

Movement of Swine between 7 P.M. and 5 A.M. Prohibited.

5. It shall not be lawful for any person to move any swine along a highway or thoroughfare within the Scheduled District between the hours of 7 P.M. and 5 A.M.

Saving for Regulations of Local Authority.

6. Movement of swine under this Order is subject to any Regulation made by a Local Authority under any Order of the Board for prohibiting or regulating the movement of swine into the District of the Local Authority, but nothing in any such Regulation shall permit the movement of swine in contravention of this Order.

Movement of Swine by Licence of Board.

7. Notwithstanding anything in this Order, a Licence for the movement of swine may be granted by an Inspector of the Board or a person authorized by the Board to grant the same, but such Licence will only be granted where the Board, after inquiry, are satisfied that exceptional circumstances render the granting thereof necessary or expedient.

Granting of Movement Licences.

8.—(1.) The Local Authority for Midlothian (county of Edinburgh) may appoint fit and proper persons for the purpose of granting, subject to the provisions of this Article, Movement Licences for the purposes of this Order.

(2.) Provided that a Movement Licence granted under this Order shall not be available if granted by the owner of the swine to be moved, or by his agent, or by the owner or consignee of the swine, or by the occupier of the farm or premises or slaughter-house from or to which the swine are to be moved, or by any individual member of an Executive Committee or Sub-Committee of the Local Authority.

Delivery of Declarations.

9.—(1.) A Licence granted under this Order for the movement of swine into the Scheduled District is not available except when accompanied by the Declaration on which it is granted.

(2.) The person granting such Licence under this Order shall, for the identification of the Declaration produced to him, mark the same by signing his name thereon, with the date of the production thereof to him.

(3.) The person granting such Licence shall deliver the Declaration produced to him, when so marked, with the Licence, to the person receiving the Licence from him.

Production of Licences; Names and Addresses.

10.—(1.) Any person in charge of a pig being moved, where under this Order a Movement Licence is necessary, shall, on demand of a Justice, or of a constable, or of an Inspector or other officer of the Board or of a Local Authority, produce and show to him the Licence, if any, necessary for the movement, and shall allow it to be read and a copy of or extract from it to be taken by the person to whom it is produced.

(2.) Any person so in charge shall, on demand as aforesaid, give his name and address to the Justice, or constable, or Inspector or other officer.

Local Authority to enforce Order.

11. The provisions of this Order, except where it is otherwise provided, shall be executed and enforced by the Local Authority.

Offences.

12.—(1.) If a pig is moved in contravention of this Order, or of the conditions of a Movement Licence thereunder, the owner of the pig, and the person for the time being in charge thereof, and

the person causing, directing, or permitting the movement, and the person moving or conveying the pig, and the consignee or other person receiving or keeping it knowing it to have been moved in contravention as aforesaid, and the occupier of the place from which the pig is moved, shall, each according to and in respect of his own acts and defaults, be deemed guilty of an offence against the Diseases of Animals Act, 1894.

(2.) If a pig is not marked as required by this Order, the owner, consignee, or other person for the time being in charge thereof, shall, each according to and in respect of his own acts and defaults, be deemed guilty of an offence against the Diseases of Animals Act, 1894.

(3.) If anything is done or omitted to be done in contravention of this Order in respect of the cleansing and disinfection of any vehicle used for the movement of swine, the owner, or other person for the time being in charge of the vehicle, shall, each according to and in respect of his own acts and defaults, be deemed guilty of an offence against the Diseases of Animals Act, 1894.

(4.) If any person, with a view to unlawfully evade or defeat the operation of this Order, by washing, or in any other manner, takes out, effaces, or obliterates, or attempts to take out, efface, or obliterate, any mark painted on any pig as required by this Order, the person doing the same, and the person causing, directing, or permitting the same to be done, and the owner of the pig, and the person for the time being in charge thereof, shall, each according to and in respect of his own acts and defaults, be deemed guilty of an offence against the Diseases of Animals Act, 1894.

(5.) If a pig is not slaughtered as required by this Order, the person to whom the Licence is granted, and the owner of the pig, and the person for the time being in charge thereof, and the person failing to cause the same to be so slaughtered, shall, each according to and in respect of his own acts and defaults, be deemed guilty of an offence against the Diseases of Animals Act, 1894.

(6.) If a person in charge of a pig being moved, where under this Order a Movement Licence is necessary, on demand made under this Order, fails to give his true name and address, or gives a false name or address, he shall be deemed guilty of an offence against the Diseases of Animals Act, 1894.

Interpretation.

13. In this Order—

“The Board” means the Board of Agriculture;
“Swine-Fever Infected Place” means a place for the time being declared to be infected with swine-fever under any Order of the Board;
Other terms have the same meaning as in the Diseases of Animals Act, 1894.

Commencement.

14. This Order shall come into operation on the fifteenth day of February, one thousand eight hundred and ninety-seven.

Short Title.

15. This Order may be cited as the COLINTON (MIDLOTHIAN) DISTRICT SWINE-FEVER ORDER of 1897.

In witness whereof the Board of Agriculture have hereunto set their Official Seal this first day of February, one thousand eight hundred and ninety-seven.

L. S.

T. H. Elliott,
Secretary.