STATUTORY RULES OF NORTHERN IRELAND

2006 No. 508

AGRICULTURE

The Sheep and Goats (Records, Identification and Movement) (Amendment) Order (Northern Ireland) 2006

Made - - - -	*6th December 2006*
Coming into operation	*31st December 2006*

The Department of Agriculture and Rural Development(**1**), makes the following Order in exercise of the powers conferred by Articles 5(1)(b), 19(e) and (g), 44 and 60(1) of the Diseases of Animals (Northern Ireland) Order 1981(**2**):

Citation and commencement

1. This Order may be cited as The Sheep and Goats (Records, Identification and Movement) (Amendment) Order (Northern Ireland) 2006 and comes into operation on 31st December 2006.

Amendment of The Sheep and Goats (Records, Identification and Movement) Order (Northern Ireland) 2005

2. The Sheep and Goats (Records, Identification and Movement) Order (Northern Ireland) 2005(**3**) is amended as follows.

3. In Article 22 (Export of animals to a member State)—

(a) for paragraph (1) there shall be substituted—

"(1) A person who exports or consigns for export to a member State, any animal, shall ensure that, in addition to any other requirement in this Order for the identification of the animal, it has attached to its left ear, in such a position as not to obscure any other tag, a blue approved eartag bearing information identical—

(a) in the case of an animal born within the European Union on or after 9th July 2005, to the approved eartag attached to it as the first means of identification in accordance with Article 9(2) or, where that eartag has been replaced under paragraph1(4)(a) of Schedule 1, to that replacement;

(**1**) The Department of Agriculture for Northern Ireland was renamed the Department of Agriculture and Rural Development by Article 3(4) of the Departments Order 1999 (S.I. 1999/283 (N.I. 1))

(**2**) S.I. 1981/1115 (N.I. 22); The relevant amendments are S.I. 1984/702 (N.I. 2) Article 17(2) and S.I. 1994/1891 (N.I. 6) Article 23 (1) and (2)

(**3**) S.R. 2005 No. 535

(b) in the case of an animal born within the European Union on or before 8th July 2005, to the approved eartag attached to it in accordance with Article 8;

(c) in the case of an animal imported from a third country, to the approved eartag attached to it in accordance with Article 12(3).

(1A) For the purposes of paragraph (1) any reference in that paragraph to a provision of this Order (except Article 12(3)) includes a reference to any provision in legislation implementing or supplementing the Council Regulation in Great Britain or a member State and having an equivalent effect.".

(b) for sub-paragraph (2)(c) there shall be substituted—

"(c) an animal born on or after 9th July 2005 if the first means of identification has been lost or damaged and not replaced on the holding on which it was born or not replaced in accordance with these Regulations or legislation in Great Britain implementing or supplementing the Council Regulation and having an equivalent effect.".

4. After Article 24 (Processing plants, collection centres and incineration plants) there shall be inserted—

"**Powers of inspectors**

24A. An inspector may, for any purpose relating to the enforcement of this Order—

(a) collect, pen and mark any animal and require a keeper to arrange for the collection, penning, marking and securing of any animal;

(b) remove and retain any document or record;

(c) have access to, and check the operation of, any computer and any associated apparatus or material which is or has been used in connection with records;

(d) where a record is kept by means of a computer, require the record to be produced in a form which may be taken away;

(e) require the production of any unused eartags, and record their numbers;

(f) take with him a representative of the European Commission acting for the purposes of Article 12 of the Council Regulation, or any other people or things he considers necessary.

Reasonable assistance

24B. A person required to give reasonable assistance or information to a person acting under this Order shall, unless he has reasonable cause, do so without delay.

Information to be furnished to an inspector

24C.—(1) The keeper of an animal shall, on demand by an inspector, provide such information as he possesses as to—

(a) that animal and any other animal which is or has been on his holding;

(b) any eartag, holding register or movement document which is or has been in his possession;

(c) the location of all or any part of his holding; and

(d) such other matter as the inspector may require for the purposes of his functions under this Order.