WELSH STATUTORY INSTRUMENTS

2002 No. 1357 (W.133)

ANIMALS, WALES

ANIMAL HEALTH

The Sheep and Goats Identification and Movement (Interim Measures) (Wales) Order 2002

Made - - - -	*14th May 2002*
Coming into force - -	*15th May 2002*

The National Assembly for Wales and the Secretary of State, acting jointly in exercise of the powers conferred on them by sections 1 and 8(1) of the Animal Health Act 1981, (**1**) make the following Order:

Title, application, commencement and cessation

1.—(1) This Order may be cited as the Sheep and Goats Identification and Movement (Interim Measures) (Wales) Order 2002 and applies to Wales.

(2) This Order comes into force on 15th May 2002 and shall cease to have effect on 1st December 2002.

Interpretation

2.—(1) In this Order—

"assembly centre" means an assembly centre approved by the National Assembly for Wales in accordance with regulation 12(2) of the Animals and Animal Products (Import and Export) (England and Wales) Regulations 2000 (**2**);

"collecting centre" means any premises used for the intermediate reception of animals intended to be moved elsewhere but not including any place used, whether as a market or otherwise for the trading of animals and not including an assembly centre;

(**1**) 1981 c. 22 See section 86(1) for the definitions of "the Ministers" and "the Minister". In relation to Wales, the powers of "the Ministers" so far as exercisable by the Secretary of State for Wales were transferred to the National Assembly for Wales by the National Assembly for Wales (Transfer of Functions) Order 1999 (SI 1999/672) and in so far as such powers were exercisable by the Secretary of State for Scotland, they were transferred to the Minister of Agriculture , Fisheries and Food by the Transfer of Functions (Agriculture and Food) Order 1999 (SI 1999/3141). The functions of the Minister of Agriculture, Fisheries and Food were subsequently transferred to the Secretary of State by the Ministry of Agriculture, Fisheries and Food (Dissolution) Order 2002 (SI 2002/ 794).

(**2**) S.I. 2000/1673; relevant amendment is the Animals and Animal Products (Import and Export) (England and Wales) (Amendment) (Wales) Regulations 2002 (S.I. 2002/430 (W.52)).

"CPH number" means the farm holding number assigned from time to time to any premises or part of any premises by the National Assembly;

"flockmark" means the sheep flockmark allocated by the National Assembly under article 3;

"F Mark" means an F Mark in accordance with article 6(1) and (4);

"goat" means a live goat;

"herdmark" means the goat herdmark allocated by the National Assembly under article 3;

"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;

"individual identification number" means an individual identification number in accordance with article 6(1), (9) and (10).

"keeper" means any person having care and control of sheep or goats, even on a temporary basis but not including any person who is only a keeper because he or she is transporting the animals;

"National Assembly" means the National Assembly for Wales;

"Origin Mark" means an Origin Mark in accordance with article 6(1) and (5);

"R Mark" means an R Mark in accordance with article 6(1) and (6);

"relevant date" means the date on which this Order comes into force;

"sheep" means a live sheep;

"S Mark" means an S Mark in accordance with article 6(1) and (7);

"show" means an occasion at which animals are exhibited but not solely for the purpose of sale;

"slaughterhouse" has the meaning given in regulation 2(1) of the Fresh Meat (Hygiene and Inspection) Regulations 1995(**3**)

"sole occupancy group" means any group of premises in relation to which an authority has been issued by the National Assembly or the Secretary of State permitting movements between each of the premises in the group;

"temporary grazing land" means land to which sheep are moved for a temporary period for the purpose of being fed or pastured but which is not part of the holding where the sheep are usually kept;

"temporary mark" means a temporary mark in accordance with article 6(11);

"veterinary treatment" means treatment, other procedure or castration, carried on by or under the supervision of a veterinary surgeon.

