

SCHEDULE 3

Regulation 7

Cattle Passports etc.

PART 1

General

Application for a cattle passport on the birth of an animal

1.—(1) On the birth of an animal the keeper shall submit an application for a cattle passport to the Scottish Ministers within 7 days of—

- (a) in the case of bison, the birth of the animal;
- (b) in the case of a dairy animal, the date the second ear tag is applied to the animal in accordance with Article 4(1) of Regulation (EC) No. 1760/2000 and paragraph 1 of Schedule 1; and
- (c) in any other case, the date ear tags are applied to the animal in accordance with Article 4(1) of Regulation (EC) No. 1760/2000 and paragraph 1 of Schedule 1.

(2) An application for a cattle passport for a bison shall be accompanied by notification of the identification code of the ear tag that will be attached to the animal.

Applications for cattle passports for animals from other member States etc.

2.—(1) The keeper at the holding of destination of an animal from the Channel Islands, the Isle of Man, Northern Ireland or another member State, shall, within 15 days of its arrival at that holding send to the Scottish Ministers—

- (a) an application for a cattle passport for the animal; and
- (b) any cattle passport previously issued for the animal under Regulation (EC) No. 820/1997 or Regulation (EC) No. 1760/2000 in the Channel Islands, the Isle of Man, Northern Ireland or another member State.

(2) Where an animal to which sub-paragraph (1) applies enters a market or showground on arrival in Scotland, the holding of destination is the holding to which the animal is moved from the market or showground.

(3) Sub-paragraph (1) does not apply in relation to an animal whose holding of destination is a slaughterhouse.

Applications for cattle passports for animals from third countries

3.—(1) The keeper at the holding of destination of an animal from a third country shall apply for a cattle passport for the animal within 15 days of the date it is tagged in accordance with the first paragraph of Article 4(3) of Regulation (EC) No. 1760/2000.

(2) Sub-paragraph (1) does not apply in relation to an animal whose holding of destination is a slaughterhouse.

Method of application

4. An application for a cattle passport shall be made in such form and manner as is from time to time approved by the Scottish Ministers.

Issue of cattle passports etc.

5.—(1) On receipt of a properly completed application for a cattle passport submitted under paragraphs 1, 2 or 3 and made in accordance with paragraph 4 the Scottish Ministers shall issue a cattle passport.

(2) The Scottish Ministers may issue a cattle passport when an application is submitted outwith the time limits specified in paragraphs 1 to 3 if they are satisfied that it would be reasonable to do so in all the circumstances of the case.

(3) If the Scottish Ministers are not satisfied that a cattle passport should be issued they shall issue a notice of registration for the animal for which the application was submitted.

(4) Any identification document issued by the Scottish Ministers remains the property of the Scottish Ministers at all times.

Retention of identification documents

6.—(1) The keeper of any animal for which an identification document has been issued shall retain said document and produce it to an inspector on demand.

(2) Failure to comply with this paragraph is an offence.

Replacement cattle passports

7.—(1) The keeper of any animal whose identification document (except a notice of registration) has been lost, stolen, destroyed or become illegible shall submit an application for a cattle passport to the Scottish Ministers within 14 days of becoming aware of that fact.

(2) On receipt of an application submitted under sub-paragraph (1) and made in accordance with paragraph 4 the Scottish Ministers shall issue a cattle passport if they are satisfied that all movements of the animal since its birth or entry to Great Britain can be traced accurately.

(3) If the Scottish Ministers are not satisfied that a cattle passport should be issued for an animal for which an application is submitted under sub-paragraph (1)–

(i) they shall issue a notice of registration for that animal; and

(ii) the animal shall not be moved off the holding except under the authority of a licence issued by the Scottish Ministers.

(4) A keeper or person who has kept an animal for which a cattle passport has been issued under sub-paragraph (2) who subsequently recovers the original identification document shall within 7 days of recovering it send written notification of that fact to the Scottish Ministers and return the original identification document to them.

(5) Failure to comply with this paragraph is an offence.

Replacement notices of registration

8.—(1) The keeper of an animal whose notice of registration has been lost, stolen, destroyed or become illegible shall submit an application for a notice of registration to the Scottish Ministers within 14 days of the date of becoming aware of that fact.

(2) An application for a notice of registration shall be made in such form and manner as is from time to time approved by the Scottish Ministers.

