
SCOTTISH STATUTORY INSTRUMENTS

2000 No. 418

ANIMALS

ANIMAL HEALTH

The Sheep and Goats Identification (Scotland) Regulations 2000

Made - - - - 23rd November 2000
*Laid before the Scottish
Parliament* - - - - 27th November 2000
Coming into force - - 1st January 2001

The Scottish Ministers, in exercise of the powers conferred by section 2(2) of the European Communities Act 1972^{F1} and of all other powers enabling them in that behalf, hereby make the following Regulations:—

F1 1972 c.68. Section 2(2) was amended by the [Scotland Act 1998 \(c.46\)](#), [Schedule 8](#), paragraph 15(3). The function conferred upon the Minister of the Crown under section 2(2) of the European Communities Act 1972, insofar as within devolved competence, was transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998.

PART I

INTRODUCTION

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Sheep and Goats Identification (Scotland) Regulations 2000 and shall come into force on 1st January 2001.

(2) These Regulations shall extend to Scotland only.

Interpretation

2. In these Regulations—

“breed society mark” means any mark which is registered by the Scottish Ministers in accordance with regulation 7(5);

“flockmark” means the mark allocated to the keeper of sheep by the Scottish Ministers according to regulation 3(5);

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“herdmark” means the mark allocated to the keeper of goats by the Scottish Ministers according to regulation 3(5);

“holding” means any establishment, construction or, in the case of an open air farm, any place in which sheep or goats are held, kept or handled;

“inspector” means a person appointed to be an inspector for the purposes of these Regulations by the Scottish Ministers or a local authority;

“keeper” means any person having care and control of sheep or goats, even on a temporary basis;

“local authority” means a council constituted under section 2 of the Local Government etc. (Scotland) Act 1994 ^{F2};

“unique individual identification number” means a unique combination of the letters “UK” followed by the herdmark or flockmark of the holding of birth, followed by a number which is unique to the animal to which it is applied and which has been created by the keeper of the holding of birth; and

“veterinary treatment” means any treatment or other procedure carried out by or under the supervision of a veterinary surgeon and shall include castration.

F2 1994 c.39.

PART II

NOTIFICATION OF HOLDINGS AND RECORDS

Notification of holdings where sheep or goats are kept

3.—(1) Subject to paragraph (2) below, any person who keeps sheep or goats on a holding in Scotland shall, within one month after the coming into force of these Regulations or, as the case may be, within one month after the keeper begins to keep sheep or goats notify, the Scottish Ministers in writing of the details in paragraph (3) below.

(2) Any person who has given notification in relation to the keeping of sheep or goats in accordance with article 3 of the Sheep and Goats (Records, Identification and Movement) Order 1996 ^{F3} shall not require to comply with paragraph (1) above and for the purposes of these Regulations that notification shall be deemed to be a notification under paragraph (1) above.

(3) Details to be notified in accordance with paragraph (1) above are—

- (a) the address of the holding;
- (b) the name and address of the occupier of the holding; and
- (c) whether sheep or goats or both are usually kept on the holding.

(4) Any person keeping sheep or goats on a holding in Scotland shall notify the Scottish Ministers in writing of any change in the details specified in paragraph (3) above within one month of such change.

(5) Following a notification, or a deemed notification under this regulation the Scottish Ministers may allocate to that keeper’s holding a flockmark in the case of sheep or a herdmark in the case of goats.

(6) The Scottish Ministers may from time to time alter or issue a new herdmark or flockmark to a keeper.

F3 S.I. 1996/28.

Records concerning sheep

4.—(1) Any person keeping sheep in Scotland (other than a market, abattoir, collection centre or showground) shall record, on or before 31st January in each year, the number of sheep on that holding on 1st January of that year.

(2) Within 36 hours of sheep being moved intentionally on or off a holding, every keeper shall record—

- (a) the date of movement;
- (b) the total number of sheep moved;
- (c) either—
 - (i) the temporary mark applied to each sheep under regulation 12(2) below;
 - (ii) the flockmark shown on the eartag or tattoo of each sheep;
 - (iii) the unique individual identification number (if there is one) shown on the eartag or tattoo of each sheep; or
 - (iv) a breed society mark;
- (d) either—
 - (i) the holding from which the sheep have been brought, if they are moved on to the holding; or
 - (ii) the holding to which the sheep are moved if they are moved off the holding; and
- (e) in the case of a movement off a market, the lot number (if any) allocated at the market.

(3) In the case of sheep being sold without being moved on or off a holding, the seller shall record, within 36 hours of the sale—

- (a) the date of sale;
- (b) the number of sheep sold; and
- (c) the name and address of the purchaser.

(4) In the case of a sheep marked in accordance with regulation 8 or re-marked in accordance with 15(3) or (4) below, the keeper shall, within 36 hours of re-marking the sheep, record the new mark and the previous one, if known.

(5) All records under this regulation shall be retained by the person making the record for a period of 6 years.

