
SCOTTISH STATUTORY INSTRUMENTS

2005 No. 434

The Tuberculosis (Scotland) Order 2005

Interpretation

2.—(1) In this Order, unless the context otherwise requires—

“the Act” means the Animal Health Act 1981;

“affected animal” means a bovine animal which is affected with tuberculosis of the udder or is giving tuberculous milk, or is affected with tuberculous emaciation, or is excreting or discharging tuberculous material, or is affected with a chronic cough and shows clinical signs of tuberculosis, and includes a reactor, and “suspected animal” shall be construed accordingly;

“approved disinfectant” means a disinfectant listed in the Diseases of Animals (Approved Disinfectants) Order of 1978(1) as being approved for the time being for use against tuberculosis;

“bovine animal” means domestic cattle of the genus *Bos*, *Bubalus bubalis* or *Bison bison*;

“carcase” means the carcase of a bovine animal, and includes part of a carcase and the flesh, bones, hide, skin, hooves, offal or other part of a bovine animal, separately or otherwise, or any portion thereof;

“the Divisional Veterinary Manager” means the veterinary inspector appointed by the Scottish Ministers to receive information about animals or carcasses affected or suspected of being affected with specified diseases, for the area in which the animal or carcase is;

“high incidence area” means an area within Great Britain where bovine animals are required to be subject to routine tuberculin testing on a yearly or two yearly basis in accordance with the requirements of Council Directive 64/432/EEC(2);

“holding” means any establishment, construction or, in the case of an open air farm, any place in Great Britain in which cattle are held, kept or handled but does not include any agricultural show, market or slaughterhouse;

“local authority” means a council constituted under section 2 of the Local Government etc (Scotland) Act 1994(3);

“milk” includes cream and separated or skimmed milk;

“officer” means a veterinary inspector or other officer of the Scottish Ministers;

“premises” includes land whether with or without buildings;

“reactor” means a bovine animal which gives rise to a reaction consistent with its being affected with tuberculosis when tested for that disease;

“slaughterhouse” means any premises used for the commercial slaughter or killing of animals, whether or not the flesh of those animals is intended for human consumption, and includes any place available in that connection for the confinement of animals while awaiting slaughter

(1) S.I.1978/32; relevant amending instruments are S.I. 1978/934 and 1999/919, S.S.I. 2001/45 and 51, S.S.I. 2003/334, S.S.I. 2004/537 and S.S.I. 2005/99.

(2) O.J. L 121, 29.7.64, p.1977; relevant amending instruments are O.J. L 198, 15.7.98, p.22 and O.J. L 196, 4.7.00, p.35.

(3) 1994 c. 39.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

there or for keeping or subjecting to any treatment or process, products of the slaughtering of animals there;

“veterinary inspector” means a veterinary inspector appointed by the Scottish Ministers; and

“veterinary surgeon” means a veterinary surgeon or veterinary practitioner registered under the Veterinary Surgeons Act 1966⁽⁴⁾.

(2) A reference in this Order to anything done in writing or produced in written form includes a reference to an electronic communication, as defined in the Electronic Communications Act 2000⁽⁵⁾, which has been recorded and is consequently capable of being reproduced.

⁽⁴⁾ 1966 c. 36; relevant amending instrument is S.I. 2003/2919.

⁽⁵⁾ 2000 c. 7.