
SCOTTISH STATUTORY INSTRUMENTS

2006 No. 73

The Sheep and Goats (Identification and Traceability) (Scotland) Regulations 2006

PART 1

Introductory Provisions

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Sheep and Goats (Identification and Traceability) (Scotland) Regulations 2006 and shall come into force on 20th March 2006.

(2) These Regulations extend to Scotland only.

Interpretation

2.—(1) In these Regulations—

“Annex” means the Annex to the Council Regulation;

“baseline F eartag” means an eartag applied under the Council Regulation, these Regulations, any provision giving effect to the Council Regulation in England, Wales or Northern Ireland or previous United Kingdom Orders or Regulations, bearing the individual identification code described in regulation 8(3)(a) to (d);

“baseline S eartag” means an eartag applied under the Council Regulation, these Regulations, any provision giving effect to the Council Regulation in England, Wales or Northern Ireland or previous United Kingdom Orders or Regulations, bearing the individual identification code described in regulation 7(1)(b)(i) to (iii);

“baseline UK eartag” means an eartag applied under the Council Regulation, these Regulations, any provision giving effect to the Council Regulation in England, Wales or Northern Ireland or previous United Kingdom Orders or Regulations, bearing the individual identification code described in regulation 6(3)(a) to (c);

“the Council Directive” means Council Directive [92/102/EEC](#) of 27th November 1992 on the identification and registration of animals⁽¹⁾ as amended by the Council Regulation;

“the Council Regulation” means Council Regulation [\(EC\) No. 21/2004](#) of 17th December 2003 establishing a system for the identification and registration of ovine and caprine animals and amending Regulation [\(EC\) No. 1782/2003](#) and Directives [92/102/EEC](#) and [64/432/EEC](#)⁽²⁾;

“CPH”, in the forms in Schedules 1 and 2, means the number assigned to a holding by the Scottish Ministers for the purpose of identifying its geographical location;

“flockmark” means the number allocated by the Scottish Ministers to a holding on which sheep are kept;

(1) O.J. No. L 355, 5.12.1992, p.32.

(2) O.J. No. L 5, 9.1.2004, p.8.

“herdmark” means the number allocated by the Scottish Ministers to a holding on which goats are kept;

“holding of import” means the holding to which animals imported from a third country are first moved for the purposes of livestock farming;

“identification code” means the alpha numeric code applied or to be applied to a means of identification in accordance with the Council Regulation, these Regulations, any provision giving effect to the Council Regulation in England, Wales, Northern Ireland or another member State, previous United Kingdom Orders or Regulations or any provision giving effect to Council Directive 92/102/EEC in another member State;

“inspector” means a person appointed to be an inspector for the purposes of these Regulations by the Scottish Ministers or a local authority;

“local authority” means a council constituted under section 2 of the Local Government etc. (Scotland) Act 1994(3);

“movement eartag” means an eartag applied under these Regulations, previous United Kingdom Orders or Regulations, bearing the identification code described in regulation 10(1)(b)(i) and (ii);

“movement document” means the movement document required by Article 6 of the Council Regulation;

“previous Scottish Orders or Regulations” means—

- (a) the Sheep and Goats Identification (Scotland) Regulations 2000(4);
- (b) the Sheep and Goats Movement (Interim Measures) (Scotland) Order 2002(5);

“previous United Kingdom Orders or Regulations” means—

- (a) the Sheep and Goats Identification (Scotland) Regulations 2000;
- (b) the Sheep and Goats Movement (Interim Measures) (Scotland) Order 2002;
- (c) the Sheep and Goats Identification (England) Order 2000(6);
- (d) the Sheep and Goats Identification and Movement (Interim Measures) (England) Order 2002(7);
- (e) the Sheep and Goats Identification and Movement (Interim Measures) (England) (No. 2) Order 2002(8);
- (f) the Sheep and Goats Identification and Movement (Interim Measures) (Wales) Regulations 2002(9);
- (g) the Sheep and Goats Identification and Movement (Interim Measures) (Wales) Order 2002(10);
- (h) the Sheep and Goats Identification and Movement (Interim Measures) (Wales) (No. 2) Order 2002(11);
- (i) the Identification and Movement of Sheep and Goats Order (Northern Ireland) 1997(12);
- (j) the Identification and Movement of Sheep and Goats Order (Northern Ireland) 2004(13);

(3) 1994 c. 39.

