than six months from the date of receipt and to produce it on demand to a constable or an inspector).

2. Where this declaration relates to the movement of pigs to a slaughterhouse, it does not authorise the movement unless the pigs are to be slaughtered within 72 hours of arrival at the slaughterhouse and not removed therefrom alive.

3. The pigs must be transported in accordance with the conditions of the licence issued by the Scottish Ministers under article 3(1)(a) of the Disease Control (Interim Measures) (Scotland) Order 2002.

4. Any means of transport used for the movement of pigs shall be cleansed and disinfected in accordance with the requirements of the Transport of Animals (Cleansing and Disinfection) (Scotland) Order 2000(**a**).

5. A copy of this declaration must be sent to your Local Authority within 3 days unless the pigs are to be moved for immediate slaughter.

(a) S.S.I. 2000/167.