STATUTORY INSTRUMENTS

1972 No. 1219 (S.85)

ANIMALS

DISEASES OF ANIMALS

The Brucellosis (Area Eradication) (Scotland) Amendment (No. 2) Order 1972

Made - - -	1*st August* 1972
Coming into Operation	24*th August* 1972

In exercise of the powers conferred upon me by sections 1, 5 and 85(1) of the Diseases of Animals Act 1950(**a**) as read with the Transfer of Functions (Animal Health) Order 1955(**b**) and the Diseases of Animals (Extension of Definitions) Order 1971(**c**), and as respects the said section 5 as extended by section 106(3) of the Agriculture Act 1970(**d**), and of all other powers enabling me in that behalf, I hereby make the following order:—

Citation and commencement

1. This order, which may be cited as the Brucellosis (Area Eradication) (Scotland) Amendment (No. 2) Order 1972, shall come into operation on 24th August 1972.

Interpretation

2.—(1) In this order, "the principal order" means the Brucellosis (Area Eradication) (Scotland) Order 1971(**e**).

(2) Unless the context otherwise requires, expressions used in this order have the same meaning as in the principal order.

(3) The Interpretation Act 1889(**f**) applies for the interpretation of this order as it applies for the interpretation of an Act of Parliament.

Amendment of the principal order

3.—(1) After sub-paragraph (*b*) of paragraph (2) of Article 4 of the principal order (movement of cattle into or through Eradication Areas or Attested Areas) there shall be inserted:—

"*or*

(*c*) the movement of cattle (otherwise than on foot) which have not been certified by a veterinary inspector or other officer of the Ministry or of the Secretary of State as having reacted to a diagnostic test for brucellosis into an Eradication Area from a place outside that Area direct to any premises used in connection with the holding of a market, being premises in respect of which the licence issued under Article 15 of this order, and for the time being in force, permits the use thereof for the purpose of selling cattle intended for immediate slaughter, or

(**a**) 1950 c. 36.
(**b**) S.I. 1955/958 (1955 I, p. 1184).
(**c**) S.I. 1971/531 (1971 I, p. 1530).
(**d**) 1970 c. 40.
(**e**) S.I. 1971/1752 (1971 III, p. 4769).
(**f**) 1889 c. 63.

(*d*) the movement of cattle under six months of age (otherwise than on foot) into an Eradication Area from a place outside that Area direct to any premises used in connection with the holding of a market in respect of which a licence has been issued under Article 15 of this Order:".

(2) In sub-paragraph (*a*) of the proviso to paragraph (1) of Article 5 of the principal order (movement of cattle within an Eradication Area or Attested Area) there shall be substituted for the words "sub-paragraph (*b*)" the words "sub-paragraphs (*b*) to (*d*)".

Gordon Campbell,
One of Her Majesty's
Principal Secretaries of State.

St Andrew's House,
Edinburgh.

1st August 1972.

EXPLANATORY NOTE

(*This Note is not part of the Order.*)

The Brucellosis (Area Eradication) (Scotland) Order 1971 sets out the various controls to be applied to cattle in areas designated by the Secretary of State as Eradication or Attested Areas for purposes connected with the eradication of brucellosis. Article 4 of the order imposes a general prohibition on the movement of cattle into or through an Eradication or Attested area and Article 5 of the order imposes a general prohibition on the movement of cattle within such areas otherwise, in both cases, than in accordance with the terms of a licence issued by a veterinary inspector or other officer of the Ministry or an officer of the Secretary of State subject to certain exceptions which are specified in paragraph (2) of Article 4 and paragraph (1) of Article 5. The present order amends Articles 4(2) and 5(1) of the 1971 order by adding two further categories of cattle to those which are exempted from the licensing provisions of those Articles.

The first group consists of cattle which have not reacted to a diagnostic test for brucellosis, and which are being taken direct to a market, or a section of a market, in an Eradication Area which has been licensed by a veterinary inspector or other officer of the Ministry or of the Secretary of State for the sale of cattle intended for slaughter. The second group comprises cattle under the age of six months which are being taken direct to a market in an Eradication Area.

SI 1972/1219
ISBN 0-11-021219-3

