
SCOTTISH STATUTORY INSTRUMENTS

2023 No. 93

The Tuberculosis (Scotland) Order 2023

PART 6

Administration and enforcement

Default

31.—(1) If any person fails to comply with a test notice under article 30(1) or any requirement as mentioned in article 30(2) or (3), the Scottish Ministers—

- (a) may take or cause to be taken all such steps as may be necessary to facilitate the examination, testing, valuation or slaughter of the bovine animal including, subject to paragraph (3), the movement of the animal to other premises, and
- (b) may by notice served on the keeper of the bovine animal prohibit the movement of any bovine animal onto or off the premises, except under the authority of a licence issued by an inspector.

(2) Paragraph (1) is without prejudice to any proceedings for an offence arising out of any failure to comply as mentioned in that paragraph.

(3) Where a bovine animal is moved to other premises in accordance with sub-paragraph (1)(a), the Scottish Ministers must ensure the return of the animal to the premises from which it was moved within a reasonable time after the examination, testing or valuation is carried out.

(4) Any expenses reasonably incurred by the Scottish Ministers for the purposes of making good any default are recoverable from the person in default.