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STATUTORY RULES OF NORTHERN IRELAND

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**2009 No. 411**

**The Sheep and Goats (Records, Identification  
and Movement) Order (Northern Ireland) 2009**

**PART X**

Miscellaneous

**Identification and recording of animals for export**

**31.**—(1) A keeper must identify all animals consigned for export in accordance with Article 4(2) (a) and (b) and Article 9(3) of the Council Regulation.

(2) Once an animal identified before 31st December 2009 is consigned for export the keeper shall record its individual identity in the holding register and may not export that animal until 30 days after its identity has been recorded.

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**Commencement Information**

**I1** Art. 31 in operation at 31.12.2009, see [art. 1](#)

**Reasonable assistance**

**32.** A person required to give reasonable assistance or information to a person acting under this Order shall, unless he has reasonable cause, do so without delay.

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**Commencement Information**

**I2** Art. 32 in operation at 31.12.2009, see [art. 1](#)

**Information to be furnished to an inspector**

**33.**—(1) The keeper of an animal shall, on demand by an inspector, provide such information as he possesses as to—

- (a) the origin, identification and, where appropriate, the destination of any animal which is or has been on his holding;
- (b) any identification device, holding register or movement document which is or has been in his possession; and
- (c) the location of all or any part of his holding.

(2) Nothing in paragraph (1) shall be construed as requiring any person to provide any information if to so may incriminate him.

**Commencement Information**

**I3** Art. 33 in operation at 31.12.2009, see [art. 1](#)

**Power to prohibit movement of animals**

**34.**—(1) An inspector may, serve a notice on a keeper of a flock, prohibiting the movement of sheep onto or from the holding specified in the notice, if he is satisfied that the prohibition is necessary for the proper enforcement of this Order or the Council Regulation in relation to that flock.

(2) An inspector may, serve a notice on a keeper of a herd, prohibiting the movement of goats onto or from the holding specified in the notice, if they are satisfied that the prohibition is necessary for the proper enforcement of this Order or the Council Regulation in relation to that herd.

(3) A notice served under this article may be amended or revoked by further notice at any time.

**Commencement Information**

**I4** Art. 34 in operation at 31.12.2009, see [art. 1](#)

**False information**

**35.** A person shall not furnish information which they know to be false or misleading to a person acting under this Order.

**Commencement Information**

**I5** Art. 35 in operation at 31.12.2009, see [art. 1](#)

**Alteration of identification marks**

**36.**—(1) Subject to Articles 11 and 16 a person shall not tamper with, remove or deface, or cause or permit to be tampered with, removed or defaced any identification device or identification mark, or any information contained in or written on or attached to an animal under—

- (a) the Council Regulation;
- (b) this Order or any provisions which give effect to the Council Regulation in England, Scotland or Wales;
- (c) the previous Orders; or
- (d) Council Directive [92/102/EEC](#)<sup>[F1]</sup> as transposed immediately before 27th August 2008] (in the case of an animal marked in <sup>[F2]</sup>a] member State in accordance with that Directive).

(2) A person shall not—

- (a) transfer an identification device or identification mark from an animal or a carcase to any other animal;
- (b) use for identifying any animal an identification device or identification mark which has at any time been used to identify any other animal;
- (c) remove an identification device or identification mark except in accordance with this Order or the permission of the Department;

- (d) replace an identification device or identification mark other than in accordance with this Order or the permission of the Department;
  - (e) have in his possession an identification device or identification mark which bears an identification code already allocated to an animal on his holding or any other holding except a replacement identification device or identification mark specifically authorised by the Department;
  - (f) have in his possession an animal bearing an identification device or identification mark which is not an approved identification device or identification mark, but which resembles an approved identification device or identification mark in terms of shape, size or colour; or
  - (g) have in his possession without lawful excuse, an approved identification device or identification mark bearing an identification code other than that issued to him in accordance with the provisions of this Order.
- (3) For the purposes of this Article any reference to an “identification device or identification mark” includes any other means of identification attached to an animal under the Council Regulation or previous Orders.

