
SCOTTISH STATUTORY INSTRUMENTS

2021 No. 83

ANIMALS

The Zoonoses Amendment (Coronavirus) (Scotland) Order 2021

Made - - - - - *17th February 2021*
Laid before the Scottish
Parliament - - - - - *19th February 2021*
Coming into force - - - - - *22nd February 2021*

The Scottish Ministers make the following Order in exercise of the powers conferred by sections 1, 7(1), 8(1), 17(1), 23, 29 and 87(2) of the Animal Health Act 1981⁽¹⁾ and all other powers enabling them to do so:

Citation and commencement

1. This Order may be cited as the Zoonoses Amendment (Coronavirus) (Scotland) Order 2021 and comes into force on 22 February 2021.

Amendment of the Zoonoses Order 1989

2.—(1) The Zoonoses Order 1989⁽²⁾ is amended as follows.

(2) In article 3 (interpretation) in the definition of “animal” after “and” insert “(except for the purposes of the presence of the organism designated by article 4(1A))”.

(3) In article 4 (designation of organisms for the purposes of section 29)—

(a) after paragraph (1) insert—

“(1A) Severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2), being an organism carried in animals which constitutes a risk to human health, is designated for the purposes of section 29 of the Act.”,

(b) in paragraph (2) for “a designated organism” substitute “an organism designated by paragraph (1)”,

(c) after paragraph (2) insert—

(1) 1981 c.22; section 8(1) was amended by section 34(2) of the Agriculture Act 2020 (c.21). Powers to make Orders under these sections were originally conferred on “the Ministers”, as defined in section 86(1) of the Animal Health Act 1981. The functions of the Ministers were, in so far as within devolved competence, transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998 (c.46).

(2) S.I. 1989/285 to which there are amendments not relevant to this Order.

“(3) The provisions of the Act listed in schedule 1 of this Order, other than sections 31(e), 64 and paragraph 3 of schedule 5 of the Act, apply in relation to the presence of the organism designated by paragraph (1A) in any kind of mammal (except man), as if the presence of the organism were a disease to which the Act applies.”.

(4) In article 8 (reporting of presence of designated organism)—

- (a) in paragraph (1) after “presence” insert “or former presence”,
- (b) in paragraph (2) after “a culture” insert “or diagnostic material”,
- (c) in paragraph (3) after “presence” insert “or former presence”,
- (d) for paragraph (5)(a) substitute—

“(a) “animal” means—

- (i) in relation to an organism designated in article 4(1), a bull, cow, steer, heifer, calf, horse, deer, sheep, goat, pig or rabbit;
- (ii) in relation to the organism designated in article 4(1A), any kind of mammal (except man);”.

(5) In schedule 2 (specified particulars of report), after paragraph 2 insert—

“**2A.** The name and address of the owner or keeper of the animal or carcass in which the sample of the designated organism is isolated or the former presence of the organism is identified.”.

St Andrew’s House,
Edinburgh
17th February 2021

BEN MACPHERSON
Authorised to sign by the Scottish Ministers

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Zoonoses Order 1989 (“the Zoonoses Order”), which makes provision for the control of organisms carried in animals which constitute a risk to human health.

Article 2(3) of the Order amends article 4 of the Zoonoses Order, which designates organisms for the purposes of section 29 of the Animal Health Act 1981 on the control of zoonoses. It designates severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2) as an organism carried in animals which constitutes a risk to human health, and provides for provisions of that Act (and accordingly the Zoonoses Order) to apply in relation to the presence of SARS-CoV-2 in any kind of mammal (except man) as if the presence of SARS-CoV-2 were a disease to which that Act applied.

Article 2(4) amends article 8 of the Zoonoses Order, which concerns the reporting of the presence of designated organisms. It amends article 8 to require the reporting of the former presence as well as the presence of a designated organism. It also amends article 8 to require that a report must be made to a veterinary officer of the Scottish Ministers by the person in charge of a laboratory where the presence or former presence of SARS-CoV-2 in any kind of mammal (except man) is identified by a laboratory examination, or by the person carrying out the examination where the presence is identified by an examination carried out elsewhere than at a laboratory.

Article 2(5) amends schedule 2 of the Zoonoses Order to specify further particulars to be contained in a report required by article 8 of the Zoonoses Order.