



Agriculture Act 2020

2020 CHAPTER 21

PART 4

MATTERS RELATING TO FARMING AND THE COUNTRYSIDE

34 Identification and traceability of animals

(1) In the Natural Environment and Rural Communities Act 2006, after section 89 insert—

“89A Identification and traceability of animals

- (1) Where the Secretary of State makes or has made an order under section 87(1)
 - (a) establishing a body, the functions that may be assigned to the body under section 87(1)(b) by the Secretary of State include functions that are exercisable in relation to England, Wales, Northern Ireland or Scotland and relate to—
 - (a) collecting, managing and making available information regarding the identification, movement and health of animals, or
 - (b) the means of identifying animals.
 - (2) An order of the Secretary of State assigning functions under section 87(1)(b) by virtue of subsection (1) may only be made with the approval of—
 - (a) the Welsh Ministers, if the functions are exercisable in relation to Wales,
 - (b) the Department of Agriculture, Environment and Rural Affairs in Northern Ireland, if the functions are exercisable in relation to Northern Ireland, and
 - (c) the Scottish Ministers, if the functions are exercisable in relation to Scotland.
 - (3) Provision made by virtue of subsection (1) may not require or authorise the disclosure or use of information in contravention of the data protection legislation (within the meaning of section 3 of the Data Protection Act 2018).

Changes to legislation: Agriculture Act 2020, Section 34 is up to date with all changes known to be in force on or before 22 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- (4) In this section “animals” has the same meaning as it has for the purposes of section 8 of the Animal Health Act 1981.”
- (2) In the Animal Health Act 1981, in section 8 (movement generally)—
- (a) in subsection (1)(a), for “the marking of animals” substitute “—
- (i) in relation to England or Wales, the means of identifying animals, and
- (ii) in relation to Scotland, the marking of animals.”;
- (b) after subsection (1) insert—
- “(1A) Provision made under subsection (1)(a) made by the Secretary of State or the Welsh Ministers may bind the Crown.”
- (3) In Regulation (EC) No 1760/2000 of the European Parliament and of the Council of 17 July 2000 establishing a system for the identification and registration of bovine animals—
- (a) in Article 1 (member States to establish systems for the identification and registration of bovine animals), at the end insert—
- “3
- This Title does not apply in relation to England or Wales.”, and
- (b) in Article 22 (compliance)—
- (i) in paragraph 1 at the end insert—
- “The fourth, fifth and sixth subparagraphs do not apply in relation to England or Wales.”, and
- (ii) in paragraph 2 at the end insert—
- “This paragraph does not apply in relation to England or Wales.”
- (4) In Council Regulation (EC) No 21/2004 of 17 December 2003 establishing a system for the identification and registration of ovine and caprine animals, in Article 1 (member States to establish systems for the identification and registration of ovine and caprine animals), at the end insert—
- “3
- This Regulation does not apply in relation to England or Wales.”

Commencement Information

- II** [S. 34](#) in force at Royal Assent for specified purposes and [s. 34\(1\)\(2\)](#) in force otherwise at 11.1.2021, see [s. 57\(1\)\(b\)\(c\)\(6\)](#)

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 42(4A)(4B) inserted by [2021 c. 10 s. 9\(2\)](#)
- s. 42(6A)-(6C) inserted by [2021 c. 10 s. 9\(4\)](#)