

EXECUTIVE NOTE

THE CATTLE IDENTIFICATION (SCOTLAND) AMENDMENT REGULATIONS 2011

2011 No. 412

The Cattle Identification (Scotland) Amendment Regulations 2011 (“the amending instrument”) has been made in exercise of the powers conferred by section 2(2) of the European Communities Act 1972. The legislation will apply in Scotland only. The amending instrument amends the Cattle Identification (Scotland) Regulations 2007 (“the principal instrument”). Similar legislation to the principal instrument applies in other parts of Great Britain. Once laid the amending instrument is subject to negative procedure.

Policy Objectives

Under the principal instrument, keepers are required to report cattle movements to the Scottish Ministers. Improvements to reporting methods now enable keepers to use electronic reporting to inform the Scottish Ministers of the death of an animal on a farm. This reflects the industry preference for electronic reporting rather than paper based methods. The amending instrument therefore provides for these new reporting methods. In addition, the amending instrument implements a directly applicable provision of EU law which requires that a risk assessment of the animal health and food safety risks is conducted in relation to unidentified animals before the Scottish Ministers decide whether to slaughter that unidentified animal without compensation. Finally, the amending instrument substitutes into the principal instrument a regulation that gives an inspector the power to apply to the sheriff or justice of the peace for a warrant for entry into the premises for enforcement purposes.

Consultation

A short discussion paper was issued to industry and local authorities in October 2011 outlining the proposed changes to the legislation. Industry was supportive of the move to electronic reporting of deaths and felt that this would make reporting more efficient. Local authorities were in favour of the proposed changes to enable them to seek a warrant, where necessary, directly from the sheriff or justice of the peace.

Financial Effects

The proposed legislation will not impose any new or additional costs on business and therefore a Business and Regulatory Impact and Assessment has not been prepared.

Animal Health and Welfare Division
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The Scottish Government
17 November 2011