

1995 No. 256

ANIMALS

**Animals and Animal Products (Import and Export)
(Identification) Order (Northern Ireland) 1995**

Made 20th June 1995

Coming into operation 17th July 1995

The Department of Agriculture, in exercise of the powers conferred on it by Articles 5(1)(b) and 60(1) of the Diseases of Animals (Northern Ireland) Order 1981(a) and of every other power enabling it in that behalf, hereby makes the following Order:

Citation and commencement

1. This Order may be cited as the Animals and Animal Products (Import and Export) (Identification) Order (Northern Ireland) 1995 and shall come into operation on 17th July 1995.

Identification of detained animals

2.—(1) Where an animal has been detained in accordance with a notice served under regulation 5(2) of the Animals and Animal Products (Import and Export) Regulations (Northern Ireland) 1995(b), an inspector may apply or cause to be applied to that animal a mark or other means of identification.

(2) A person shall not alter, remove, obliterate, deface or duplicate or cause or permit the alteration, removal, obliteration, defacing or duplication of any such mark or means of identification, except with the written permission of the Department.

Sealed with the Official Seal of the Department of Agriculture on 20th June 1995.

(L.S.)

P. T. Toal

Assistant Secretary

(a) S.I. 1981/1115 (N.I. 22) as amended by S.I. 1984/702 (N.I. 2) Art. 17(2) and S.I. 1994/1891 (N.I. 6) Art. 23(1) and (2)

(b) S.R. 1995 No. 52

EXPLANATORY NOTE

(This note is not part of the Order.)

This Order empowers an inspector, where the Department has required the detention of an animal under the Animals and Animal Products (Import and Export) Regulations (Northern Ireland) 1995, to have that animal marked or otherwise identified. The Order also prohibits the alteration, removal, obliteration, defacing or duplication of any such mark or means of identification without the Department's permission.

Any person who without lawful authority, or excuse, proof of which shall lie on him, contravenes any provision of this Order shall be guilty of an offence against the Diseases of Animals (Northern Ireland) Order 1981. The penalties for such an offence are, on summary conviction, a fine not exceeding level 5 on the standard scale (currently £5,000) or in the case of an offence committed with respect to more than 5 animals, not exceeding level 3 on the standard scale (currently £1,000) for each animal.