

2001 No. 66

ANIMALS

ANIMAL HEALTH

**The Foot-and-Mouth Disease (Scotland) (Declaratory and
Controlled Area) Amendment Order 2001**

Made 6th March 2001

Coming into force at 9:30pm on 6th March 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(a), 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 Order 2001 and shall come into force at 9:30pm on 6th March 2001.

Amendment of the Foot-and-Mouth Disease Declaratory (Controlled Area) (Scotland) (No. 2) Order 2001

2. For paragraph (2) of article 4 of the Foot-and-Mouth Disease Declaratory (Controlled Area) (Scotland) (No. 2) Order 2001(b), there shall be substituted as follows:—

“(2) Article 33 shall not apply if the slaughterhouse or knackery product is controlled by and disposed of in accordance with—

- (a) the Specified Risk Material Order 1997(c);
- (b) the Specified Risk Material Regulations 1997(d); or
- (c) the Animal By-Products Order 1999(e).”.

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

3.—(1) Each of the Orders specified in paragraph (2) below shall be amended, as follows:—

- (a) after article 2, there shall be inserted, as follows:—

“Enforcement

2A. The provisions of Part III of the Foot-and-Mouth Disease Order 1983 shall, insofar as they are to be enforced in slaughterhouses, be enforced by the Scottish Ministers.”; and

(a) 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 and 2001/55. 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.

(b) S.S.I. 2001/60.

(c) S.I. 1997/2964 as amended, as regards Scotland, by S.S.I. 2000/344 and 2001/4.

(d) S.I. 1997/2965 as amended by S.I. 1997/3062, S.I. 1998/2045 (itself amended by S.I. 1998/2431), S.I. 1999/539, and, as regards Scotland, by S.S.I. 2000/62, 345, and 2001/3.

(e) S.I. 1999/646.

- (b) there shall be inserted after paragraph (2)(e) of Schedule 2, as follows:–
- “(f) Article 20 of the Foot-and-Mouth Disease Order 1983 shall not apply if the slaughterhouse or knackery product is controlled by and the movement is for the purpose of disposal of in accordance with–
- (a) the Specified Risk Material Order 1997;
 - (b) the Specified Risk Material Regulations 1997; or
 - (c) the Animal By-Products Order 1999.”.

(2) The Orders referred to in paragraph (1) above are–

 - (a) the Foot-and-Mouth Disease (Scotland) Declaratory Order 2001(a); and
 - (b) the Foot-and-Mouth Disease (Scotland) Declaratory (No. 2) Order 2001(b).

(3) In Schedule 1(c) to the Foot-and-Mouth Disease (Scotland) Declaratory Order 2001, for the words "Carstairs Junction", there shall be substituted the word "Sanquhar".

DAVID R DICKSON

A member of the staff of the Scottish Ministers

Pentland House,
Edinburgh
6th March 2001

(a) S.S.I. 2001/56, amended by S.S.I. 2001/63 and .
(b) S.S.I. 2001/59, amended by S.S.I. 2001/63.
(c) Substituted by S.S.I. 2001/ .

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Order declaring Scotland to be a controlled area and the two Orders declaring certain areas in Scotland as infected areas, in each case for the purpose of combating the Foot-and-Mouth outbreak, in their application to slaughterhouse or knackery products.

In each case, the movement of all slaughterhouse and knackery products is prohibited, unless they are covered by, and the movement is for disposal in accordance with—

The Specified Risk Material Order 1997 (S.I. 1997/2964);

The Specified Risk Material Regulations 1997 (S.I. 1997/2965); or

The Animal By-Products Order 1999 (S.I. 1999/646).

The Order also—

- (a) amends those two Orders declaring certain areas in Scotland as infected areas to make the Scottish Ministers the enforcement authority for the purposes of Part III of the Foot-and-Mouth Disease Order 1983 in so far as it is enforced in slaughterhouses; and
- (b) corrects an erroneous reference in the description of the infected area set out in the Foot-and-Mouth Disease (Scotland) Declaratory Order 2001.

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