

## SCHEDULE 3

### Cattle Passports etc.

## PART 1

### General

#### Application for a cattle passport on the birth of an animal

1.—(1) On the birth of an animal the keeper shall submit an application for a cattle passport to the Scottish Ministers within 7 days of—

- (a) in the case of bison, the birth of the animal;
- (b) in the case of a dairy animal, the date the second ear tag is applied to the animal in accordance with Article 4(1) of Regulation (EC) No. 1760/2000 and paragraph 1 of Schedule 1; and
- (c) in any other case, the date ear tags are applied to the animal in accordance with Article 4(1) of Regulation (EC) No. 1760/2000 and paragraph 1 of Schedule 1.

(2) An application for a cattle passport for a bison shall be accompanied by notification of the identification code of the ear tag that will be attached to the animal.

#### Applications for cattle passports for animals from <sup>F1</sup>... member States etc.

2.—(1) The keeper at the holding of destination of an animal from the Channel Islands, the Isle of Man, Northern Ireland or [<sup>F2</sup>a] member State, shall, within 15 days of its arrival at that holding send to the Scottish Ministers—

- (a) an application for a cattle passport for the animal; and
- (b) any cattle passport previously issued for the animal under Regulation (EC) No. 820/1997<sup>F3</sup>, Regulation (EC) No 1760/2000 of the European Parliament and of the Council establishing a system for the identification and registration of bovine animals and regarding the labelling of beef and beef products and repealing Council Regulation (EC) No 820/1997 as it has effect in EU law,] or Regulation (EC) No. 1760/2000 in the Channel Islands, the Isle of Man, Northern Ireland or [<sup>F4</sup>a] member State.

(2) Where an animal to which sub-paragraph (1) applies enters a market or showground on arrival in Scotland, the holding of destination is the holding to which the animal is moved from the market or showground.

(3) Sub-paragraph (1) does not apply in relation to an animal whose holding of destination is a slaughterhouse.

#### Textual Amendments

- F1** Word in sch. 3 para. 2 heading omitted (31.12.2020) by virtue of The Animal Health (EU Exit) (Scotland) (Amendment) Regulations 2019 (S.S.I. 2019/71), regs. 1(1)(b), **21(6)(a)(i)**; 2020 c. 1, Sch. 5 para. 1(1)
- F2** Words in sch. 3 para. 2(1) substituted (31.12.2020) by The Animal Health (EU Exit) (Scotland) (Amendment) Regulations 2019 (S.S.I. 2019/71), regs. 1(1)(b), **21(6)(a)(ii)** (as inserted by S.S.I. 2020/380, regs. 1(2), **3(2)**); 2020 c. 1, **Sch. 5 para. 1(1)**
- F3** Words in sch. 3 para. 2(1)(b) inserted (31.12.2020) by The Animal Health (EU Exit) (Scotland) (Amendment) Regulations 2019 (S.S.I. 2019/71), regs. 1(1)(b), **21(6)(a)(ii)(aa)**; 2020 c. 1, Sch. 5 para. 1(1)

*Changes to legislation:* There are currently no known outstanding effects for the The Cattle Identification (Scotland) Regulations 2007, PART 1. (See end of Document for details)

**F4** Word in sch. 3 para. 2(1)(b) substituted (31.12.2020) by [The Animal Health \(EU Exit\) \(Scotland\) \(Amendment\) Regulations 2019 \(S.S.I. 2019/71\)](#), regs. 1(1)(b), **21(6)(a)(ii)(bb)**; 2020 c. 1, Sch. 5 para. 1(1)

### **Applications for cattle passports for animals from third countries**

**3.—(1)** The keeper at the holding of destination of an animal from a third country shall apply for a cattle passport for the animal within 15 days of the date it is tagged in accordance with [<sup>F5</sup>Article 4b] of Regulation (EC) No. 1760/2000.

(2) Sub-paragraph (1) does not apply in relation to an animal whose holding of destination is a slaughterhouse.

#### **Textual Amendments**

**F5** Words in sch. 3 para. 3(1) substituted (27.5.2017) by [The Cattle Identification \(Scotland\) Amendment Regulations 2017 \(S.S.I. 2017/133\)](#), regs. 1, **8(a)**

### **Method of application**

**4.** An application for a cattle passport shall be made in such form and manner as is from time to time approved by the Scottish Ministers.

