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SCOTTISH STATUTORY INSTRUMENTS

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**2023 No. 93**

**The Tuberculosis (Scotland) Order 2023**

**PART 3**

Testing of bovine animals

**Pre-movement testing**

9.—(1) The keeper of any bovine animal on any premises in a high incidence area in Scotland must not allow that animal to be moved from the premises unless a diagnostic test for tuberculosis has been applied to it no more than 30 days before the date of its movement from the premises.

(2) The occupier of any premises in Scotland must not allow to enter those premises any bovine animal from premises in a high incidence area unless that animal has had applied to it a diagnostic test for tuberculosis no more than 30 days before the date of its movement from the premises in a high incidence area.

(3) Where a bovine animal on any premises in Scotland which has been moved from any premises in a high incidence area has not had applied to it a diagnostic test for tuberculosis no more than 30 days before the date of its movement from the premises in a high incidence area, the keeper of the animal must—

- (a) ensure that test is applied to the animal as soon as reasonably practicable after it is known to that person that a test was not applied before the animal was moved from the high incidence area, and
- (b) where the result of the test carried out under paragraph (a) is read by and to the satisfaction of an approved veterinary surgeon, ensure that a second test is applied to the animal no fewer than 60 days and no more than 120 days from the date of application of the first test.

(4) The occupier of any premises in Scotland must not allow to enter those premises any bovine animal from premises in a low incidence area unless that animal has had applied to it a diagnostic test for tuberculosis no more than 30 days before the date of its movement from the premises in a low incidence area.

(5) Paragraph (4) does not apply to a bovine animal born and kept at all times on premises in a low incidence area.

(6) For the purposes of paragraph (5), a bovine animal born and kept at all times on premises in a low incidence area includes a bovine animal moved from premises in a low incidence area to an agricultural show or a market in a high incidence area.

(7) Where a bovine animal on any premises in Scotland which has been moved from any premises in a low incidence area has not had applied to it a diagnostic test for tuberculosis no more than 30 days before the date of its movement from the premises in the low incidence area, the keeper of the animal must ensure that test is applied to the animal as soon as reasonably practicable after it is known to that person that a test was not applied before the animal was moved from the low incidence area.

(8) This article does not apply to any bovine animal under 42 days of age at the time it is moved to Scotland.

(9) For the purposes of paragraphs (1), (2) and (4), the application of a short interval test is not to be treated as meeting the requirement for the application of a diagnostic test for tuberculosis before the date of movement.

(10) In paragraph (9), “short interval test” means a diagnostic test for tuberculosis applied to a bovine animal for the purpose of ascertaining whether movement restrictions may be lifted from a premises where the presence of tuberculosis has been confirmed.

(11) In this article and in article 10, “high incidence area” means an area in Great Britain where bovine animals are subject to routine tuberculin testing at intervals of no more than two years.

(12) In this article, “low incidence area” means an area in England or Wales where bovine animals are subject to routine tuberculin testing at intervals of more than two years.