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SCOTTISH STATUTORY INSTRUMENTS

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**2012 No. 178**

**The African Horse Sickness (Scotland) Order 2012**

**PART 6**

**Area controls**

**Temporary control zone**

**17.**—(1) This article applies where—

- (a) premises are suspect premises; or
- (b) a veterinary inspector has taken samples under article 15(3) from a horse or carcase at a slaughterhouse.

(2) Where the Scottish Ministers consider it necessary to reduce the risk of spread of African horse sickness virus, a temporary control zone may be declared by the Scottish Ministers around the suspect premises or the slaughterhouse (as the case may be).

(3) A temporary control zone must be of such size as the Scottish Ministers consider necessary having regard to the risk of spread of African horse sickness virus.

(4) Within a temporary control zone no person may move any horse or carcase to or from premises or any equipment or genetic material off premises, except under the authority of a licence granted by a veterinary inspector.

(5) If the Scottish Ministers consider it necessary to reduce the risk of spread of African horse sickness virus, the Scottish Ministers may in the declaration of a temporary control zone impose any other measures.

**Control zone, protection zone and surveillance zone**

**18.**—(1) This article applies where—

- (a) premises are infected premises; or
- (b) tests under article 15 indicate the existence of African horse sickness virus in a horse or carcase at a slaughterhouse.

(2) The Scottish Ministers must declare a control zone, a protection zone and a surveillance zone, around the infected premises or the slaughterhouse (as the case may be).

(3) A control zone must have a radius of at least 20 kilometres, a protection zone must have a radius of at least 100 kilometres and a surveillance zone must have a radius of at least 150 kilometres, each centred on the part of the premises that the Scottish Ministers considers most appropriate for disease control.

(4) The Scottish Ministers must ensure that within those zones—

- (a) premises that contain horses are identified as far as is reasonably practicable and without unduly diverting resources from preventing the spread of disease; and

- (b) a veterinary inspector visits in a systematic way as directed by the Chief Veterinary Officer any such identified premises, and—
  - (i) inspects and as necessary examines the horses; and
  - (ii) collects and tests such samples as the Chief Veterinary Officer considers necessary.
- (5) The measures in the Schedule have effect in relation to premises in a control zone.
- (6) When a control zone is revoked, the measures in the Schedule, except paragraph 1(4)(a), cease to have effect.
- (7) No person may move any horse, or any genetic material out of a—
  - (a) protection zone; or
  - (b) surveillance zone to an area outside any zone,
 except under the authority of a licence granted by a veterinary inspector.
- (8) No person may move from premises within a protection zone or a surveillance zone any—
  - (a) ass, donkey, zebra, mule or other hybrid of these except under the authority of a licence granted by a veterinary inspector; or
  - (b) other horse that shows clinical signs of African horse sickness on the day of the proposed move.
- (9) The Scottish Ministers may declare that any other measure considered necessary to reduce the risk of spread of African horse sickness virus applies in respect of the whole or any part of a control zone, protection zone or surveillance zone.

### **Infection zone**

- 19.**—(1) This article applies where, under article 16, a veterinary inspector concludes that African horse sickness virus is likely to be present in a non-captive horse.
- (2) The Scottish Ministers may declare an infection zone of such size as they consider necessary to reduce the risk of spread of African horse sickness virus.
- (3) The Scottish Ministers may declare—
- (a) restrictions on the movement of horses into or out of an infection zone; and
  - (b) that any other measure considered necessary to reduce the risk of spread of African horse sickness virus applies in respect of the whole or any part of an infection zone.

### **Declaration of zones where African horse sickness suspected or confirmed outside Scotland**

- 20.**—(1) This article applies where—
- (a) the presence of African horse sickness virus is suspected or officially confirmed for the purposes of the Directive outside Scotland; and
  - (b) the Scottish Ministers consider that there is a risk of spread of African horse sickness virus to Scotland.
- (2) The Scottish Ministers may declare in Scotland any of the following—
- (a) a temporary control zone of such size considered necessary to reduce the risk of the spread of African horse sickness;
  - (b) a control zone to extend to at least such area in Scotland as is within 20 kilometres of the centre of the control zone centred on the infected premises outside Scotland;
  - (c) a protection zone to extend to at least such area in Scotland as is within 100 kilometres of the centre of the protection zone centred on the infected premises outside Scotland;

- (d) a surveillance zone to extend to at least such area in Scotland as is within 150 kilometres of the centre of the surveillance zone centred on the infected premises outside Scotland; and
- (e) an infection zone of such size considered necessary to reduce the risk of the spread of African horse sickness.

(3) Articles 17(4) and (5), 18(5) to (9) and 19(3) apply to any zone declared under this article as if it were a zone declared under article 17, 18 or 19 (as applicable).

### **Premises straddling zones**

**21.**—(1) Premises partly inside and partly outside a temporary control zone declared under article 17 or 20 are treated as being inside the temporary control zone.

(2) Premises partly inside and partly outside a control zone declared under article 18 or 20 are treated as being inside the control zone.

(3) Premises partly inside and partly outside a protection zone declared under article 18 or 20 in an area other than in a control zone are treated as being inside the protection zone.

(4) Premises partly inside a surveillance zone declared under article 18 or 20 and partly in an area other than a protection zone are treated as being inside the surveillance zone.

(5) Premises partly inside and partly outside an infection zone declared under article 19 or 20 are treated as being inside the infection zone.