### **Issue of cattle passports etc.**

**5.—(1)** On receipt of a properly completed application for a cattle passport submitted under paragraphs 1, 2 or 3 and made in accordance with paragraph 4 the Scottish Ministers shall issue a cattle passport.

(2) The Scottish Ministers may issue a cattle passport when an application is submitted outwith the time limits specified in paragraphs 1 to 3 if they are satisfied that it would be reasonable to do so in all the circumstances of the case.

(3) If the Scottish Ministers are not satisfied that a cattle passport should be issued they shall issue a notice of registration for the animal for which the application was submitted.

(4) Any identification document issued by the Scottish Ministers remains the property of the Scottish Ministers at all times.

### **Retention of identification documents**

**6.—(1)** The keeper of any animal for which an identification document has been issued shall retain said document and produce it to an inspector on demand.

(2) Failure to comply with this paragraph is an offence.

### **Replacement cattle passports**

**7.—(1)** The keeper of any animal whose identification document (except a notice of registration) has been lost, stolen, destroyed or become illegible shall submit an application for a cattle passport to the Scottish Ministers within 14 days of becoming aware of that fact.

(2) On receipt of an application submitted under sub-paragraph (1) and made in accordance with paragraph 4 the Scottish Ministers shall issue a cattle passport if they are satisfied that all movements of the animal since its birth or entry to Great Britain can be traced accurately.

(3) If the Scottish Ministers are not satisfied that a cattle passport should be issued for an animal for which an application is submitted under sub-paragraph (1)–

- (i) they shall issue a notice of registration for that animal; and
- (ii) the animal shall not be moved off the holding except under the authority of a licence issued by the Scottish Ministers.

(4) A keeper or person who has kept an animal for which a cattle passport has been issued under sub-paragraph (2) who subsequently recovers the original identification document shall within 7 days of recovering it send written notification of that fact to the Scottish Ministers and return the original identification document to them.

[<sup>F6</sup>(5) Failure to comply with sub-paragraph (1) or (4) is an offence.]

#### Textual Amendments

**F6** Sch. 3 para. 7(5) substituted (29.6.2007) by [The Cattle Identification \(Scotland\) Amendment Regulations 2007 \(S.S.I. 2007/312\)](#), regs. 1, 6

#### Replacement notices of registration

**8.**—(1) The keeper of an animal whose notice of registration has been lost, stolen, destroyed or become illegible shall submit an application for a notice of registration to the Scottish Ministers within 14 days of the date of becoming aware of that fact.

(2) An application for a notice of registration shall be made in such form and manner as is from time to time approved by the Scottish Ministers.

(3) On receipt of a properly completed application the Scottish Ministers shall issue a notice of registration.

#### Fees

**9.** The Scottish Ministers may impose a reasonable fee for processing an application for a replacement cattle passport.

#### Missing animals

**10.**—(1) If an animal for which an identification document has been issued is lost or stolen, the keeper shall within 7 days of becoming aware of that fact notify the Scottish Ministers of it and return the identification document to them.

(2) Failure to comply with this paragraph is an offence.

#### Surrender of identification documents

**11.**—(1) An officer of the Scottish Ministers or a local authority inspector may serve a notice on a keeper requiring the surrender of an identification document or a movement card if that officer or inspector reasonably believes that the provisions of Regulation (EC) No. 1760/2000 or these Regulations have not been complied with.

(2) Any person on whom a notice is served under sub-paragraph (1) who fails to comply with the notice is guilty of an offence.

**Changes to legislation:** There are currently no known outstanding effects for the The Cattle Identification (Scotland) Regulations 2007, PART 1. (See end of Document for details)

**[<sup>F7</sup>Alteration**

**12.** It is an offence to alter any information in an identification document, movement card or movement document with intent to deceive, or to deface such a document.]

**Textual Amendments**

**F7** Sch. 3 paras. 12, 13 substituted (29.6.2007) by [The Cattle Identification \(Scotland\) Amendment Regulations 2007 \(S.S.I. 2007/312\)](#), regs. 1, 7

**[<sup>F7</sup>Misuse**

**13.** It is an offence to use an identification document, movement card or movement document in relation to an animal other than the animal for which it was issued.]

**Textual Amendments**

**F7** Sch. 3 paras. 12, 13 substituted (29.6.2007) by [The Cattle Identification \(Scotland\) Amendment Regulations 2007 \(S.S.I. 2007/312\)](#), regs. 1, 7

**Changes to legislation:**

There are currently no known outstanding effects for the The Cattle Identification (Scotland) Regulations 2007, PART 1.