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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 I**

**Introduction**

**Citation and commencement**

1. This Order may be cited as the Sheep and Goats (Records, Identification and Movement) Order (Northern Ireland) 2009 and comes into operation on 31<sup>st</sup> December 2009.

**Interpretation**

2.—(1) In this Order—

“animal” means any animal of the ovine or caprine species;

“assembly centre” means an assembly centre as defined in regulation 2(1) of the Animals and Animal Products (Import and Export) Regulations (Northern Ireland) 2006<sup>(1)</sup> and approved by the Department in accordance with regulation 12(2) of those Regulations;

“central point of recording” means a holding approved by the Department under Section C.2 of the Annex to the Council Regulation for recording the identities of animals arriving at that holding;

“centralised computer database” means the database operated by the Department for the purposes of Article 8 of the Council Regulation;

“collection centre” means any premises used by a dealer for the intermediate reception of animals intended to be moved for slaughter (but does not include a market);

“Council Regulation” means Council Regulation (EC) No 21/2004 of 17 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<sup>(2)</sup> as amended by Commission Regulation (EC) No 759/2009<sup>(3)</sup>;

“Divisional Veterinary Office” in relation to any holding means the Divisional Veterinary Office or DARD Direct Office of the Department for the area in which a holding is located;

“flock number” means the number allocated to a flock of sheep under Article 3<sup>(3)</sup>;

“herd number” means the number allocated to a herd of goats under Article 3<sup>(3)</sup>;

“holding” has the meaning given in Article 2 of the Council Regulation;

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(1) S.R. 2006 No.401 as amended by S.R. 2007 No.327, S.R. 2008 No.53 and S.R. 2009 No.86

(2) O.J. No. L 5, 09.01.2004, p.8

(3) O.J. No. L215, 20.08.2009, p.3

“holding number” means a number allocated by the Department under Article 3(3) to any holding on which any animals are kept;

“holding register” means the register required by Article 5 of the Council Regulation;

“identification code” means the code set out on a means of identification as required under this Order;

“identification device” means an eartag, electronic eartag, pastern tag, electronic pastern tag or bolus;

“identification mark” means a method of identification applied in another member State, a means of identification or an older means of identification;

“incineration plant” means an incineration plant to which regulation 14 of the Animal By-Products Regulations (Northern Ireland) 2003(4) applies;

“keeper” has the meaning given in Article 2 of the Council Regulation;

“market” means a market place, sale yard or any other premises or place to which animals are brought from any other place to be 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 responsible for managing the reception or the sale of animals in a market or a duly authorised representative of such a person;

“means of identification” means an identification device or a tattoo;

“member State” means any member State of the European Union other than the United Kingdom and does not include the Isle of Man and the Channel Islands;

“method of identification” means an eartag, electronic eartag, pastern tag, electronic pastern tag, bolus or tattoo applied in another member State or third country;

“movement document” means the movement document required by Article 6 of the Council Regulation and in a format approved by the Department;

“previous Orders” means—

- (a) the Identification and Movement of Sheep and Goats Order (Northern Ireland) 1997(5);
- (b) the Identification and Movement of Sheep and Goats (Amendment) Order (Northern Ireland) 1998(6); and
- (c) the Identification and Movement of Sheep and Goats Order (Northern Ireland) 2004(7);

“reconciliation period” means the period between 1<sup>st</sup> December and 5<sup>th</sup> December in a calendar year;

“processing plant” means a processing plant to which regulation 14 of the Animal By-Products Regulations (Northern Ireland) 2003 applies;

“unique number” means a number that is unique to an animal in a flock or herd and contains no more than 5 digits.

(2) Other expressions defined in the Council Regulation have the same meaning in this Order.

### **Notification of a holding**

3.—(1) Subject to paragraph (5), a person who keeps an animal on a holding shall give notice to the Department containing particulars of—

- (a) the address of the holding;

(4) S.R. 2003 No.495 as amended by S.R. 2006 No.202

(5) S.R. 1997 No.173 as amended by S.R.1998 No.393 and revoked by S.R. 2004 No.491

(6) S.R. 1998 No.393 revoked by S.R.2004 No.491

(7) S.R. 2004 No.491

- (b) the name and address of the owner, and, if different, the occupier of the holding;
- (c) the name and address of the keeper of the animal;
- (d) any numbers or codes used to identify animals on the holding;
- (e) any cattle or pigs on the holding; and
- (f) in relation to—
  - (i) cattle on the holding, any unique identification code allocated under regulation 3(1)(b) of the Cattle Identification (No.2) Regulations (Northern Ireland) 1998<sup>(8)</sup>; and
  - (ii) pigs on the holding, a holding number allocated under paragraph 3(3) of the Schedule to the Aujeszky's Disease Scheme Order (Northern Ireland) 1994<sup>(9)</sup>.

(2) In the case of a holding used for keeping animals on the date this Order comes into operation the notice required by paragraph (1) shall be given within 7 days of that date and in any other case shall be given within 7 days of the holding first being used to keep animals.

(3) On receiving notification under paragraph (1), the Department may allocate to the keeper, a holding number. This will be in the case of a flock of sheep, a flock number or, in the case of a herd of goats, a herd number.

(4) Where in relation to a holding to which Article 19(1) applies—

- (a) there is a change in the identity of the person keeping animals on the holding or in any other details notified under this Article;
- (b) all the animals on the holding are slaughtered, sold or otherwise disposed of,

the keeper shall notify the Department accordingly within 30 days of such change or disposal of animals.

(5) A notification made to the Department under Article 3(1) of the Sheep and Goats (Records, Identification and Movement) Order (Northern Ireland) 2005<sup>(10)</sup> shall, notwithstanding the revocation of that Order, be regarded as a notification for the purpose of paragraph (1).

### **Authorisations**

4.—(1) An authorisation, approval, notice or permission under this Order or the Council Regulation 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) A person to whom any document specified in paragraph (1) is issued shall comply with its requirements.

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<sup>(8)</sup> S.R. 1998 No.279 as amended by S.R. 1999 No.324 and S.R. 2004 No.420

<sup>(9)</sup> S.R. 1994 No.199

<sup>(10)</sup> S.R. 2005 No.535 as amended by S.R. 2006 No.508