
EXPLANATORY NOTE

(This note is not part of the Order)

This Order re-enacts the Tuberculosis (Scotland) Order 2007 with amendments. In addition to minor and drafting amendments, it makes the following changes of substance:-

Article 2 (interpretation) includes a definition of “isolation”.

Article 9 (pre-movement testing) now requires a diagnostic test for tuberculosis to be applied to a bovine animal no more than 30 days before the date of the animal’s movement and provides that certain diagnostic tests will not satisfy this pre-movement testing requirement.

Article 23 (compensation for bovine animals slaughtered for tuberculosis) limits the maximum amount of compensation payable for all bovine animals slaughtered due to reasons of tuberculosis, not just reactor animals that have tested positive as being affected with tuberculosis.

Article 25 (compensation for animals subject to isolation requirements) reduces the compensation payable for an animal caused to be slaughtered due to reasons of tuberculosis to 5% of the amount which would otherwise be payable as the market value of the animal, where the animal has not been kept in isolation, in breach of an isolation requirement.

Article 27 (reduced compensation for unclean animal presented for slaughter) reduces the compensation payable for an animal presented for slaughter due to reasons of tuberculosis to 50% of the amount which would otherwise be payable as the market value of the animal, where the official veterinarian at the slaughterhouse is of the opinion that the animal is not in a clean condition.

Article 40 makes consequential amendments to the Bovine Semen (Scotland) Regulations 2007.

Transitional provision is made in article 41 for pre-movement diagnostic tests for tuberculosis applied to a bovine animal before the date on which this Order comes into force but less than 60 days before the animal’s movement. Provision is also made that the maximum amount of compensation payable for bovine animals which are not reactor animals does not apply where the notice of intended slaughter was served before this Order comes into force and that the reduction in compensation for breach of an isolation requirement does not apply where the breach took place before the coming into force of this Order.