

## SCHEDULE 3

Regulation 6

### Cattle passports

## PART 1

### Passports

#### **Issue of a passport**

1.—(1) If the Secretary of State receives a fully completed and accurate application for the registration of an animal within the specified time limits, he must issue a cattle passport for that animal.

(2) He may issue one if he receives an application outside the specified time, but only if he is satisfied of the animal's identity and that all the information in the application is accurate.

(3) The passport remains the property of the Secretary of State at all times.

#### **Retention of cattle passports**

2.—(1) A keeper must retain the cattle passport for each animal (unless it has been submitted to the Secretary of State) and produce it to an inspector on demand.

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

#### **Lost cattle passports and replacements**

3.—(1) If a cattle passport is lost, stolen or destroyed, the keeper of the animal to which it relates must notify the Secretary of State in writing within 14 days of becoming aware of the fact and apply for a replacement.

(2) The Secretary of State may only provide a replacement cattle passport if he is satisfied that he can accurately reconstruct the movements of the animal since birth or importation.

(3) If the Secretary of State does not provide a replacement, the animal to which it relates must not be moved off a holding except (under the authority of a licence granted by the Secretary of State) to a collection centre authorised as such under the Animal By-Products Regulations 2005<sup>(1)</sup>.

(4) If a person who has obtained a replacement cattle passport subsequently finds the original cattle passport, he must notify the Secretary of State within 7 days and enclose with the notification the original cattle passport.

(5) Any person who fails to comply with any provision of this paragraph is guilty of an offence.

#### **Fees**

4.—(1) The Secretary of State may set a fee for a replacement cattle passport.

(2) The fee is the amount that the Secretary of State considers reasonable to enable him to meet his expenses in replacing the passport.

(3) He must publicise the fee on his website.

(4) The fee is payable with the application and is not refundable if the applicant withdraws the application or the Secretary of State is unable to obtain sufficient information to issue a replacement passport.

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(1) [S. I. 2005/2347](#).

*Status: This is the original version (as it was originally made).*

### **Confiscation of cattle passports**

5.—(1) An officer of the Secretary of State or a local authority may serve a notice on a keeper requiring him to surrender a passport if—

- (a) there is no animal on the holding for that passport;
- (b) the passport does not correctly describe the animal to which it purports to relate, or the passport was issued for a different animal;
- (c) the ear tag number in the passport is different from the ear tag number on the animal;
- (d) the movement details on the passport are not the same as the movement details on the database kept by the Secretary of State in accordance with these Regulations or in the records kept by the keeper in accordance with these Regulations;

and any person who fails to comply with such a notice is guilty of an offence.

(2) The Secretary of State may not return a passport until he is satisfied that the passport accurately describes an animal in the possession of the keeper and that the movement entries in the passport are accurate.

### **Stolen animals**

6. If an animal with a cattle passport is lost or stolen, the keeper must send the cattle passport to the Secretary of State within 7 days of becoming aware of the fact, together with written details of what has occurred, and failure to do so is an offence.

### **Alterations**

7. It is an offence to alter or deface any information in a cattle passport.

### **Misusing a passport**

8. It is an offence to use a cattle passport in relation to an animal other than the animal for which it was granted.

## **PART 2**

### **Movement using passports**

#### **Movement off a holding**

9.—(1) When cattle are moved off a holding, the keeper must ensure that the cattle passport is marked with the date of movement and must sign it in the appropriate place.

(2) He must give the cattle passport duly completed to the transporter before the cattle are moved off the holding.

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

#### **Transporting cattle**

10.—(1) Anyone transporting cattle must ensure that each animal is accompanied throughout its journey by a valid cattle passport.

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

(3) But, if the transporter is not the owner of the animals, it is a defence for him to prove that he had no reason to believe that an animal was not accompanied by a valid cattle passport.

### **Movement on to a holding**

**11.**—(1) When cattle are moved on to a holding, the transporter must give each animal's cattle passport to the new keeper (or, if moved through a market, he must give it to the market operator, who must then give it to the new keeper).

(2) The new keeper or market operator must ensure that the cattle passport is marked with—

- (a) the date of movement on to the holding,
- (b) the name and address of the keeper (or, in the case of a market, the operator of the market) and the holding number, using if practicable the bar code label provided by the Secretary of State,

and must sign it.

(3) He must do this within 36 hours of the arrival of the animal.

(4) No one may move the animal off the holding until the passport has been completed in accordance with this paragraph.

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

### **Imported cattle**

**12.**—(1) In the case of cattle brought into England from outside Great Britain, the animal may be moved from the place it was brought into England to the holding at which it must be registered in accordance with paragraph 4 or 5 of Schedule 2 using its passport (if it has one) or its movement document.

(2) If it has a passport its keeper must complete it in accordance with this Schedule, and failure to do so is an offence.

### **Exports**

**13.**—(1) Where cattle are exported to third countries the keeper must send the cattle passports to the Secretary of State within seven days, and failure to do so is an offence.

(2) When cattle are transported outside Great Britain to a destination within the European Union the transporter must ensure that each animal is accompanied by its passport, and failure to do so is an offence.

### **Markets and animal gatherings**

**14.**—(1) The operator of a market or other animal gathering commits an offence if any cattle are accepted without a valid cattle passport (or, in the case of imported cattle, documentation permitting them to be moved).

(2) In this and the following paragraph “animal gathering” means an occasion at which animals are brought together for one or more of the following purposes—

- (a) a sale, show or exhibition;
- (b) onward consignment; or
- (c) inspection to confirm the animals possess specific breed characteristics.

### **Licences**

**15.** An officer of the Secretary of State (or, in the case of an animal at a market, animal gathering or slaughterhouse, an inspector) may at any time issue a licence for cattle to be moved without a cattle passport if he is satisfied that it is necessary to do so and that it is not practicable to obtain one.

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