

**2011 No. 51**

**ANIMALS**

**ANIMAL HEALTH**

**The Brucellosis (Scotland) Amendment Order 2011**

|  |         |                          |
|--|---------|--------------------------|
| <i>Made</i>                                | - - - - | <i>27th January 2011</i> |
| <i>Laid before the Scottish Parliament</i> |         | <i>31st January 2011</i> |
| <i>Coming into force</i>                   | - -     | <i>1st April 2011</i>    |

The Scottish Ministers make the following Order in exercise of the powers conferred by section 2(2) of the European Communities Act 1972(a) and all other powers enabling them to do so.

**Citation and commencement**

1. This Order may be cited as the Brucellosis (Scotland) Amendment Order 2011 and comes into force on 1st April 2011.

**Amendment of the Brucellosis (Scotland) Order 2009**

2.—(1) The Brucellosis (Scotland) Order 2009(b) is amended as follows.

(2) In article 7—

- (a) in paragraph (1)(c), for “once each month”, substitute “at intervals of 3 months”; and
- (b) in paragraph (3)(b), for “month”, substitute “period of 3 months”.

**Transitional provision**

3. For the purposes of article 7 of the Brucellosis (Scotland) Order 2009 as amended by article 2 of this Order, after 1st April 2011, the first interval of 3 months commences—

- (a) on the date of the submission of the sample of milk in March 2011; or

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(a) 1972 c.68 (“1972 Act”). Section 2(2) was amended by the Scotland Act 1998 (c.46), Schedule 8, paragraph 15(3) (which was amended by section 27(4) of the Legislative and Regulatory Reform Act 2006 (c.51) (“2006 Act”). Section 2(2) was also amended by section 27(1)(a) of the 2006 Act and by the European Union (Amendment) Act 2008 (c.7), Schedule, Part 1. The functions conferred upon the Minister of the Crown under section 2(2) of the 1972 Act, insofar as within devolved competence, were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998.

(b) S.S.I. 2009/232.

(b) where no sample of milk was submitted in March 2011, on 1st April 2011.

St Andrew's House,  
Edinburgh  
27th January 2011

*RICHARD LOCHHEAD*  
A member of the Scottish Executive

## **EXPLANATORY NOTE**

*(This note is not part of the Order)*

This Order amends the Brucellosis (Scotland) Order 2009 which implements Council Directive 64/432/EEC insofar as it relates to the operation of a monitoring and testing programme for Brucellosis.

Article 2(2)(a) changes the interval for milk sampling from monthly to quarterly and article 2(2)(b) makes a consequential amendment as a result of the extension to that interval.

Article 3 is a transitional provision which confirms the date upon which the first interval of three months commences.

A business regulatory impact assessment has not been produced for this instrument as no impact on the private or voluntary sectors is foreseen.

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