(3) On receipt of a properly completed application the Scottish Ministers shall issue a notice of registration.

Fees

9. The Scottish Ministers may impose a reasonable fee for processing an application for a replacement cattle passport.

Missing animals

10.—(1) If an animal for which an identification document has been issued is lost or stolen, the keeper shall within 7 days of becoming aware of that fact notify the Scottish Ministers of it and return the identification document to them.

(2) Failure to comply with this paragraph is an offence.

Surrender of identification documents

11.—(1) An officer of the Scottish Ministers or a local authority inspector may serve a notice on a keeper requiring the surrender of an identification document or a movement card if that officer or inspector reasonably believes that the provisions of Regulation (EC) No. 1760/2000 or these Regulations have not been complied with.

(2) Any person on whom a notice is served under sub-paragraph (1) who fails to comply with the notice is guilty of an offence.

Alterations

12. It is an offence to alter any information in an identification document with intent to deceive or to deface an identification document.

Misusing an identification document

13. It is an offence to use an identification document in relation to an animal other than the animal for which it was issued.

PART 2

Movement and cattle passports etc.

Movement off a holding

14.—(1) The keeper of any animal that is to be moved off a holding shall—

- (a) enter the date of movement in and sign any cattle passport issued for that animal; and
- (b) pass its identification document (except a notice of registration) to any person transporting the animal from the holding.

(2) Failure to comply with this paragraph is an offence.

Transporting animals

15.—(1) No person shall knowingly transport an animal that is not accompanied by its identification document.

(2) Failure to comply with this paragraph is an offence.

Movement on to a holding

16.—(1) Any person transporting an animal shall pass its identification document (except a notice of registration) to the keeper at the holding to which the animal is delivered.

(2) The keeper taking possession of any animal that is accompanied by a cattle passport shall within 36 hours of the arrival of the animal on the holding—

- (a) enter in the cattle passport—
 - (i) the date of movement on to the holding;
 - (ii) the holding number; and
 - (iii) the name and address of that keeper; and
- (b) sign the cattle passport.

(3) Any animal to which sub-paragraph (2) applies shall not be moved off the holding until the requirements of that sub-paragraph have been complied with.

(4) Failure to comply with this paragraph is an offence.

Animals from outside Great Britain

17.—(1) If any animal arrives in Scotland from outside Great Britain it may be moved from its point of entry into Scotland to the holding at which its arrival must be notified to the Scottish Ministers in accordance with paragraph 1 of Schedule 2 if it is accompanied by—

- (a) a cattle passport issued for that animal under Regulation (EC) No. 820/1997 or Regulation (EC) No. 1760/2000 in another member State, the Channel Islands, the Isle of Man or Northern Ireland; or
- (b) a movement document.

(2) The keeper at the holding referred to in sub-paragraph (1) shall within 36 hours of the arrival of the animal on the holding—

- (a) enter in the cattle passport—
 - (i) the date of movement on to the holding;
 - (ii) the holding number; and
 - (iii) the name and address of that keeper; and
- (b) sign the cattle passport.

(3) Any animal to which this paragraph applies shall not be moved off the holding until the requirements of sub-paragraph (2) have been complied with.

(4) Failure to comply with this paragraph is an offence.

Export to third countries

18.—(1) In accordance with Article 6(5) of Regulation (EC) No. 1760/2000, the keeper of any animal that is exported to a third country shall send the cattle passport for that animal to the Scottish Ministers within 7 days of the departure of the animal from Scotland.

(2) Failure to comply with this paragraph is an offence.

Markets

19.—(1) The operator of a market shall not allow an animal to enter the market unless it is accompanied by—

- (a) an identification document;

- (b) a cattle passport issued for that animal under Regulation (EC) No. 820/1997 or Regulation (EC) No. 1760/2000 in another member State, the Channel Islands, the Isle of Man or Northern Ireland; or
 - (c) a movement document.
- (2) Failure to comply with this paragraph is an offence.

Animals with notices of registration

20.—(1) No person shall move an animal for which a notice of registration has been issued from a holding except under the authority of a licence.

- (2) Failure to comply with this paragraph is an offence.

Licences

21. An officer of the Scottish Ministers or an inspector may issue a licence allowing an animal to be moved without an identification document if the officer or inspector is satisfied that it is necessary to move the animal.