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SCOTTISH STATUTORY INSTRUMENTS

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**2006 No. 45**

**The Foot-and-Mouth Disease (Slaughter and  
Vaccination) (Scotland) Regulations 2006**

**PART 2**

Powers of Slaughter

**Preventive eradication programme**

**8.—(1)** The Scottish Ministers may, where they consider appropriate on the basis of epidemiological information or other evidence, implement a preventive eradication programme of the disease.

(2) As part of such a programme, the Scottish Ministers may cause to be slaughtered—

(a) in exercise of their powers under Schedule 3, paragraph 3(1) to the Act, all cattle, sheep, goats, other ruminating animals and swine—

(i) which are affected or suspected of being affected with the disease; or

(ii) which are or have been in the same field, shed, or other place, or in the same herd or flock, or otherwise in contact with animals affected with the disease, or which appear to the Scottish Ministers to have been in any way exposed to the disease;

(b) any other susceptible animals likely to be contaminated with the disease virus; and

(c) if they consider it necessary with a view to preventing the spread of the disease, susceptible animals from epidemiologically linked production units or adjoining premises.

(3) Slaughter shall be carried out in such a way as to minimise the dispersal of disease virus.

(4) Compensation shall be payable for any susceptible animal slaughtered under paragraph (2) (b) or (c) above as if that animal had been slaughtered under the powers conferred by Schedule 3, paragraph 3(1) to the Act.

**Slaughter of animals**

**9.—(1)** Subject to regulation 8, where the disease is confirmed on premises, the Scottish Ministers—

(a) shall cause to be slaughtered—

(i) in exercise of their powers under Schedule 3, paragraph 3(1) to the Act, all cattle, sheep, goats, other ruminating animals and swine on the premises—

(aa) which are affected with the disease or suspected of being so affected; or

(bb) which are or have been in the same field, shed, or other place, or in the same herd or flock as, or otherwise in contact with, animals affected with the disease, or which appear to the Scottish Ministers to have been in any way exposed to the disease; and

(ii) all other susceptible animals on the premises; and

*Status: Point in time view as at 23/02/2006.*

*Changes to legislation: There are currently no known outstanding effects for the The Foot-and-Mouth Disease (Slaughter and Vaccination) (Scotland) Regulations 2006, PART 2. (See end of Document for details)*

- (b) may cause to be slaughtered any non-susceptible animals on the premises other than those which the Scottish Ministers consider are capable of being isolated, effectively cleansed and disinfected, and which are individually identifiable so as to allow the control of their movement.
- (2) Slaughter shall be carried out in such a way as to minimise the dispersal of disease virus.
- (3) Compensation shall be payable for any animal slaughtered under paragraph (1)(a)(ii) or (1)(b) above as if that animal had been slaughtered under the powers conferred by Schedule 3, paragraph 3(1) to the Act.

### **Exemption from slaughter for certain susceptible animals**

**10.**—(1) The Scottish Ministers may, after consulting the Chief Veterinary Officer (Scotland), decide not to slaughter susceptible animals kept in—

- (a) a laboratory, zoo, wildlife park or other premises keeping animals principally for the purposes of display or education of the public, or an enclosed area principally used for shooting;
- (b) the premises of a body, institute or centre which—
  - (i) keeps animals only for the purposes of conservation, display and education of the public, or scientific research or breeding of such animals for research; and
  - (ii) is approved by the Scottish Ministers in relation to those animals in accordance with any provision which gives effect in relation to Scotland to Article 13(2) of Council Directive [92/65/EEC](#) of 13th July 1992 laying down animal health requirements governing trade in certain animals, semen, ova and embryos not subject to animal health requirements laid down in specific Community rules referred to in Annex A(1) to Directive [1990/425/EEC](#)<sup>M1</sup>; or
- (c) other premises keeping susceptible animals for scientific purposes or purposes related to conservation of species or farm animal genetic resources.

(2) The Scottish Ministers shall not make a decision under paragraph (1) unless they are satisfied that—

- (a) basic European Community interests are not endangered (and in particular they shall take into account any threat of the spread of foot-and-mouth disease to other member States); and
- (b) the measures in place to prevent any risk of spreading the disease virus are adequate.

(3) If the premises consist of two or more separate production units (by virtue of a declaration under article 12(1) of the Order), the Scottish Ministers may decide not to slaughter susceptible animals on free units of those premises.

#### **Marginal Citations**

**M1** O.J. No. L 268, 14.9.1992, p54.

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