(4) S.S.I. 2000/418, amended by S.S.I. 2002/39 and 2002/531.

(5) S.S.I. 2002/38, amended by S.S.I. 2002/221.

(6) S.I.2000/2027, amended by S.I. 2001/281, revoked by S.I. 2002/240.

(7) S.I. 2002/240, amended by S.I. 2002/764 and 2002/1349, revoked by S.I. 2002/2153.

(8) S.I. 2002/2153, amended by S.I. 2003/29, 2003/502 and 2003/1728, revoked by S.I. 2005/3100.

(9) S.I. 2002/274 (W.30), amended by S.I. 2002/811 (W.91), revoked by S.I. 2002/1354 (W.131).

(10) S.I. 2002/1357 (W.133), revoked by S.I. 2002/2302 (W.227).

(11) S.I. 2002/2302 (W.227), amended by S.I. 2003/167 (W.27), 2003/946 (W.127) and 2003/1966 (W.221).

(12) S.R. (NI) 1997/173, revoked by S.R. (NI) 2004/491.

(13) S.R. (NI) 2004/ 491, revoked by S.R. (NI) 2005/535.

“R eartag” means a red eartag applied under the Council Regulation, these Regulations, any provision giving effect to the Council Regulation in England, Wales or Northern Ireland or previous United Kingdom Orders or Regulations, bearing the individual identification code described in regulation 13(2)(c)(i) to (iv);

“R tattoo” means a tattoo bearing the individual identification code described in regulation 14(3)(b)(i) to (iii);

“register” means the register required to be kept by Article 5 of the Council Regulation;

“slaughterhouse” means an establishment approved as a slaughterhouse in accordance with Article 3 of Regulation (EC) No. 854/2004(14);

“temporary grazing” means a holding on to which a keeper moves an animal for a limited period of time for the purpose of feeding or pasture;

“unique number” means a number allocated by the Scottish Ministers which is unique to an animal in a flock or herd and contains 6 digits; and

“X eartag” means an eartag applied under the Council Regulation, these Regulations, any provision giving effect to the Council Regulation in England, Wales or Northern Ireland or previous United Kingdom Orders or Regulations, bearing the individual identification code described in regulation 9(2)(b)(i) to (iv).

(2) Expressions in these Regulations which appear in the Council Regulation have the same meaning in these Regulations as they have for the purposes of the Council Regulation.

(3) Any reference in these Regulations to anything done in writing or produced in written form, other than under regulation 23, includes a reference to an electronic communication which has been recorded and may subsequently be used for reference, as defined in the Electronic Communications Act 2000(15).

Individual identification code

3.—(1) All references in these Regulations to the “individual identification code” of an animal, other than an animal bearing more than one eartag or tattoo with a number identifying the animal individually, are references to the code on—

- (a) the first means of identification attached to the animal in accordance with the Council Regulation; or
- (b) the eartag or tattoo by means of which an animal born on or before 9th July 2005 has been individually identified in accordance with these Regulations, any provision giving effect to the Council Regulation in England, Wales or Northern Ireland or another Member state, previous United Kingdom Orders or Regulations or any provision giving effect to the Council Directive in another member State.

(2) In the case of an animal bearing more than one eartag or tattoo with a number identifying the animal individually, the “individual identification code” is the code on—

- (i) any eartag or tattoo attached to the animal which bears the letters “UK” and a number identifying the animal individually; or
- (ii) the eartag or tattoo identifying the animal individually which was most recently applied, in the case of animals not having the identification referred to in head (i);
 - (b) in the case of an animal from Northern Ireland, the eartag attached to the left ear of the animal.

(14) O.J. No. L 139, 30.4.04, p.206. The revised text of the Regulation is contained in a corrigendum (O.J. No. L 226, 25.6.04, p.83).

(15) 2000 c. 7.

Competent authority

4. The Scottish Ministers are the competent authority for the purposes of the Council Regulation.

Authorisations

5.—(1) Subject to paragraph (2), any authorisations, approvals or permissions issued under the Council Regulation or these Regulations shall be in writing, may be made subject to conditions and may be amended, suspended or revoked by notice in writing at any time.

(2) Authorisation, approval or permission may be issued otherwise than in writing where this is necessary to prevent pain or suffering to an animal.