
SCOTTISH STATUTORY INSTRUMENTS

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 (Slaughter and Vaccination) (Scotland) Regulations 2006

15.—(1) The Foot-and-Mouth Disease (Slaughter and Vaccination) (Scotland) Regulations 2006^{M1} are amended as follows.

(2) In regulation 2(1) (interpretation)—

(a) for the definition of “emergency vaccination” substitute—

““emergency vaccination” means vaccination undertaken as part of a programme of vaccination introduced by the Scottish Ministers, following consideration of any criteria considered by the Scottish Ministers to be relevant, when at least one of the following conditions applies:

- (a) outbreaks of foot-and-mouth disease have been confirmed and threaten to become widespread in Scotland;
- (b) Scotland is at risk due to the geographical situation of, or the prevailing meteorological conditions in relation to, reported outbreaks of foot-and-mouth disease outside Scotland;
- (c) Scotland is at risk due to epidemiologically relevant contacts between holdings on its territory and holdings keeping animals of susceptible species outside Scotland where there are outbreaks of foot-and-mouth disease;”

(b) after the definition of “health marked”, insert—

““holding” means any agricultural or other premises, including circuses, where animals of susceptible species are being bred or kept on a permanent or temporary basis;”

(3) In regulation 10(1)(b) (exemption from slaughter for certain susceptible animals), for head (ii) substitute—

“(ii) is approved by the Scottish Ministers in relation to those animals in accordance with the Trade in Animals and Related Products (Scotland) Regulations 2012^{M2};”

(4) In regulation 12(1)(c) (factors informing a decision to permit suppressive vaccination or protective vaccination), insert at the end “ , with the reference to “Member States” in paragraph 3.1 in Annex X being read as a reference to the Scottish Ministers ”.

(5) In regulation 31(intra-Community trade of vaccinated animals) for “intra-Community trade” substitute “ trade with a member State, Norway, Iceland or Liechtenstein ”.

(6) In regulation 39(b) (powers of inspectors), for the words from “(powers of” to the end substitute “ (powers of inspectors relating to retained EU law) ”^{M3} .

Commencement Information

- I1** Reg. 15 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see reg. 1(1)(b)
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Marginal Citations

- M1** [S.S.I. 2006/45](#), amended by [S.S.I. 2011/171](#), [S.I. 2011/1043](#), [S.S.I. 2012/321](#), [S.S.I. 2013/173](#), [S.S.I. 2013/307](#), [S.S.I. 2018/391](#). The amendments made by [S.S.I. 2018/391](#) come into force on 28 February 2019.
- M2** [S.S.I. 2012/177](#), amended by [S.S.I. 2012/198](#), [S.S.I. 2012/199](#), [S.S.I. 2014/3158](#), [S.S.I. 2015/100](#), [S.S.I. 2015/401](#), [S.S.I. 2018/391](#) and [S.S.I. 2019/5](#). The amendments made by [S.S.I. 2018/391](#) come into force on 28 February 2019 and the amendments made by [S.S.I. 2019/5](#) come into force on 7 March 2019.
- M3** Section 64A of the [Animal Health Act 1981 \(c.22\)](#) is prospectively amended by the [Farriers and Animal Health \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/XX\)](#).

Changes to legislation:

There are currently no known outstanding effects for the The Animal Health (EU Exit) (Scotland) (Amendment) Regulations 2019, Section 15.