

**2001 No. 458**

**ANIMALS**

**ANIMAL HEALTH**

**The Sheep and Goats Spongiform Encephalopathy  
(Compensation) Amendment (Scotland) Order 2001**

<i>Made</i>	<i>12th December 2001</i>
<i>Laid before the Scottish Parliament</i>	<i>14th December 2001</i>
<i>Coming into force</i>	<i>19th January 2002</i>

The Scottish Ministers, in exercise of the powers conferred by sections 32(3) and 34(7) of the Animal Health Act 1981(a), 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 Sheep and Goats Spongiform Encephalopathy (Compensation) Amendment (Scotland) Order 2001 and shall come into force on 19th January 2002.

(2) This Order extends to Scotland only.

**Amendment of the Sheep and Goats Spongiform Encephalopathy (Compensation) Order 1998**

2.—(1) The Sheep and Goats Spongiform Encephalopathy (Compensation) Order 1998(b) shall be amended in accordance with paragraphs (2) and (3) below.

(2) In article 2 (interpretation)—

- (a) the definitions of “average cull price for sheep” and “average cull price for goats” are omitted; and
- (b) the following definition shall be inserted after the definition of “cull animal”:-  
““laboratory” means a veterinary laboratory as may be approved by or on behalf of the Scottish Ministers for the purposes of this Order;”.

(3) In article 3 (compensation for affected and suspected animals slaughtered for transmissible spongiform encephalopathy)—

(a) the following paragraph shall be substituted for paragraph (1):-

“(1) Where the Scottish Ministers cause an animal to be slaughtered as a suspected or affected animal under the powers conferred by section 32(1) of the Animal Health Act 1981 in its application to any transmissible spongiform encephalopathy(c) and an examination, at a laboratory, of tissues taken from the carcase of the animal confirms that it was an affected animal, the amount of compensation payable shall be—

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(a) 1981 c.22. The functions of the Secretary of State were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998 (c. 46).The requirement to obtain Treasury approval was removed by section 55 of that Act.  
(b) S.I. 1998/1647.  
(c) Section 32 of the Animal Health Act 1981 was applied to any transmissible spongiform encephalopathy in sheep and goats by article 7(1) of S.I. 1998/1645.

- (a) in the case of a cull animal, £30; and
- (b) in the case of any other affected animal, £90.”;
- (b) in paragraph (2), for “at a veterinary laboratory of the Ministry”, there shall be substituted “, at a laboratory,”; and
- (c) paragraphs (3), (4) and (5) are omitted.

Pentland House,  
Edinburgh  
12th December 2001

*ROSS FINNIE*  
A member of the Scottish Executive

## **EXPLANATORY NOTE**

*(This note is not part of the Order)*

This Order, which extends to Scotland only, amends the Sheep and Goats Spongiform Encephalopathy (Compensation) Order 1998 (“the 1998 Order”).

The Order principally provides that the amount of compensation payable for sheep and goats caused to be slaughtered by the Scottish Ministers under section 32 of the Animal Health Act 1981 because they are affected with any transmissible spongiform encephalopathy shall be £30 in the case of a cull animal (as defined in the 1998 Order) and £90 for any other affected animal (also as defined in that Order).

A Regulatory Impact Assessment has not been prepared in relation to this Order.

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