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STATUTORY RULES OF NORTHERN IRELAND

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**1997 No. 172**

**ANIMALS**

**Animals (Records) Order (Northern Ireland) 1997**

*Made* - - - - *20th March 1997*

*Coming into operation* *1st May 1997*

The Department of Agriculture, in exercise of the powers conferred on it by Articles 44 and 60(1) of the Diseases of Animals (Northern Ireland) Order 1981(1) 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 (Records) Order (Northern Ireland) 1997 and shall come into operation on 1st May 1997.

**Interpretation**

2. In this Order—

“animals” means any bovine animals, goats, sheep or swine;

“identification mark” in relation to pigs has the meaning given to the term “holding number” in the Aujeszky’s Disease Scheme (Northern Ireland) 1994(2) and in relation to sheep and goats means the mark applied or attached to such sheep or goats in accordance with the Identification and Movement of Sheep and Goats Order (Northern Ireland) 1997(3);

“identification number” in relation to a bovine animal has the same meaning as in the Tuberculosis Control Order (Northern Ireland) 1964(4);

“market” means a market place, sale-yard or any other premises or place to which animals are brought from any other place and exposed for sale and includes any place, lairage or parking area adjoining a market and used in connection with it;

“market operator” means the person for the time being responsible for managing the reception or the sale of animals in a market.

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(1) S.I. 1981/1115 (N.I. 22) Article 60(1) was amended by S.I. 1994/1891 (N.I. 6) Art. 23

(2) See S.R. 1994 No. 199, Schedule

(3) S.R. 1997 No. 173

(4) S.R. & O. (N.I.) 1964 No. 31; relevant amending order is S.R. 1986 No. 48

### **Bovine animals**

3.—(1) Subject to the provisions of Articles 5 and 6 the owner or person in charge of bovine animals shall keep a record of the particulars of each bovine animal as specified in the several columns of the form set out in Schedule 1.

(2) A record required by paragraph (1) shall be made within 48 hours of the acquisition, sale, disposal, birth, death or re-identification of each bovine animal.

(3) A market operator shall—

- (a) allocate a lot number to each bovine animal presented for sale on his premises;
- (b) on the day of the sale make and keep a record of each such bovine animal; and
- (c) within 72 hours furnish to the Department a copy of that record.

(4) In relation to a bovine animal, the record kept in accordance with paragraph (3) shall show—

- (a) the date of the sale;
- (b) the lot number, identification number, sex, breed and colour of that bovine animal;
- (c) the name and address of the person who presented that bovine animal for sale; and
- (d) the name and address of the purchaser, if any, of that bovine animal.

### **Goats, sheep or swine**

4.—(1) Subject to the provisions of Articles 5 and 6, the owner or person in charge of goats or swine shall keep a record of the particulars of such goats or swine as specified in the several columns of the form set out in Schedule 2.

(2) Subject to the provisions of Articles 5 and 6, the owner or person in charge of sheep shall keep a record of the particulars of such sheep as specified in the several columns of the form set out in Schedule 3.

(3) A record required by paragraph (1) or (2) shall be made within 48 hours of the acquisition, sale, disposal, birth, death or re-identification of such goats, sheep or swine.

(4) A market operator shall make and keep a record of goats, sheep or swine presented for sale on his premises and such record shall show—

- (a) the date of that sale;
- (b) the number, identification mark, sex, breed and description of such goats, sheep or swine;
- (c) the name and address of the person who presented such goats, sheep or swine for sale; and
- (d) the name and address of the purchaser, if any, of such goats, sheep or swine.

### **Purchase of animals intended for slaughter or export to a place outside Northern Ireland**

5.—(1) The provisions of Articles 3(1) and (2) and 4(1), (2) and (3) shall not apply to a person who purchases an animal intended for—

- (a) slaughter; or
- (b) export to a place outside Northern Ireland,

within 7 days of such purchase.

(2) A person who purchases an animal to which paragraph (1) applies shall keep a record of—

- (a) the date of purchase;
- (b) the name and address of the person from whom the animal was purchased, if it was purchased by private treaty or the name of the market if the animal was purchased by auction;

(c) the identification mark or identification number on any ear tag or tattoo borne by the animal;

(d) the date and place of slaughter or the date and place of export from Northern Ireland.

(3) A record required by paragraph (2) shall be made within 48 hours of either the slaughter or the export from Northern Ireland of each animal.

### **Exemption for market operators**

6. The provisions of Articles 3(1) and (2) and 4(1), (2) and (3) shall not apply to a market operator engaged in the purchase or sale of animals in so far as he is engaged in such purchase or sale in the ordinary course of his business as a market operator.

### **Making and retention of records**

7.—(1) A record required by this Order to be kept shall be made in permanent and legible form.

(2) A person required to keep a record under Article 3 or 4 shall retain such record from the date of the last entry therein—

(a) in the case of bovine animals, for a period of 10 years; and

(b) in the case of goats, sheep or swine, for a period of 3 years.

(3) A person required to keep a record under Article 5(2) shall retain such record from the date of the last entry therein for a period of 3 years.

(4) A person required by this Order to keep a record shall on demand by an inspector or a constable produce to him that record and such inspector or constable shall be entitled to inspect that record and take extracts therefrom.

