SCOTTISH STATUTORY INSTRUMENTS

2001 No. 481

ANIMALS

ANIMAL HEALTH

The Foot-and-Mouth Disease Declaratory (Controlled Area) (Scotland) (No. 3) Amendment (No. 6) Order 2001

Made - - - -	*12th December 2001*
Coming into force on - -	*13th December 2001*

The Scottish Ministers, in exercise of the powers conferred by article 30(1) of the Foot-and-Mouth Disease Order 1983(**1**) and of all other powers enabling them in that behalf, hereby make the following Order:

Citation and commencement

1. This Order may be cited as the Foot-and-Mouth Disease Declaratory (Controlled Area) (Scotland) (No. 3) Amendment (No. 6) Order 2001 and shall come into force on 13th December 2001.

Amendment of the Foot-and-Mouth Disease Declaratory (Controlled Area) (Scotland) (No. 3) Order 2001

2.—(1) The Foot-and-Mouth Disease Declaratory (Controlled Area) (Scotland) (No. 3) Order 2001(**2**) is amended in accordance with this article.

(2) In article 4–

(a) For paragraph (5), there is substituted(

"(5) Where an animal is moved to a slaughterhouse under paragraph (4) above, the occupier of the slaughterhouse shall ensure that the animal is slaughtered at those premises in accordance with any condition relating to slaughter specified in the licence, and that slaughter, subject to paragraph (5A) below, must be within 24 hours of arrival there.

(**1**) S.I.1983/1950, as amended by S.I. 1993/3119, S.I. 1995/2922 and, as regards Scotland, by S.S.I. 2001/52, 55, 101 and 390. See article 3(1) for the definition of "the Minister". The functions of "the Minister", so far as exercisable in relation to Scotland, were transferred to the Scottish Ministers by section 53 of the Scotland Act 1998 (c. 46).

(**2**) S.S.I. 2001/111, as amended by S.S.I. 2001/131, 146, 150, 159, 170, 181, 187, 204, 246, and 290.

(5A) Where the period (within which an occupier of a slaughterhouse shall ensure that any animal is slaughtered) specified in a licence under paragraph (4) above is longer than the 24 hour period required by paragraph (5) above, that animal shall be slaughtered within the period specified in the licence."

(b) for paragraphs (9), (9A) and (9B)(**3**), there is substituted(

"(9) Hunting and stalking are prohibited, except where the hunting or stalking is–

(a) permitted under a licence issued by the Scottish Ministers or an inspector of the Scottish Ministers and subject to any conditions specified therein; or

(b) of roe, red, fallow or sika deer carried out by the occupier of any land, or a member of a shooting party consisting of not more than three persons who are members of the occupier's household or persons employed by the occupier or beaters, and who shoot or attempt to shoot any such deer (including marauding deer) found thereon, provided that the occupier or members of a shooting party take such care as is reasonably practicable to avoid scattering any herd."; and

(c) after article 4(20)(**4**), there is inserted–

"(21) Subject to paragraph (22) below, no person shall carry out or cause to be carried out ultrasound scanning of sheep, except in accordance with the conditions of a licence issued by the Scottish Ministers.

(22) Paragraph (21) above shall not apply to the occupier of any premises, or that occupier's employee (unless that person is employed primarily for the purpose of carrying out ultrasound scanning of sheep), in respect of the carrying out of the ultrasound scanning of sheep kept on those premises using ultrasound scanning equipment owned or kept by the occupier.".

Revocations

3. The Orders listed in the Schedule hereto are revoked to the extent specified in column (3) in that Schedule.

Pentland House,Edinburgh
12th December 2001

DAVID R DICKSON
A member of the staff of the Scottish Ministers

(**3**) Article 4(9) was amended by, and articles 4(9A) and (9B) were inserted by, S.S.I. 2001/131. Article 4(9B) was amended by S.S.I 2001/150, 170, and 187.
(**4**) Article 4(20) was inserted by S.S.I. 2001/246.