(2) Unless the context otherwise requires, any reference in this Order to a numbered article is a reference to the article bearing that number in this Order and any reference in an article to a numbered or lettered paragraph or sub-paragraph is a reference to the paragraph or sub-paragraph bearing that number or letter in that article.

Notification of holdings where sheep or goats are kept

3.—(1) Any person who keeps any sheep or goats on a holding must, within one month of the relevant date or, as the case may be, within one month after he or she begins to keep the sheep or goats after the relevant date, notify the National Assembly in writing—

(a) of the address of the holding;

(b) of the name and address of the occupier of the holding; and

(**3**) S.I. 1995/539 as amended by S.I. 1995/3189, S.I. 2000/656, and in relation to Wales by S.I. 2000/2257, S.I. 2001/1508, S.I. 2001/1740, S.I. 2001/1802, S.I. 2001/2627 and S.I. 2002/129.

(c) whether sheep or goats or both are usually kept on the holding.

(2) The keeper must notify the National Assembly in writing of any change in the particulars specified in paragraph (1) within one month of such change.

(3) On receiving notification under this regulation the National Assembly must, subject to paragraph (4), allocate in respect of the holding a flockmark in the case of sheep or a herdmark in the case of goats.

(4) Where the holding is a slaughterhouse or market, the National Assembly shall allocate a flockmark or herdmark only where it deems it appropriate to do so.

(5) Paragraph (1) shall not apply in respect of a holding where before the relevant date the particulars set out in paragraph (1)(a) to (c) were notified in accordance with regulation 3 of the Sheep and Goats Identification and Movement (Interim Measures) Wales Regulations 2002 (**4**).

Sheep records

4.—(1) Any person keeping sheep on a holding (other than an assembly centre, market, show, slaughterhouse or collecting centre) must 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 a sheep being moved onto or off a holding, the keeper must record—

(a) the date of movement;

(b) the total number of sheep moved;

(c) one of the following marks—

(i) the latest S Mark applied to the sheep,

(ii) where there is no S Mark, the Origin Mark or the mark made under regulation 7(5) of the Sheep and Goats Identification (Wales) Regulations 2000 (**5**),

(iii) where there is no mark as mentioned in sub-paragraphs (c)(i) or (ii), the F Mark or R Mark; or

(iv) where a sheep bears the maximum number of marks permitted under article 10, the individual identification number together with the mark which was applied at the same time as the individual identification number;

(d) in the case of a sheep moved onto the holding, the address of the holding from which it came; in the case of a sheep being moved off the holding, the address of the holding to which it is going;

(e) in the case of sheep moved from a market, the lot number allocated at the market;

(f) in the case of sheep moved to a show, an individual identification number together with the mark which was applied at the same time as the individual identification number;

(g) in the case of a sheep being moved to an assembly centre, the individual identification number (if more than one, the latest individual identification number applied);

(h) in the case of sheep being moved to a destination outside Great Britain, one of the following—

(i) an Origin Mark which includes the letters "UK", and the individual identification number,

(ii) an F Mark which includes the letters "UK", and the individual identification number, or

(iii) an X Mark and the individual identification number; and

(**4**) S.I. 2002/274 (W.30), as amended by S.I. 2002/811 (W.91).
(**5**) S.I. 2000/2335 (W.152)

(i) in the case of a ram being moved for breeding purposes in accordance with article 3(2)(b)(xviii) of the Disease Control (Interim Measures) (Wales) Order 2002, the individual identification number together with the mark which was applied at the same time as the individual identification number.

(3) Paragraph 2(c) shall not apply in the case of a sheep—

(a) moved direct to a slaughterhouse;

(b) moved direct to a market for the purpose of sale for slaughter;

(c) moved to a collecting centre before being moved to a slaughterhouse; or

(d) returned direct to a holding from a market to which it had been sent for the purpose of sale for slaughter;

provided the keeper records the temporary mark applied to the sheep.

