
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 Avian Influenza (Slaughter and Vaccination) (Scotland) Regulations 2006

17.—(1) The Avian Influenza (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 plan” has the same meaning as it has in Article 53 of the Directive, reading that Article as if—

(a) in paragraph 1—

(i) for “A Member state” there were substituted “ The Scottish Ministers ”,

(ii) for “the Member State” there were substituted “ Scotland ”,

(iii) the words from “concerned” to the end were omitted,

(b) in paragraph 2, in the first subparagraph—

(i) for “a Member State intends” there were substituted “ the Scottish Ministers intend ”,

(ii) for the words from “it shall submit” to the end there were substituted “ the Scottish Ministers must publish an emergency vaccination plan ”,

(c) paragraph 3 were omitted.”,

(b) for the definition of “preventive vaccination” substitute—

““preventive vaccination plan” has the same meaning as it has in Article 56 of the Directive, reading that Article as if—

(a) in paragraph 1, for “Member States” there were substituted “ The Scottish Ministers ”,

(b) in paragraph 2, in the first subparagraph—

(i) for “a Member State intends” there were substituted “ the Scottish Ministers intend ”,

(ii) for the words from “it shall submit” to the end there were substituted “ the Scottish Ministers must publish a preventive vaccination plan ”,

(c) paragraph 3 were omitted.”.

(3) In regulation 7(3)(c)(ii) (measures on special category premises – highly pathogenic avian influenza), for “another” substitute “ a ”.

(4) In regulation 8(3)(c)(ii) (measures on special category premises – low pathogenic avian influenza), for “another” substitute “ a ”.

(5) In regulation 13(2)(b) (decision to require preventive vaccination), for “has been submitted” to the end substitute “ published by Scottish Ministers ”.

(6) In regulation 16 (emergency vaccination without an approved plan)—

(a) in the heading, for “an approved plan” substitute “ a published emergency vaccination plan ”,

(b) in paragraph (1), in the text before sub-paragraph (a) for the words from “approved” to the end substitute “ published by the Scottish Ministers ”,

(c) in paragraph (4)—

(i) for “approval” substitute “ publication ”,

(ii) omit “in accordance with Article 54 of the Directive”.

(7) In regulation 24(1)(b) (powers of inspectors), for the words from “(powers of)” to the end substitute “ (powers of inspectors relating to retained EU law) ”.

Commencement Information

II Reg. 17 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)

Marginal Citations

M1 [S.S.I. 2006/337](#), amended by [S.S.I. 2008/129](#), [S.S.I. 2008/395](#), [S.I. 2011/1043](#), [S.S.I. 2013/173](#), [S.S.I. 2018/391](#). The amendments made by [S.S.I. 2018/391](#) come into force on 28 February 2019.

Changes to legislation:

There are currently no known outstanding effects for the The Animal Health (EU Exit) (Scotland) (Amendment) Regulations 2019, Section 17.