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SCOTTISH STATUTORY INSTRUMENTS

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**2009 No. 173**

**ANIMALS**

**ANIMAL HEALTH**

**The Swine Vesicular Disease (Scotland) Order 2009**

<i>Made</i>	- - - -	<i>30th April 2009</i>
<i>Laid before the Scottish Parliament</i>	- - - -	<i>1st May 2009</i>
<i>Coming into force</i>	- -	<i>25th May 2009</i>

The Scottish Ministers make the following Order in exercise of the powers conferred by section 2(2) of the European Communities Act 1972<sup>(1)</sup> and by sections 1, 7(1), 8(1), 15(4), 17(1), 23, 25, 28, 32(2), 35(1) and (3), 72, 83(2) and 88(2) of the Animal Health Act 1981<sup>(2)</sup> and all other powers enabling them to do so.

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- (1) 1972 c. 68. Section 2(2) was amended by the Scotland Act 1998 (c. 46) (“the 1998 Act”), Schedule 8, paragraph 15(3), and the Legislative and Regulatory Reform Act 2006 (c. 51), section 27(1). The powers in section 2(2) are exercised in regard to the whole or part of articles 12 and 15 of this instrument. The functions conferred upon the Minister of the Crown under section 2(2) of the European Communities Act 1972, insofar as within devolved competence, were transferred to the Scottish Ministers by virtue of section 53 of the 1998 Act.
- (2) 1981 c. 22 (“the 1981 Act”). Powers to make Orders under these sections were originally conferred on “the Ministers” as defined in section 86(1) of the 1981 Act. The functions of the Ministers were, insofar as within devolved competence, transferred to the Scottish Ministers by virtue of section 53 of the 1998 Act. The definition of “disease” in section 88(1) of the 1981 Act was extended to include swine vesicular disease for all of the purposes of that Act by article 3(2) of the Products of Animal Origin (Disease Control) (Scotland) Order 2008 (S.S.I. 2008/158).