STATUTORY RULES OF NORTHERN IRELAND

2011 No. 349

EUROPEAN COMMUNITIES

ANIMALS

Cattle Identification (Notification of Births, Deaths and Movements) (Amendment) Regulations (Northern Ireland) 2011

Made - - - -	*5th October 2011*
Coming into operation	*31st October 2011*

The Department of Agriculture and Rural Development (**1**), being a Department designated (**2**) for the purposes of section 2(2) of the European Communities Act 1972 (**3**) in relation to the common agricultural policy of the European Community, in exercise of the powers conferred on it by the said section 2(2) makes the following Regulations.

Citation and commencement

1. These Regulations may be cited as the Cattle Identification (Notification of Births, Deaths and Movements) (Amendment) Regulations (Northern Ireland) 2011 and shall come into operation on 31st October 2011.

Amendment to the Cattle Identification (Notification of Births, Deaths and Movements) Regulations (Northern Ireland) 1999

2.—(1) The Cattle Identification (Notification of Births, Deaths and Movements) Regulations (Northern Ireland) 1999(**4**) are amended in accordance with this Regulation.

(2) In regulation 2(2) (Interpretation) after the definition of "Divisional Veterinary Office" insert —

> ""electronic communication" means a communication transmitted (whether from one person to another, from one device to another or from a person to a device or vice versa)—
>
> (a) by means of an electronic communications network; or
>
> (b) by other means but while in an electronic format,

(**1**) Formerly the Department of Agriculture for Northern Ireland see the Departments Order 1999 S.I. 1999/283 (N.I. 1) Article 3(4)
(**2**) S.I. 1972 No. 1811
(**3**) 1972 c.68
(**4**) S.R. 1999 No. 265, as amended by S.R. 2004 No. 420

and any such means of communication shall be approved by the Department.".

(3) In regulation 6(1) (Notification of birth) prior to the words "The notification" the words "Subject to regulation 9A, " are inserted.

(4) In the title of regulation 7 (Notification of cattle movement), omit the word "cattle".

(5) In regulation 8(1) (Notification of death) prior to the words "The notification" the words "Subject to regulation 9A," are inserted.

(6) In the title of regulation 9, after the words "Electronic notification" the words "of movement" are inserted.

(7) In paragraph (1) of regulation 9 (Electronic notification), substitute "electronic means" with "means of electronic communication".

(8) In paragraph (3) of regulation 9 (Electronic notification), substitute "electronic means" with "means of electronic communication".

(9) After regulation 9 (Electronic notification) insert——

"**Electronic notification of birth and death**

9A.—(1) The Department may authorise any person to notify the birth of an animal for the purposes of regulation 6, or death of an animal for the purposes of regulation 8, by means of electronic communication.

(2) An authorisation under this regulation—

(a) shall be in writing, may be made subject to such conditions as may be specified in the authorisation and may be amended, suspended or revoked by notice in writing at any time; and

(b) shall specify the format in which the data is to be transmitted and the method of transmission.

(3) Where a keeper is authorised under this regulation to notify the birth or death of any animal by means of electronic communication, any notification he gives pursuant to that authorisation shall contain the same information in relation to that birth or death; and be delivered to the Department within the same time limits as would be required in the case of a notification by notification document under regulation 6 for births or regulation 8 for deaths.

(4) The Department shall maintain a register of persons authorised under and for the purposes of this regulation and the information which the register contains shall be made available to any person who applies to the Department in writing and is able to show that he has a legitimate interest in acquiring this information.

(5) The Department may make a reasonable charge (up to and including the full economic cost) for the provision of information under paragraph (4).

(6) For the purposes of paragraph (4), a person has a "legitimate interest" in acquiring information under that paragraph if it is relevant to his business or profession or, in the case of a charity, consumer organisation or similar body, to that body's particular interest.".