- F1** Words in art. 36(1)(d) inserted (11.4.2019) by [The Animal Health and Welfare \(Amendment\) Regulations \(Northern Ireland\) 2019 \(S.R. 2019/82\)](#), reg. 1, **Sch. 1 para. 21**
- F2** Word in art. 36(1)(d) substituted (31.12.2020) by [The Livestock \(Records, Identification and Movement\) \(Amendment\) \(Northern Ireland\) \(EU Exit\) Regulations 2019 \(S.I. 2019/157\)](#), regs. 1(1), **6(4)**; 2020 c. 1, Sch. 5 para. 1(1)

#### **Commencement Information**

- I6** Art. 36 in operation at 31.12.2009, see [art. 1](#)

### **Export to Great Britain or Republic of Ireland**

**37.—(1)** An animal consigned for export to Great Britain shall be accompanied by a movement document and shall be—

- (a) In the case of an animal exported on or after 1<sup>st</sup> June 2010 identified in accordance with Article 9 in the case of a sheep or in the case of a goat Article 9 or Article 13; or
- (b) In the case of an animal exported before 1<sup>st</sup> June 2010—
  - (i) in the case of an animal first identified on or before 31<sup>st</sup> December 2009, identified with two blue eartags and the identification code on the first and second means of identification must be identical; or
  - (ii) in the case of an animal first identified after 31<sup>st</sup> December 2009, identified in accordance with Article 9 in the case of a sheep or in the case of a goat Article 9 or Article 13.

(2) An animal consigned for export to the Republic of Ireland shall be accompanied by a movement document and shall be—

- (a) in the case of an animal exported on or after 1<sup>st</sup> June 2010, identified in accordance with Article 9 in the case of a sheep or in the case of a goat Article 9 or Article 13; or
- (b) in the case of an animal exported before 1<sup>st</sup> June 2010—
  - (i) in the case of an animal first identified on or before 31<sup>st</sup> December 2009, identified with a blue eartag; or

- (ii) in the case of an animal first identified after 31<sup>st</sup> December 2009, identified in accordance with Article 9 in the case of a sheep or in the case of a goat Article 9 or Article 13.

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**Commencement Information**

**I7** Art. 37 in operation at 31.12.2009, see [art. 1](#)

**Common grazing**

- 38.**—(1) When an animal moves to or from common grazing, the keeper shall—
- (a) identify the animal in accordance with this Order before it is moved onto common grazing; and
  - (b) only move the animal from the common grazing to—
    - (i) the holding of origin; or
    - (ii) a slaughterhouse either directly or, via a collection centre; and
  - (c) subject to Article 22, complete a movement document with the information required by Section C.1 of the Annex to the Council Regulation and send a copy to the Divisional Veterinary Office within 7 days of the movement except that a movement document is not required where the common grazing is immediately adjacent to the holding; and
  - (d) subject to Article 18, record in his holding register the information required by Section C.1 of the Annex to the Council Regulation within 7 days of the movement; or
  - (e) retain a duplicate or certified copy of the movement document where applicable and keep such duplicate or copy with the register in chronological order with any other movement documents retained and shall—
    - (i) record the date of movement and the number of animals moved in the holding register; and
    - (ii) cross reference the movement document to the relevant movement records in the holding register.
- (2) For the purpose of this paragraph, “common grazing” means land on which the keeper has a right of grazing in common with other proprietors.

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**Commencement Information**

**I8** Art. 38 in operation at 31.12.2009, see [art. 1](#)

**Movement to or from the holding of origin for dipping or shearing**

- 39.** When an animal leaves a holding for dipping or shearing or leaves the holding to which it was sent for dipping or shearing to return to the holding of origin, the keeper shall—
- (a) identify the animal in accordance with this Order before it is moved for dipping or shearing;
  - (b) only move the animal from the holding to which it was sent for dipping or shearing directly to the holding that he brought it from or directly to slaughter; and
  - (c) subject to Article 18, record the move to or from the holding in his holding register including the information required by Section C.1 of the Annex to the Council Regulation within 7 days of the movement.

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**Commencement Information**

**I9** Art. 39 in operation at 31.12.2009, see [art. 1](#)

**Transitional and saving provisions**

**40.** Notwithstanding Article [17\(6\)](#), any record in respect of sheep or goats required to be kept by any person under the provisions of the Sheep and Goats (Records, Identification and Movement) Order (Northern Ireland) 2005(1) as in operation immediately before the commencement of this Order shall, if made on or before the commencement of this Order, be retained by him for a period of 3 years from the end of the month in which the last entry in the record was made.

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**Commencement Information**

**I10** Art. 40 in operation at 31.12.2009, see [art. 1](#)

**Revocations**

**41.** The Sheep and Goats (Records, Identification and Movement) Order (Northern Ireland) 2005 and The Sheep and Goats (Records, Identification and Movement) (Amendment) Order (Northern Ireland) 2006(2) are hereby revoked.

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**Commencement Information**

**I11** Art. 41 in operation at 31.12.2009, see [art. 1](#)

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(1) [S.R. 2005 No.535](#) as amended by [S.R. 2006 No.508](#)  
(2) [S.R. 2006 No.508](#)

**Changes to legislation:**

There are currently no known outstanding effects for the The Sheep and Goats (Records, Identification and Movement) Order (Northern Ireland) 2009, PART X.