SCOTTISH STATUTORY INSTRUMENTS

2001 No. 146

ANIMALS

ANIMAL HEALTH

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

Made - - - -	*6th April 2001*
Coming into force - -	*7th April 2001*

The Scottish Ministers, in exercise of the powers conferred by articles 17(1) and 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 (Scotland) (Declaratory and Controlled Area) Amendment (No. 3) Order 2001 and shall come into force on 7th April 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 is accordance with this article.

(2) In article 4–

(a) in paragraph (4)–

(i) for the words "An inspector may, by licence issued in the form set out in Schedule 1 to this Order and subject to the conditions set out in that Schedule", there shall be substituted "In the case of a specific licence, an inspector may, by a licence issued in the form set out in Schedule 1 to this Order and subject to the conditions set out in that Schedule or, in the case of a general licence, the Scottish Ministers may, by a licence issued by them"; and

(**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 and 101. 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.

(ii) in sub-paragraph (a) for "sheep, cattle or pigs" there shall be substituted "sheep, cattle, goats, pigs, wild boar and deer";

(b) in paragraph (10), for the words "Except under paragraphs (4) and (8) above" shall be substituted "Except in relation to a licence as may be issued by an inspector under paragraph (4) above or as may be issued under paragraph (8) above"; and

(c) there shall be added at the end of paragraph (13), as follows:–

"

but nothing required by sub-paragraphs (a)-(c) above shall be required in relation to licences where animals are moved under the authority of a general licence".

(3) For paragraph 1 of the "Conditions of Licence" in Schedule 1, shall be substituted the following:–

"**1.** Before being moved, animals to which this licence relates shall be marked as follows:–

CATTLE (including water buffalo and bison): A broad arrow, 15 cm long, clipped on left hindquarter, and hair clipped off end of tail.

SHEEP AND GOATS: A single red stripe, 30 cm long and 2 cm wide, painted with adhesive composition, or in such manner that it will remain legible for the entire length of the journey, down the centre of the sheep's or the goat's back.

PIGS AND WILD BOAR: A single red stripe, 30 cm long and 2 cm wide, painted with adhesive composition, or in such manner that it will remain legible for the entire length of the journey, down the centre of the pig's or the wild boar's back.

DEER: A single red stripe, 60 cm long and at least 5 cm wide, painted with adhesive composition, or in such manner that it will remain legible for the entire length of the journey, down the centre of the deer's back.".

Amendment of the Foot-and-Mouth Disease Declaratory (Scotland) Order 2001

3.—(1) The Foot-and-Mouth Disease (Scotland) Declaratory Order 2001(**3**) is amended in accordance with this article.

(2) In Schedule 2–

(a) for paragraph 1 there is substituted–

"Articles 18, 19, 26, 28(2) and 28(3)(b) of Part III of the Foot-and-Mouth Disease Order 1983 do not apply.";

(b) in each of sub-paragraphs (a) and (b) of paragraph 2 after "a licence issued by" there shall be inserted "the Scottish Ministers or"; and

(c) there shall be inserted after paragraph 2(g) the following sub-paragraph:–

"(h) no person shall move, or cause to be moved, into, out of or within an infected area any embryo, ovum or semen except with the written approval of a veterinary inspector and subject to such conditions as may be specified therein.".

(**3**) S.S.I. 2001/56, as amended by S.S.I. 2001/63, 66, 90, 91, 109, 110 and