(5) Where a record required by this Order to be kept is lost, stolen or destroyed the person responsible for the keeping of such record shall within 72 hours of the discovery of that loss, theft or destruction—

(a) report in writing such occurrence to the Department; and

(b) make a new record in respect of every animal in his possession at the time of the discovery of that loss, theft or destruction.

### **Transitional and saving provisions**

8. Notwithstanding the provisions of the Movement of Animals (Records) Order (Northern Ireland) 1980<sup>(5)</sup> as in operation immediately before the commencement of this Order—

(a) any entry made in a record in respect of bovine animals and required to be kept by a person by that Order shall, if made on or after 1st February 1988, be retained by him for a period of 10 years after the making of the last entry in the record and the provisions of Article 7(4) of that Order relating to the production, inspection and taking of extracts, shall apply to that entry until the expiration of that period of 10 years; and

(b) any entry made in a record in respect of goats, sheep or swine required to be kept by a person by that Order shall, if made on or after 1st May 1996 be retained by him for a period of 3 years after the making of the last entry in the record and the provisions of Article 7(4) of that Order relating to the production, inspection and taking of extracts, shall apply to that entry until the expiration of that period of 3 years.

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## Revocations

9. The following Orders are hereby revoked—

- (a) the Movement of Animals (Records) Order (Northern Ireland) 1980;
- (b) the Movement of Animals (Records) (Amendment) Order (Northern Ireland) 1982<sup>(6)</sup>;
- (c) the Movement of Animals (Records) (Amendment) Order (Northern Ireland) 1991<sup>(7)</sup>.

Sealed with the Official Seal of the Department of Agriculture on

L.S.

20th March 1997.

*R. S. Johnston*  
Assistant Secretary

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<sup>(6)</sup> S.R. 1982 No. 218  
<sup>(7)</sup> S.R. 1991 No. 9

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SCHEDULE 1

Article 3(1)

Herd Record for Bovine Animals

INDIVIDUAL DETAILS					BORN DATE INTO AND HERD MANNER OF ENTRY INTO HERD			DATE AND MANNER OF DISPOSAL			TOTAL	
1	2	3	4	5	6	7	8	9	10	11	12	13
Identification number (tag number or tattoo)	Registration number	Colour	Breed Type	Sex Class	Date of birth or approx. age when acquired	Dam's identification number or tag	Date of acquisition or tattoo	Acquired from: name and address of person, market (and lot No.)	Date of sale, disposal or death	Sale/ Burial/ Slaughter/ Disposal name and address of person, market, knackery, slaughter house etc	Manner of destruction or burial	Number of animals present on the holding

SCHEDULE 2

Article 4(1)

Herd Record for Goats/Swine (each species to be detailed on a separate form)

						GOATS ONLY	SWINE ONLY
1	2	3	4	5	6	7	8
Identification mark (and any individual identification of animal(s))	Number, breed and description	Date of birth/ purchase	Name and address of seller/ purchaser/ market/ slaughter-house	Date sold/ disposed of/died	Continuous record of female goats over 12 months or which have given birth	Number of goats on the holding on 1st January each year	Number of animals present on the holding

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SCHEDULE 3

Article 4(2)

Flock Record for Sheep

ALL SHEEP ACQUISITIONS/DISPOSALS						RUNNING TOTALS (FEMALE SHEEP ONLY)			
1	2	3	4	5	6	7	8	9	10
Number of sheep on the holding on 1st January each year	Identification mark (and any individual identification)	Number, breed and description of animal(s)	Date of birth/purchase	Name and address of seller/purchaser/ market/ slaughterhouse	Date sold/ disposed of/ died	Females <b>under</b> 12 months which <b>have</b> given birth	Females <b>over</b> 12 months <b>not having</b> given birth	Females <b>over</b> 12 months which <b>have</b> given birth	DATE (relevant to running total)

**EXPLANATORY NOTE**

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

This Order revokes and re-enacts with amendments the Movement of Animals (Records) Order (Northern Ireland) 1980 (“the 1980 Order”) so as to implement the record keeping requirements in respect of bovine animals, sheep and goats of Council Directive [92/102/EEC](#) on the identification and registration of animals (O.J. No. L355, 5.12.92, p. 32).

The main changes to the 1980 Order are as follows:

- (a) Article 2 includes a definition of identification mark;
- (b) Article 3 requires—
  - (i) the owner or person in charge of bovine animals to keep a record of the details of each bovine animal as specified in Schedule 1; and
  - (ii) a market operator to keep records and to record, in the case of a bovine animal, the identification mark and furnish those records to the Department within 72 hours of the sale;
- (c) Article 4 requires records kept in respect of goats, sheep and swine to be made within 48 hours of any transaction, birth or death of such animals and to be kept as specified in Schedules 2 and 3. In addition a market operator must record in the case of goats, sheep and swine the identification mark, sex, breed and description of such animals;
- (d) Articles 5 and 6 provide certain exemptions from the record keeping requirements of the Order;
- (e) Article 7 requires records in respect of goats, sheep and swine to be kept for 3 years;
- (f) Article 8 contains transitional and saving provisions in relation to records;

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- (g) Article 9 revokes the Movement of Animals (Records) Order (Northern Ireland) 1980, the Movement of Animals (Records) (Amendment) Order (Northern Ireland) 1982 and the Movement of Animals (Records) (Amendment) Order (Northern Ireland) 1991.