STATUTORY RULES OF NORTHERN IRELAND

2003 No. 538

EUROPEAN COMMUNITIES
ANIMALS

Registration of Establishments (Laying Hens) Regulations (Northern Ireland) 2003

Made - - - - 18th December 2003

Coming into operation 1st January 2004

The Department of Agriculture and Rural Development, being a Department designated(**1**) for the purposes of section 2(2) of the European Communities Act 1972(**2**) 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), and of every other power enabling it in that behalf, hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Registration of Establishments (Laying Hens) Regulations (Northern Ireland) 2003 and shall come into operation on 1st January 2004.

Interpretation

2. In these Regulations –

"authorised officer" means any person who is authorised, either generally or specially, by the Department to act in matters arising under these Regulations;

"the Department" means the Department of Agriculture and Rural Development;

"the Directive" means Commission Directive 2002/4/EC on the registration of establishments keeping laying hens, covered by Council Directive 1999/74/EC(**3**);

"establishment" means any site at which 350 or more laying hens are kept;

"laying hens" means hens of the species *Gallus gallus* which have reached maturity and are kept for the production of eggs not intended for hatching; and

(**1**) S.I.2000/2812
(**2**) 1972 c. 68
(**3**) O.J. No. L30, 31.1.2002, p. 44

"register" means the register of establishments maintained by the Department pursuant to regulation 3.

Creation of a register and provision of a distinguishing number

3.—(1) The Department shall create and maintain a register of establishments.

(2) The Department shall, within a reasonable time after receipt of an application, note an establishment on the register, allocate to the establishment a distinguishing number composed in accordance with the Directive and communicate that number to the applicant.

Exchange of information

4. The Food Standards Agency and any district council shall have access to the register for the purpose of tracing eggs put on the market for human consumption.

Prohibition on operation or bringing into service of establishments

5.—(1) A person shall not continue to operate an establishment after 1st March 2004 unless an application has been made to the Department to note that establishment on the register.

(2) A person shall not bring an establishment into operation after 1st March 2004 unless an application has been made to note that establishment on the register and a distinguishing number communicated to the applicant by the Department.

(3) Applications shall contain the information set out in the Schedule and shall be in such form as the Department may require.

(4) The operator of an establishment shall notify the Department of any change to the information on the register within 28 days.

Powers of authorised officers

6.—(1) An authorised officer shall, on producing if required to do so some duly authenticated document showing his authority, have the right at all reasonable hours to enter any land or premises (other than premises used exclusively as a dwelling house) for the purposes of ascertaining whether there is or has been on or in respect of the premises any contravention of these Regulations.

(2) Such an officer shall have powers to carry out all checks and examinations necessary for the enforcement of these Regulations, and in particular may examine and copy documentary or data processing material.

Obstruction

7.—(1) A person shall not –

(a) obstruct any person acting in the execution of these Regulations;

(b) without reasonable cause, fail to give any person acting in the execution of these Regulations any assistance or information which that person may reasonably require for the purposes of his functions under these Regulations; or

(c) furnish to any person acting in the execution of these Regulations any information which he knows to be false.

(2) Nothing in paragraph (1)(b) shall be construed as requiring any person to answer any question or give any information if to do so might incriminate him.