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SCOTTISH STATUTORY INSTRUMENTS

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**2019 No. 71**

**The Animal Health (EU Exit) (Scotland)  
(Amendment) Regulations 2019**

**PART 3**

**AMENDMENT OF SECONDARY LEGISLATION RELATING  
TO WITHDRAWAL FROM THE EUROPEAN UNION**

**The Foot-and-Mouth Disease (Scotland) Order 2006**

**14.**—(1) The Foot-and-Mouth Disease (Scotland) Order 2006(1) is amended as follows.

(2) In article 2(1) (interpretation), in the definition of “border inspection post”, for the words from “place specified” to the end substitute “border inspection post that has been published from time to time in a list in accordance with Article 3 of Commission [Decision 2009/821/EC](#) drawing up a list of approved border inspection posts by the Scottish Ministers”.

(3) In article 19(3) (measures applicable in respect of a supplementary movement control zone)—

- (a) for “paragraph 2.1” substitute “points 2.1.1 to 2.1.7”,
- (b) after “Directive” insert “, reading point 2.1.4 as if for the words from “Decisions” to the end there were substituted “Commission Implementing Regulation (EU) 2015/262”.

(4) In article 31 (declaration of protection zones and surveillance zones on confirmation of the disease in England or Wales), for paragraph (6) substitute—

“(6) In this article, “border inspection post” means one that has been published from time to time in a list in accordance with Article 3 of Commission [Decision 2009/821/EC](#) drawing up a list of approved border inspection posts—

- (a) in relation to England, by the Secretary of State,
- (b) in relation to Wales, by the Welsh Ministers.”.

(5) In article 33(4) (measures applicable in respect of protection zones and surveillance zones), insert at the end—

“, reading that paragraph as if—

- (a) in point 2.2.2, the words “established in accordance with Article 21” were omitted,
- (b) in point 2.2.4, the reference to “Articles 4 and 10” of the Directive was a reference to provision in this Order implementing those Articles”.

(6) In each of paragraphs 11(3) (movement of non-susceptible animals from or to premises keeping susceptible animals in a protection zone) and 12(3) (movement of animals into or out of a protection zone) of Part 2 (measures applicable only in a protection zone) of schedule 4 (measures applicable in protection zones and surveillance zones), insert at the end—

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(1) [S.S.I. 2006/44](#), relevant amending instruments are [S.S.I. 2007/455](#), [S.S.I. 2011/171](#), [S.S.I. 2012/321](#), [S.S.I. 2013/173](#), [S.S.I. 2013/307](#) and [S.S.I. 2018/391](#). The amendments made by [S.S.I. 2018/391](#) come into force on 28 February 2019.

“, reading that paragraph as if—

- (a) in point 2.2.2, the words “established in accordance with Article 21” were omitted,
- (b) in point 2.2.4, the reference to “Articles 4 and 10” of the Directive was a reference to provision in this Order implementing those Articles”.

(7) In paragraph 7 (movement of semen, ova and embryos out of a wild animal infected zone) of schedule 7 (measures applicable in a wild animal infected zone), for the word “another” substitute “a”.

(8) In schedule 8 (horses)—

- (a) in paragraph 1 (movement of horses)—
  - (i) for the words “any other” in the second place they occur substitute “a”,
  - (ii) for the words from “provided for in Annex III” to “countries of equidae” substitute “published by the Scottish Ministers from time to time”.
- (b) in paragraph 4 (granting a licence), insert at the end—

“, reading that Annex as if—

- (a) in paragraph 1—
  - (i) the reference to “Article 10” of the Directive was a reference to provision in this Order implementing that Article,
  - (ii) for the words “Member States”, in the first place where they occur to “to other”, there were substituted “equidae are not to be dispatched to”,
  - (iii) for the words from “the identification” to “or 2000/68/EC” there were substituted “an identification document in accordance with Commission Implementing Regulation (EU) 2015/262”,
  - (iv) for the words from “provided for” in the second place they occur to the end there were substituted “published by the Scottish Ministers from time to time”,
- (b) in paragraph 2.1—
  - (i) the reference to “the competent authorities apply a complete stand-still as provided for in Article 7(3)” of the Directive was a reference to the Scottish Ministers declaring a supplementary movement control zone under article 18 of this Order,
  - (ii) the reference to “Articles 4 and 10” of the Directive was as a reference to provision in this Order implementing those Articles,
- (c) in point 2.1.4, as if for the words from “Decisions” to the end there were substituted “Commission Implementing Regulation (EU) 2015/262”,
- (e) in point 2.2.2, the words “established in accordance with Article 21” were omitted,
- (f) in point 2.2.4, the reference to “Articles 4 and 10” of the Directive was as a reference to provision in this Order implementing those Articles”.