
SCOTTISH STATUTORY INSTRUMENTS

2012 No. 199

ANIMALS

ANIMAL HEALTH

The Bluetongue (Scotland) Order 2012

Made - - - - *20th June 2012*
Laid before the Scottish
Parliament - - - - *22nd June 2012*
Coming into force - - *24th September 2012*

The Scottish Ministers make the following Order in exercise of the powers conferred by section 2(2) of, and paragraph 1A of Schedule 2 to, the European Communities Act 1972(1), and sections 1, 7(1), 8(1), 15(4), 17(1), 23, 25, 28, 32(2), 35(3), 72, 83(2), 87(2) and 88(2) of the Animal Health Act 1981(2), and all other powers enabling them to do so(3).

This Order makes provision for a purpose mentioned in section 2(2) of the European Communities Act 1972 and it appears to the Scottish Ministers that it is expedient for the references in this Order to [Commission Regulation \(EC\) No 1266/2007](#) on implementing rules for Council Directive [2000/75/EC](#) as regards the control, monitoring, surveillance and restrictions on movements of certain animals of susceptible species in relation to bluetongue(4) to be references to that instrument as amended from time to time.

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- (1) [1972 c.68](#) (“the 1972 Act”). Section 2(2) was amended by the Scotland Act [1998 \(c.46\)](#) (“the 1998 Act”), Schedule 8, paragraph 15(3) (which was amended by section 27(4) of the Legislative and Regulatory Reform Act [2006 \(c.51\)](#) (“the 2006 Act”). Section 2(2) was also amended by section 27(1) of the 2006 Act and by the European Union (Amendment) Act [2008 \(c.7\)](#), Schedule, Part 1. The functions conferred upon the Minister of the Crown under section 2(2) of the 1972 Act, insofar as within devolved competence, were transferred to the Scottish Ministers by virtue of section 53 of the 1998 Act. The powers in section 2(2) are exercised in relation to articles 9 and 22(1) to (3) of this Order. Paragraph 1A of Schedule 2 was inserted by section 28 of the 2006 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 Scotland Act [1998 \(c.46\)](#).
- (3) The powers to make this Order are exercised together by virtue of section 33(2) of the Interpretation and Legislative Reform (Scotland) Act [2010 \(asp 10\)](#). The Order is subject to the negative procedure by virtue of section 33(4) of that Act.
- (4) OJ No L 283, 27.10.2007, p.37 and OJ No L 327, 22.12.2000, p.74 respectively. At the date of making this order, the Regulation was last amended by Commission Implementing Regulation (EU) No 456/2012 (OJ No L 141, 31.05.2012, p.7) and the Directive was last amended by Directive 2012/5/EU (OJ No L 81, 21.03.2012, p.1).

Changes to legislation:

There are currently no known outstanding effects for the The Bluetongue (Scotland) Order 2012, Introductory Text.