
SCOTTISH STATUTORY INSTRUMENTS

2001 No. 168

ANIMALS

ANIMAL HEALTH

**The Foot-and-Mouth Disease (Scotland)
Declaratory (No. 6) Order 2001**

<i>Made</i>	-	-	-	-	<i>28th April 2001</i>
<i>Coming into force at 1.00 p.m.</i>					
<i>on</i>	-	-	-	-	<i>28th April 2001</i>

The Scottish Ministers, in exercise of the powers conferred by article 17(1) of the Foot-and-Mouth Disease Order 1983⁽¹⁾, and of all other powers enabling them in that behalf, hereby make the following Order:

Citation, commencement and extent

1.—(1) This Order may be cited as the Foot-and-Mouth Disease (Scotland) Declaratory (No. 5) Order 2001 and shall come into force on 28th April 2001 at 1.00 p.m.

(2) This Order extends to Scotland only.

Declaration of infected area

2. The area described in Schedule 1 to this Order is declared an infected area within the meaning of and to which the provisions of Part III of the Foot-and-Mouth Disease Order 1983 apply as varied in accordance with, and disappplied to the extent set out in, Schedule 2 to this Order.

Enforcement

The provisions of Part III of the Foot-and-Mouth Disease Order 1983 shall, insofar as they are to be enforced in slaughterhouses, be enforced by the Scottish Ministers.

(1) S.I. 1983/1950, as amended by S.I. 1993/3119 and S.I. 1995/2922, and as regards Scotland, by S.S.I. 2001/52, 55 and 101. See article 3(1) for the definition of “the Minister”. The functions of “the Minister”, so far as exercisable in relation to Scotland, were transferred to the Scottish Ministers by section 53 of the Scotland Act 1998 (c. 46).

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Pentland House, Edinburgh
28th April 2001

DAVID R DICKSON
A member of the staff of the Scottish Ministers

SCHEDULE 1

Article 2

The infected area shall comprise that part of the Scottish Borders within the following boundaries:—

- (a) at map ref NT807394, continue east on the A698 to its junction with a minor road at map ref NT844399; turn left onto the minor road and continue north-west to its junction with another minor road at map ref NT840401; turn right and continue north west to its junction with a minor road at map ref NT829423; turn left on the minor road and continue south west until it is crossed by the A697; turn right onto the A697 and continue to its junction with a minor road at map ref NT804416;
- (b) turn right and continue north-west to its junction with a minor road at map ref NT794429; turn left onto the minor road and then immediately right to its junction with another minor road at map ref NT791431; turn left onto the minor road and continue south-west to its junction with a minor road at map ref NT781425; turn right onto the minor road and continue north-west until it meets the B6461; turn left onto the B6461 and continue to its junction with the A697; turn right onto the A697 and continue north west until it crosses Blackadder Water at map ref NT708459; turn right onto Blackadder Water and continue north-west until it joins Fangrist Burn;
- (c) turn right onto Fangrist Burn and continue north until it joins a tributary of Millknoe Burn at map ref NT699503; turn left onto Millknoe Burn, then immediately right onto Bogpark Burn and continue north west until it joins the B6456; turn left onto the B6456 and continue west to its junction with a minor road at map ref NT647503; turn right onto the minor road and continue north until it joins a track at map ref NT643524; continue north on the track to its junction with another track at map ref NT647562; turn right onto the track and continue north east until it joins a minor road at map ref NT662567; continue south east then north east on the minor road to its junction with another minor road at map ref NT693572;
- (d) turn left onto the minor road and then immediately right onto another minor road; continue north-west on the minor road to its junction with a minor road at map ref NT682589; turn right onto the minor road and continue to its junction with a minor road at map ref NT689596; turn left onto the minor road and continue until it meets Hall Burn tributary at map ref NT688597; turn right onto Hall Burn tributary and continue north east until it joins Whiteadder Water; turn left onto Whiteadder Water and follow its course north to where it is crossed by the B6355; turn left onto the B6355 and continue north west to its junction with a minor road at map ref NT688628;
- (e) turn right onto the minor road and continue to its junction with another minor road at map ref NT693632; turn left onto the minor road and continue east and then north to its junction with Monynut Water at map ref NT694676; turn right onto Monynut Water and continue south-east to where it meets a tributary at map ref NT728643; turn left onto the tributary and continue until it meets a minor road at map ref NT728644; turn left onto the minor road and continue north-east until it meets Whare Burn at map ref NT733655; turn right onto Whare Burn and continue south-east to where it is crossed by a minor road at map ref. NT755638;
- (f) turn left onto the minor road and continue east to where it meets another minor road at map ref NT767644; turn left onto the minor road and continue north to its junction with another minor road at map ref NT764653; turn right onto the minor road and continue north-east to where it joins another minor road at map ref NT775666; continue east on the minor road to its junction with the A1(T); turn right onto the A1(T) and continue south east to its junction with a minor road at map ref NT815656; turn left onto the minor road and continue north-east to where it crosses Howpark Burn at map ref NT826662; turn right onto Howpark Burn and continue east to where it is crossed by a track at map ref NT843663; turn left then immediately right onto the track and continue to where it meets Mid Grange Burn at map ref. NT848668;

- (g) turn right onto Mid Grange Burn and continue north east then south-east to where it is crossed by a minor road at map ref NT871655; turn right onto the minor road and continue south-east to its junction with the B6438; turn right onto the B6438 and continue south west across the A1(T) to where it crosses the Dunbar to Berwick-upon-Tweed railway line; turn left onto the railway line and continue south east to where it crosses the B6355; turn right onto the B6355 then immediately left on to a minor road at map ref NT922596; continue east on the minor road past Lamberton, to its junction with another minor road at map ref NT968580; turn right onto the minor road and continue south east to its junction with another minor road at map ref NT972575; turn left onto the minor road and continue to its junction with the A1(T). Turn right onto the A1(T) and continue south east to where it meets the England/Scotland border at map ref NT974570; turn right onto the Scottish Border and continue south east along the border until it meets the A698 at map ref NT807394.

