STATUTORY INSTRUMENTS

1977 No. 957 (S.65)

ANIMALS

DISEASES OF ANIMALS

The Tuberculosis (Scotland) Amendment Order 1977

Made - - -	*26th May* 1977
Laid before Parliament	*10th June* 1977
Coming into Operation	*1st July* 1977

In exercise of the powers conferred by sections 1 and 85(1) of the Diseases of Animals Act 1950(**a**) and now vested in me (**b**) 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 Tuberculosis (Scotland) Amendment Order 1977, shall come into operation on 1st July 1977.

Interpretation

2.—(1) This order shall be construed as one with the Tuberculosis (Scotland) Order 1964(**c**) as amended (**d**), hereinafter referred to as "the principal order".

(2) The Interpretation Act 1889(**e**) shall apply for the interpretation of this order as it applies for the interpretation of an Act of Parliament.

Amendment of the Principal Order

3.—(1) In Article 3(1) of the principal order (*Interpretation*) there shall be inserted in the definition of "the Act" after "1950" the words "as amended or extended by any subsequent enactment".

(2) Article 4 of the principal order (*Extent and Scope*) shall be amended by the insertion at the beginning thereof of the words "Subject to paragraph (2) below,".

(3) The said Article 4 as in force apart from this paragraph shall be numbered Article 4(1), and at the end thereof there shall be added the following paragraph:—

(**a**) 1950 c. 36.

(**b**) By the Transfer of Functions (Animal Health) Order 1955 (S.I. 1955/958 (1955 I, p.1184))

(**c**) S.I. 1964/1109 (1964 II, p. 2463).

(**d**) S.I. 1973/2101 (1973 III, p. 7269).

(**e**) 1889 c. 63.

"(2) Notwithstanding the provisions of paragraph (1) above, the provisions of this order shall not apply in relation to approved premises within the meaning of the Importation of Animals Order 1977(**a**) and shall (apart from the provisions of Article 13 below) apply in relation to imported animals only—

(*a*) from the time specified in the licence issued in respect of those animals under Article 11(5) of that Order; or

(*b*) where the existence or suspected existence of disease in any part of Great Britain makes it expedient that no such licence should be issued for the time being, from the time when those animals have completed the period of detention in quarantine required under the provisions of that Order or, as the case may be, have been rested at an approved reception centre for the period so required."

(4) Article 14 of the principal order which relates to the movement of imported bovine animals from the Republic of Ireland shall be amended—

(*a*) by the substitution in paragraph (1) thereof for the words "a licence granted under Schedule 2 to the Act" of the words "a licence issued under Article 11(5) of the Importation of Animals Order 1977";

(*b*) by the deletion of sub-paragraph (a) of that paragraph; and

(*c*) by the substitution for paragraph (2) of that Article of the following paragraph:—

"(2) In this Article the expression "slaughterhouse" means either a slaughterhouse as defined in section 16 of the Slaughterhouse Act 1954(**b**) or a knacker's yard as defined in section 3 of the Public Health (Scotland) Act 1897(**c**) as amended by Schedule 2 of the Slaughter of Animals (Amendment) Act 1954(**d**)."

Bruce Millan,
One of Her Majesty's Principal Secretaries of State.

New St Andrew's House,
Edinburgh.
26th May 1977.

(**a**) S.I. 1977/944 (1977 II, p.2631). (**b**) 1954 c. 42.
(**c**) 1897 c. 38. (**d**) 1954 c. 59.

EXPLANATORY NOTE.

(This Note is not part of the Order.)

This amendment to the Tuberculosis (Scotland) Order 1964 takes account of the provisions of the Importation of Animals Order 1977 and the repeal of Schedule 2 to the Diseases of Animals Act 1950.

The principal effect of the amendments is to ensure that the provisions of the Tuberculosis (Scotland) Order 1964 do not apply to approved premises at which imported animals are detained in quarantine or rested before proceeding to their final destination in Great Britain and that these provisions (apart from Article 13 of the 1964 Order which in fact relates to imported animals) shall only apply to such animals from the time when they are licensed for release from the approved premises under the 1977 Order or would be so licensed but for the existence or suspected existence of disease in some part of Great Britain.

The Order also makes amendments to Article 14 of the 1964 Order consequent upon the repeal of Schedule 2 to the Diseases of Animals Act 1950.

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