

2007 No. 312

ANIMALS

ANIMAL HEALTH

**The Cattle Identification (Scotland) Amendment
Regulations 2007**

<i>Made</i> - - - -	<i>5th June 2007</i>
<i>Laid before the Scottish Parliament</i>	<i>7th June 2007</i>
<i>Coming into force</i> - -	<i>29th June 2007</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 Cattle Identification (Scotland) Amendment Regulations 2007 and shall come into force on 29th June 2007.

Amendment of the Cattle Identification (Scotland) Regulations 2007

2. The Cattle Identification (Scotland) Regulations 2007^(b) are amended in accordance with regulations 3 to 7.

3. In regulation 4 (notification by keepers)–

(a) in paragraph (2), for “in accordance” substitute “under”; and

(b) after paragraph (2) insert–

“(3) Failure to comply with this regulation is an offence.”.

4. At the end of regulations 11 (power to restrict movements) and 12(2) (slaughter of animals without identification), insert “, and failure to comply with such notice is an offence”.

5. In Schedule 2, paragraph 2(2) (notification of movement), after “moved” insert “on to or”.

6. In Schedule 3, for paragraph 7(5) (replacement cattle passports), substitute–

“(5) Failure to comply with sub-paragraph (1) or (4) is an offence.”.

^(a) 1972 c.68. 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, in so far as within devolved competence, were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998.

^(b) S.S.I. 2007/174.

7. For paragraphs 12 and 13 of Schedule 3 (alteration and misuse of documents), substitute—

“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.

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.”.

St Andrew’s House,
Edinburgh
5th June 2007

RICHARD LOCHHEAD
A member of the Scottish Executive

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Cattle Identification (Scotland) Regulations 2007 (S.S.I. 2007/174) (“the principal Regulations”).

Regulation 3 creates an offence of failing to comply with regulation 4 of the principal Regulations (notification by keepers).

Regulation 4 creates offences of failing to comply with a notice served under regulation 11 of the principal Regulations (power to restrict movements) or a notice served under regulation 12(2) of the principal Regulations (slaughter of animals without identification).

Regulation 5 amends paragraph 2(2) of Schedule 2 to the principal Regulations (notification of movement) to clarify the time limit for notification of movement on to holdings.

Regulation 6 clarifies the offence provision at paragraph 7(5) of Schedule 3 to the principal Regulations (replacement cattle passports).

Regulation 7 amends paragraphs 12 and 13 of Schedule 3 to the principal Regulations (alteration and misuse) to include movement cards and movement documents.

A Regulatory Impact Assessment has not been produced for this instrument because it has no impact on the costs of business.

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