Map references are to the Ordnance Survey Landranger 1:50,000 series.

SCHEDULE 2

Article 2

1. Articles 18, 19, 26, 28(2) and 28(3)(b) of Part III of the Foot-and-Mouth Disease Order 1983 do not apply.

2. Part III of the Foot-and-Mouth Disease Order 1983 is varied by the addition of the requirements set out in the following sub-paragraphs:—

- (a) no person shall move animals from the premises on which the animals are kept, except under the authority of a licence issued by the Scottish Ministers or an inspector;
- (b) no person shall move animals on public or private roads (other than the service roads of premises), except under the authority of a licence issued by the Scottish Ministers or an inspector;
- (c) an inspector may, by licence issued in the form set out in Schedule 3 to this Order, permit, for the purposes of slaughter, the movement within an infected area of animals direct to a slaughterhouse approved by the Scottish Ministers to slaughter animals moved by licence issued under this paragraph;
- (d) a veterinary inspector may, by licence, permit, for the purposes of slaughter, the movement out of an infected area of animals direct to a slaughterhouse approved by the Scottish Ministers to slaughter animals moved by licence issued under this paragraph;
- (e) for the purposes of this paragraph, licences or approvals issued in England or Wales operate as if granted in Scotland;
- (f) where an animal is moved to a slaughterhouse under this paragraph, the occupier of the slaughterhouse shall ensure that the animal is slaughtered at those premises in accordance with any condition relating to slaughter specified in the licence and in any event within 24 hours of arrival there;
- (g) the person in charge of the vehicle in which animals are moved under this paragraph shall ensure that it is thoroughly cleansed and disinfected in accordance with the requirements of paragraph 3 of Schedule 4 to this Order as soon as possible after the animals have been unloaded and, in any case, before the vehicle is moved from the delivery premises;
- (h) the occupier of premises to which animals are moved under this paragraph shall—
 - (i) ensure that the occupier or the occupier's representative is given the licence under which they have been moved before allowing the animals to be unloaded from the vehicle on which they have been transported;

- (ii) forward that licence without delay to the local authority responsible for the area in which those premises are situated and, in the case of a slaughterhouse, provide a copy to the official veterinary surgeon appointed for those premises;
- (iii) retain a copy of that licence for a period of not less than 6 months and produce it upon request for inspection by an inspector;
- (iv) provide adequate facilities, equipment and materials for the cleansing and disinfection of the vehicle that delivered the animals to the premises in accordance with this paragraph;
- (i) no person shall transport animals through the infected area, except if the animals are transiting through that area by motorway, trunk road or railway;
- (j) no person shall seek to carry out breeding of animals by means of itinerant service;
- (k) no person shall seek to carry out breeding of animals by means of artificial insemination, other than with semen that is on the premises on which the animals are kept or with semen delivered directly to those premises by an insemination centre, except under the authority of a licence issued by the Scottish Ministers or an inspector;
- (l) no person shall use any premises for fairs, markets, shows or other gatherings of animals;
- (m) article 20 of the Foot-and-Mouth Disease Order 1983 shall not apply if the slaughterhouse or knackery product is controlled by and the movement is for the purpose of disposal in accordance with—
 - (i) the Specified Risk Material Order 1997(2);
 - (ii) the Specified Risk Material Regulations 1997(3); or
 - (iii) the Animal By-Products Order 1999(4);
- (o) no person shall move any carcase (other than the carcase of an animal slaughtered for human consumption or a suspect BSE or scrapie carcase destined for disposal) from premises other than a slaughterhouse or a knacker's yard, except under the authority of a licence issued by the Scottish Ministers;
- (p) no person shall move, or cause to be moved, into, out of or within an infected area any embryo, ovum or semen, except with the written approval of a veterinary inspector and subject to such conditions as may be specified therein;
- (r) the owner or person in charge of an animal shall take all such steps as may be necessary to prevent it from straying from the premises on which it is kept;
- (s) if an inspector finds a stray or feral animal, that inspector may detain it, and if the owner cannot be ascertained after reasonable enquiries, the animal may be destroyed by the inspector.

3. In this Schedule, terms used which are also used in the Foot-and-Mouth Disease Order 1983 shall have the same meaning in this Schedule as they do in that Order.

(2) S.I. 1997/2964, as amended, as regards Scotland, by S.S.I. 2000/344 and 2001/4.

(3) S.I. 1997/2965, as amended by S.I. 1997/3062, S.I. 1998/2045 (itself amended by S.I. 1998/2431), S.I. 1999/539 and, as regards Scotland, by S.S.I. 2000/62, 345, 2001/3 and 86.

(4) S.I. 1999/646.