Records for specified sheepmeat producers

5.—(1) In addition to the records required by regulation 4 above, a keeper who is a sheepmeat producer for the purposes of Council Regulation 3493/90/EEC (laying down general rules for the grant of premium to sheepmeat and goatmeat producers ^{F4} amended by Council Regulation 3797/91 ^{F5}, Council Regulation 2070/92 ^{F6} and Council Regulation 233/94 ^{F7}) shall keep the records specified in this regulation.

(2) On or before 31st January each year, the keeper shall record the total number of female sheep on the holding on 1st January that year which either were over 12 months old or had given birth.

(3) Within 14 days of any of the following events—

- (a) the intentional movement on or off the holding of female sheep which were either over 12 months old or which had given birth;

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- (b) a female sheep which has not given birth reaching the age of 12 months;
- (c) a sheep under 12 months old giving birth;
- (d) the discovery that a female sheep which was either over 12 months old or which had given birth has been lost from the holding, either because it has died or because it is missing from the holding,

the keeper shall record the total number of female sheep on the holding which have given birth or which are over 12 months old, and the reasons that the total number of such sheep on the holding has changed.

(4) All records under this regulation shall be retained by the person making the record for a period of 6 years.

(5) All records relating to sheep required by virtue of regulation 4 and this regulation shall be kept together in the form of a single document.

F4	O.J. No. L 337, 4.12.90. p.7.
F5	O.J. No. L 357, 28.12.91, p. 2.
F6	O.J. No. L 215, 30.7.92, p. 63.
F7	O.J. No. L 30, 3.2.94, p.9.

Records concerning goats

6.—(1) Any person keeping goats in Scotland (other than a market, abattoir, collection centre or showground) shall record, on or before 31st January each year, the number of goats on that holding on 1st January of that year.

(2) Within 36 hours of goats being moved intentionally on or off a holding, every keeper shall record—

- (a) the date of movement;
- (b) the total number of goats moved;
- (c) either—
 - (i) the temporary mark applied to each goat under regulation 12(2) below;
 - (ii) the herdmark shown on the eartag or tattoo of each goat;
 - (iii) the unique individual identification number (if there is one) shown on the eartag or tattoo of each goat; or
 - (iv) a breed society mark;
- (d) either—
 - (i) the holding from which the goats have been brought, if they are moved on to the holding; or
 - (ii) the holding to which the goats are moved if they are moved off the holding; and
- (e) in the case of a movement off a market, the lot number (if any) allocated at the market.

(3) In the case of goats being sold without being moved on or off a holding, the seller shall record, within 36 hours of the sale—

- (a) the date of sale;
- (b) the number of goats sold; and
- (c) the name and address of the purchaser.

(4) In the case of a goat marked in accordance with regulation 8 or re-marked in accordance with 15(3) or (4) below, the keeper shall, within 36 hours of re-marking the goat, record the new mark and the previous one, if known.

(5) All records under this regulation shall be retained by the person making the record for a period of 6 years.

(6) All records relating to goats required by virtue of this regulation shall be kept together in the form of a single document.

PART III

MARKING SHEEP AND GOATS

Marking sheep and goats born in Scotland

7.—(1) Subject to the following provisions of this regulation, the keeper of any sheep or goat born in Scotland on or after the date of coming into force of these Regulations, or which is still on its holding of birth on that date, shall mark it as soon as possible, and in any case before it is moved from the holding of birth with an eartag or tattoo consisting of—

- (a) in the case of an eartag, the letters “UK” followed by the flockmark or herdmark of the holding of birth; or
- (b) in the case of a tattoo, the flockmark or herdmark of the holding of birth.

(2) In the case of the movement off a holding of a sheep or goat, which has not been marked in accordance with this regulation, it shall be a defence in any proceedings under this regulation for the person moving the sheep or goat to prove—

- (a) that it was moved from the holding of birth to be tattooed or to receive veterinary treatment; and
- (b) that it was returned to the holding of birth immediately after being tattooed or so treated.

(3) Paragraph (1) above shall not apply in relation to sheep or goats which were marked with an eartag or tattoo indicating the flockmark or herdmark of the holding of its birth or breed society mark before the coming into force of these Regulations and which are still on the holding of birth at that date.

(4) Notwithstanding the provisions of paragraph (1) above, for a period of one year after the coming into force of these Regulations (except in the case of regulation 11 below)—

- (a) a keeper may mark a sheep or goat with a tag which bears the flockmark or herdmark of the holding of its birth without the prefix “UK”; or
- (b) a keeper may mark a sheep or goat with a breed society mark.

(5) The Scottish Ministers shall maintain a register of marks issued by breed societies and shall enter in such register any mark which a breed society applies to them to be registered under this paragraph.

Marking sheep and goats brought into Scotland from outside the European Union

8.—(1) If a sheep or goat is brought into Scotland from outside the European Union, it shall be marked by the keeper at the holding of the place of destination, within 30 days of arrival on that holding and in any event before it is moved from that holding, with an eartag or tattoo consisting of—

- (a) in the case of an eartag, the letters “UK” followed by the flockmark or herdmark of the holding of the place of destination and the letter “F”; or