

2008 No. 368

ANIMALS

ANIMAL HEALTH

**The Sheep and Goats (Identification and Traceability) (Scotland)
Amendment Regulations 2008**

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| <i>Made</i> - - - - | <i>11th November 2008</i> |
| <i>Laid before the Scottish Parliament</i> | <i>12th November 2008</i> |
| <i>Coming into force</i> - - | <i>5th December 2008</i> |

The Scottish Ministers make the following Regulations in exercise of the powers conferred by section 2(2) of the European Communities Act 1972(a) and all other powers enabling them to do so.

Citation and commencement

1. These Regulations may be cited as the Sheep and Goats (Identification and Traceability) (Scotland) Amendment Regulations 2008 and come into force on 5th December 2008.

Amendment of the Sheep and Goats (Identification and Traceability) (Scotland) Regulations 2006

2.—(1) The Sheep and Goats (Identification and Traceability) (Scotland) Regulations 2006(b) are amended in accordance with the following paragraphs of this regulation.

(2) In regulation 2(1) (interpretation)—

- (a) omit the definition of “the Council Directive”; and
- (b) in the definition of “identification code”, for “previous United Kingdom Orders or Regulations or any provision giving effect to Council Directive 92/102/EEC(c) in another member State”, substitute “or previous United Kingdom Orders or Regulations”.

(3) In regulations 3(1)(b) (individual identification code) and 17(2)(d) (holding registers) for “previous United Kingdom Orders or Regulations or any provision giving effect to the Council Directive in another member State”, substitute “or previous United Kingdom Orders or Regulations”.

(4) For regulation 18(2)(a) (movement documents), substitute “(a) be in the form set out in Schedule 2 or in a form substantially to the like effect;”.

(a) 1972 c.68 (“the 1972 Act”). Section 2(2) was amended by the Scotland Act 1998 (c.46), Schedule 8, paragraph 15(3) and section 27 of the Legislative and Regulatory Reform Act 2006 (c.51). The functions conferred upon the Minister of the Crown under section 2(2) of the 1972 Act, insofar as within devolved competence, were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998.

(b) S.S.I. 2006/73, amended by S.S.I. 2006/594 and 2007/559.

(c) O.J. No. L 355, 5.12.1992, p.32. The Directive was repealed by Council Directive 2008/71/EC on the identification and registration of pigs (O.J. No. L 213, 8.8.2008, p.31.).

(5) For regulation 30 (alteration of eartags etc), substitute–

“**30.** No person shall alter, obliterate or deface the information on any eartag or tattoo applied to an animal under–

- (a) the Council Regulation;
- (b) these Regulations or any provision giving effect to the Council Regulation in England, Wales or Northern Ireland or another member State; or
- (c) previous United Kingdom Orders or Regulations.”.

St Andrew’s House,
Edinburgh
11th November 2008

RICHARD LOCHHEAD
A member of the Scottish Executive

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Sheep and Goats (Identification and Traceability) (Scotland) Regulations 2006 (“the principal Regulations”) to remove references to Council Directive 92/102/EEC on the identification and registration of animals which has been repealed, and to provide for minor administrative changes in the form of the movement document set out in Schedule 2 to the principal Regulations.

Regulation 2, paragraphs (2), (3) and (5) amend the principal Regulations by removing references to Council Directive 92/102/EEC.

Regulation 2(4) amends regulation 18 of the principal Regulations to allow minor changes to the movement document set out in Schedule 2 to the principal Regulations.

A full Regulatory Impact Assessment has not been prepared in respect of these Regulations as it has no impact on the costs of business or the voluntary sector.

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