(4) In the case of a sheep being sold without being moved onto or off a holding, the vendor must record, within 36 hours of the sale—

(a) the date of the sale;

(b) the number of sheep sold; and

(c) the name and address of the purchaser.

(5) In the case of a sheep marked in accordance with article 11 or re-marked in accordance with article 13(2)(b) or (c), the keeper must, within 36 hours of marking or re-marking the sheep (as the case may be), record the new sheep flockmark and the previous one, if known.

(6) When a keeper marks a sheep with an X Mark, he or she shall within 36 hours—

(a) where the X Mark is applied at an assembly centre, cross reference the X Mark and the individual identification number applied at the same time as the X Mark, with the mark which has been recorded under paragraph (2)(c) and with the individual identification number recorded under paragraph (2) (g); and

(b) where the X Mark is applied at a holding other than an assembly centre, cross-reference the X Mark and the individual identification number applied at the same time as the X Mark, with the mark recorded under paragraph 2(c).

(7) The person making a record under this article must retain the record for a period of six years.

Goat records

5.—(1) Any person keeping a goat on a holding (other than an assembly centre, market, show, slaughterhouse or collecting centre) must record, on or before 31st January in each year, the number of goats on that holding on 1st January of that year.

(2) Within 36 hours of a goat being moved onto or off a holding, the keeper must record—

(a) the date of movement;

(b) the total number of goats moved;

(c) one of the following marks—

(i) the latest S Mark applied to the goat;

(ii) where there is no S Mark, the Origin Mark or the mark made under regulation 7(5) of the Sheep and Goats Identification (Wales) Regulations 2000;

(iii) where there is no mark as mentioned in sub-paragraphs (c)(i) or (ii), the F Mark or R Mark; or

(iv) where a goat bears the maximum number of marks permitted under article 10, the individual identification number together with the mark which was applied at the same time as the individual identification number;

(d) in the case of a goat moved onto the holding, the address of the holding from which it came; in the case of a goat being moved off the holding, the address of the holding to which it is going;

(e) in the case of goat moved from a market, the lot number allocated at the market;

(f) in the case of a goat moved to a show, an individual identification number together with the mark which was applied at the same time as the individual identification number;

(g) in the case of a goat being moved to an assembly centre, the individual identification number (if more than one, the latest individual identification number applied);

(h) in the case of a goat being moved to a destination outside Great Britain, one of the following—

(i) an Origin Mark which includes the letters "UK", and the individual identification number,

(ii) an F Mark which includes the letters "UK", and the individual identification number, or

(iii) an X Mark and the individual identification number.

(i) in the case of a goat being moved for breeding purposes in accordance with article 3(2)(b)(xviii) of the Disease Control (Interim Measures) (Wales) Order 2002, the individual identification number together with the mark which was applied at the same time as the individual identification number.

(3) Paragraph 2(c) shall not apply in the case of a goat—

(a) moved direct to a slaughterhouse;

(b) moved direct to a market for the purpose of sale for slaughter;

(c) moved to a collecting centre before being moved to a slaughterhouse; or

(d) returned direct to a holding from a market to which it had been sent for the purpose of sale for slaughter;

provided the keeper records the temporary mark applied to the goat.

(4) In the case of a goat being sold without being moved onto or off a holding, the vendor must 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.

(5) In the case of a goat marked in accordance with article 11 or re-marked in accordance with article 13(2)(b) or (c), the keeper must, within 36 hours of marking or re-marking the goat (as the case may be), record the new herdmark and the previous one, if known.

(6) When a keeper marks a goat with an X mark, he or she shall within 36 hours—

(a) where the X Mark is applied at an assembly centre, cross reference the X Mark and the individual identification number applied at the same time as the X Mark, with the mark which has been recorded under paragraph (2)(c) and with the individual identification number recorded under paragraph (2) (g); and

(b) where the X Mark is applied at a holding other than an assembly centre, cross-reference the X Mark and the individual identification number applied at the same time as the X Mark, with the mark recorded under paragraph 2(c).