
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations make provision for the administration and enforcement in Great Britain of—

- Title 1 of Council Regulation (EC) 820/97 establishing a system for the identification and registration of bovine animals and regarding the labelling of beef and beef products (OJNo. L117, 7.5.97, p. 1)
- Commission Regulation (EC) No. 2628/97 laying down detailed rules for the implementation of Council Regulation (EC) No. 820/97 as regards transitional provisions for the start-up period of the system for the identification and registration of bovine animals (OJ No. L354, 30.12.97, p. 17)
- Commission Regulation (EC) No. 2629/97 laying down detailed rules for the implementation of Council Regulation (EC) No. 820/97 as regards eartag, holding registers and passports in the framework of the system for the identification and registration of bovine animals (OJ No. L354, 30.12.97, p. 19).

Eartags

Part II of the Regulations deals with eartags. The Regulations provide for the enforcement of Article 4 of Council Regulations (EC) No. 820/97 relating to double eartagging of cattle (regulation 3). They specify the form of eartag to be used (regulation 4), prohibit movement from a holding of an animal which is not properly tagged (regulation 5) and make provision for the removal and replacement of eartags (regulation 6). They provide for missing eartags at a slaughterhouse (regulation 7) and tagging in the case of intra-Community trade and imports from third countries (regulations 8 and 9). They create an offence of altering an eartag (regulation 10) and contain transitional provisions (regulation 11).

Cattle passports

Part III of the Regulations deals with cattle passports for animals born or imported on or after the coming into force of these Regulations. The Regulations provide for the enforcement of the provision of Council Regulation (EC) No. 820/97 relating to movement of cattle without a cattle passport. Regulation 13 makes provision for application for cattle passports, and regulations 14 and 15 make it an offence to move cattle without a cattle passport.

The Regulations make provision for cattle brought into Great Britain from outside the European Union, from Northern Ireland, the Isle of Man and the Channel Islands, and other member States (regulations 16 and 17).

They provide for completion of a cattle passport when the animal is moved (regulation 18) and make provision for markets and slaughterhouses (regulations 19 and 20). They require the retention of cattle passports once granted (regulation 21) and make provision for lost cattle passports (regulation 22), change of eartag numbers (regulation 23) and fees for replacement cattle passports (regulation 24).

Regulations 25 to 27 deal with the return of cattle passports when animals are exported to third countries, or die, or are slaughtered.

Regulation 28 makes it an offence to alter or deface a cattle passport.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Records

Part IV of the Regulations deals with records. Regulation 29 and Schedule 2 enforce Article 7 of Council Regulation (EC) No. 820/97, which relates to keeping a register, provision of information and production and retention of the register. It also provides for time limits for entry in a register, and (at regulation 29(4)) makes additional provisions for markets.

General

Part V deals with powers of inspectors and penalties. Breach of regulation 32 (obstruction) is punishable by a fine of level 5 on the standard scale or three months imprisonment for obstruction. For other offences the penalty is

- on summary conviction, a fine not exceeding the statutory maximum, or imprisonment not exceed three months, or both;
- on conviction on indictment, a fine or imprisonment not exceeding two years or to both.

The Regulations are enforced by the local authority, the Minister for Agriculture or the Secretary of State (regulation 35).

The following regulations are revoked by regulation 36 and Schedule 3—

- The Bovine Animals (Records, Identification and Movement) Order 1995 (in part)
- The Cattle Passport Order 1996
- The Cattle Passport (Fees) Order 1996
- The Cattle Identification (Enforcement) Regulations 1997

A regulatory appraisal has been prepared and placed in the library of each House of Parliament. Copies can be obtained from the Animal Health (Disease Control) Division of the Ministry of Agriculture, Fisheries and Food, Government Buildings, Hook Rise South, Tolworth, Surbiton, Surrey KT6 7NF.