STATUTORY RULES OF NORTHERN IRELAND

1999 No. 324

EUROPEAN COMMUNITIES
ANIMALS

Cattle Passport Regulations (Northern Ireland) 1999

Made - - - -	*9th July 1999*
Coming into operation	*3rd September 1999*

The Department of Agriculture, 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:

PART I

Introduction

Citation and commencement

1. These Regulations may be cited as the Cattle Passport Regulations (Northern Ireland) 1999 and shall come into operation on 3rd September 1999.

Interpretation and application

2.—(1) The Interpretation Act (Northern Ireland) 1954(**3**) shall apply to these Regulations as it applies to a Measure of the Northern Ireland Assembly.

(2) In these Regulations—

"animal" means bovine animals including the species Bison bison and Bubalus bubalis;

"cattle passport" means a document containing the information set out in Article 6.1 of Commission Regulation (EC) No. 2629/97 (laying down detailed rules for the implementation of Council Regulation (EC) No. 820/97 as regards eartags, holding registers and passports in

(**1**) S.I.1972/1811
(**2**) 1972 c. 68
(**3**) 1954 c. 33

the framework of the system for the identification and registration of bovine animals(**4**)) issued by the appropriate competent authority;

"the Council Regulation" means Council Regulation (EC) No. 820/97 (establishing a system for the identification and registration of bovine animals and regarding the labelling of beef and beef products(**5**));

"holding" means any establishment, construction or, in the case of an open-air farm, any place in Northern Ireland in which cattle are held, kept or handled;

"inspector" means a person appointed to be an inspector for the purposes of these Regulations by the Department;

"keeper" means any person responsible for animals, whether on a permanent or on a temporary basis, including during transportation or at a market;

"member State" means any member State of the European Communities, other than the United Kingdom; and

"official veterinary surgeon" means a person designated as such in accordance with regulation 7(2) of the Fresh Meat (Hygiene and Inspection) Regulations (Northern Ireland) 1997(**6**).

(3) In these Regulations a reference to "another part of the European Community" shall be construed as a reference to a place in Great Britain, the Isle of Man or any of the Channel Islands or to a place in any member State.

(4) These Regulations shall apply in relation to any animal intended for intra-Community trade after the date of their coming into operation.

PART II

Cattle Passports

Application for a passport for cattle intended for export

3.—(1) Any keeper of animals may apply for a cattle passport for any animal which he intends to consign out of Northern Ireland to another part of the European Community.

(2) An application for a cattle passport under paragraph (1) shall be made in writing to the Department and shall be in such form as the Department may require.

(3) Any person who moves an animal from a holding for consignment out of Northern Ireland to another part of the European Community, before the keeper of that animal applies for a cattle passport for that animal, shall be guilty of an offence.

Production on demand

4.—(1) Any cattle passport issued by the Department shall remain the property of the Department and shall be produced or surrendered to an officer of the Department, a Minister of the Crown or a competent authority of a member State on demand.

(2) Any person who fails to produce or surrender a cattle passport as required by paragraph (1) shall be guilty of an offence.

(**4**) O.J. No. L354, 30.12.97, p. 19
(**5**) O.J. No. L117, 7.5.97, p. 1
(**6**) S.R. 1997 No. 493

Consignment of animals out of Northern Ireland

5. In accordance with Article 6.3 of the Council Regulation any person who consigns any animal out of Northern Ireland to another part of the European Community commits an offence unless the animal is accompanied by a cattle passport which—

(a) has been issued under Article 6 of the Council Regulation, and

(b) is signed in the appropriate place in accordance with Article 6.1 of Commission Regulation (EC) No. 2629/97 and contains the information about the animal specified in that Article.

Completion of cattle passports when cattle are to be consigned out of Northern Ireland

6.—(1) When an animal is moved off a holding for consignment out of Northern Ireland to another part of the European Community, the keeper shall give the cattle passport relating to that animal, duly completed, in accordance with paragraph (2), to the transporter and the transporter shall, subject to paragraph (3), ensure that each animal is accompanied throughout its journey by that cattle passport.

(2) A cattle passport accompanying an animal during any movement to which paragraph (1) relates shall be marked with the date on which the movement began and shall be signed in the appropriate place by the keeper.

(3) Any person who fails to comply with any provision of this regulation shall be guilty of an offence.

(4) It shall be a defence for any person charged under paragraph (3) who is not the owner of the animal to which the charge relates to prove that he had no reason to believe that the animal was intended to be consigned out of Northern Ireland or that the cattle passport which accompanied it was not genuine or did not relate to the animal being moved, as the case may be.

Movement of cattle through Northern Ireland

7. In accordance with Article 6.2 of the Council Regulation, where cattle are transported through Northern Ireland from a place in a member State, Great Britain, the Isle of Man or any of the Channel Islands to another such place, the transporter shall ensure that each animal is accompanied by the cattle passport which relates to it, and any person who fails to do so shall be guilty of an offence.

Cattle from other member States, Great Britain, the Isle of Man and the Channel Islands

8.—(1) If an animal is brought to a holding of destination in Northern Ireland from a member State, Great Britain, the Isle of Man or any of the Channel Islands the keeper shall, subject to paragraph (2), within 7 days of its arrival at that holding, and in any event before the animal leaves that holding, surrender the cattle passport accompanying the animal to the Department.

(2) Nothing in paragraph (1) shall require the keeper of any animal to surrender to the Department a passport relating to it where—

(a) the holding of destination was a slaughterhouse, and

(b) the animal was slaughtered within seven days of its arrival at the slaughterhouse,

but in such a case the keeper shall give any cattle passport accompanying the animal to the official veterinary surgeon for the slaughterhouse, or his representative, at the time of slaughter.

(3) Any person who fails to surrender a cattle passport as required by paragraph (1) or (2) shall be guilty of an offence.