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STATUTORY RULES OF NORTHERN IRELAND

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**1998 No. 279**

**Cattle Identification (No. 2)  
Regulations (Northern Ireland) 1998**

**Part III**

**General**

**Powers of inspectors**

**14.**—(1) An inspector 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 domestic premises not being used for any purpose to which these Regulations apply) for the purposes of ascertaining whether there is or has been on the premises any contravention of these Regulations.

(2) An inspector exercising powers under paragraph (1) shall have powers to carry out all checks and examinations necessary for the enforcement of the Council Regulation, and in particular may—

- (a) collect, pen and inspect any cattle, and may by notice served on the keeper require the keeper to arrange for the collection, penning and securing of cattle;
- (b) examine any records in whatever form, and take copies of those records;
- (c) remove and retain any documents and records relating to compliance by any person with these Regulations;
- (d) have access to, and inspect and check the operation of, any computer and any associated apparatus or material which is or has been used in connection with records, and may require any person having charge of, or otherwise concerned with the operation of, the computer, apparatus or material to afford him such assistance as he may reasonably require;
- (e) where records are kept by means of a computer, may require the records to be produced in a form in which they may be taken away; and
- (f) take with him a representative of the European Commission acting for the purposes of the Council Regulation or any other person he considers necessary for the enforcement of these Regulations.

**Powers of an officer of the Department**

**15.**—(1) In accordance with the second indent of Article 21 of the Council Regulation and the first indent of Article 1 of Commission Regulation (EC) No. 494/98(1), an officer of the Department may serve a notice on a keeper of animals on a holding restricting the movement of cattle from the holding if he is satisfied that this is necessary for the proper enforcement of either Regulation.

(2) An officer of the Department may seize an animal in order to carry out the requirements laid down in the second indent of Article 1 of Commission Regulation (EC) No. 494/98(1).

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(1) O.J. No. L60, 28.2.98, p. 78

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(3) Any person who fails to comply with a notice given to him under paragraph (1) shall be guilty of an offence.

### **Obstruction**

**16.**—(1) A person shall not—

- (a) intentionally obstruct any person acting in the execution of these Regulations or Council Regulation 494/98;
- (b) without reasonable cause, fail to give to any person acting in the execution of these Regulations any assistance or information which that person may reasonably require of him for the purposes of his functions under these Regulations, or fail to comply with any notice served on him under these Regulations or Council Regulation 494/98; or
- (c) furnish to any person acting in the execution of these Regulations any information which he knows to be false or misleading,

and any person who contravenes this regulation shall be guilty of an offence.

(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.

### **Penalties**

**17.**—(1) A person guilty of an offence under regulation 16(1)(a) or (b) shall be liable on summary conviction to a fine not exceeding level 5 on the standard scale or to imprisonment for a term not exceeding three months or to both.

(2) A person guilty of any other offence under these Regulations shall be liable—

- (a) on summary conviction, to a fine not exceeding the statutory maximum or to imprisonment for a term not exceeding three months or to both;
- (b) on conviction on indictment, to a fine or to imprisonment for a term not exceeding two years or to both.

### **Revocation**

**18.**—(1) Articles 14, 14A, 14B, 15, 16 and 17 of the 1964 Order<sup>(2)</sup> are hereby revoked.

(2) Regulations 3(1)(a) and (b) of the Cattle Identification (Enforcement) Regulations (Northern Ireland) 1998<sup>(3)</sup> are hereby revoked.

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(2) S.R. & O. 1964 No. 31 as amended by S.R. 1981 No. 348, S.R. 1986 No. 48, S.R. 1994 No. 216 and S.R. 1996 No. 9  
(3) S.R. 1998 No. 27