
STATUTORY INSTRUMENTS

2005 No. 3100

**The Sheep and Goats (Records, Identification
and Movement) (England) Order 2005**

PART 1

Introduction

Title, application and commencement

1. This Order—

- (a) may be cited as the Sheep and Goats (Records, Identification and Movement) (England) Order 2005;
- (b) applies in England; and
- (c) comes into force on 30th November 2005.

Interpretation

2.—(1) In this Order, except where the context otherwise requires—

“assembly centre” means an assembly centre as defined in regulation 1(2) of the Animals and Animal Products (Import and Export) (England) Regulations 2005⁽¹⁾ and approved by the Secretary of State in accordance with regulation 12(2) of those Regulations;

“Council Directive 92/102/EEC” means Council Directive 92/102/EEC on the identification and registration of animals⁽²⁾;

“Council Regulation” means Council Regulation (EC) No. 21/2004 establishing a system for the identification and registration of ovine and caprine animals and amending Regulation (EC) No. 1782/2003 and Directives 92/102/EEC and 64/432/EEC⁽³⁾;

“CPH”, in the forms in Schedules 2 and 3, means the county parish holding number assigned from time to time to any premises or part of any premises by the Secretary of State;

“flockmark”, except in paragraph 18 of Schedule 1, means the number allocated by the Secretary of State in respect of a flock of sheep on a holding;

“herdmark”, except in paragraph 18 of Schedule 1, means the number allocated by the Secretary of State in respect of a herd of goats on a holding;

“holding of import” means the holding to which animals imported from a third country are first moved for the purposes of livestock farming;

“identification tag” means the eartag referred to in paragraph 5 of Schedule 1 and approved by the Secretary of State in accordance with article 22;

“local authority” means—

⁽¹⁾ S.I.2005/2002.

⁽²⁾ OJ No L 355, 5.12.92, p. 32.

⁽³⁾ OJ No. L 5, 9.1.04, p. 8.

- (a) where there is, within the meaning of Local Government Changes for England Regulations 1994(4), a unitary authority for that local government area, that authority;
- (b) where there is not a unitary authority—
 - (i) in a metropolitan district, the council of that district;
 - (ii) in a non-metropolitan county, the council of that county; or
 - (iii) in each London borough, the council of that borough;
 - (iv) in the city of London, the Common Council;

“movement document” means the movement document required by Article 6 of the Council Regulation;

“movement tag”, except in paragraph 18 of Schedule 1, means an eartag approved by the Secretary of State in accordance with article 22 with a code comprising the following information, printed in the following order—

- (a) the letter “S”; and
- (b) the flockmark or herdmark of the flock or herd the animal is leaving;

“the previous Orders” means—

- (a) the Sheep and Goats Identification and Movement (Interim Measures) (England) (No. 2) Order 2002(5);
- (b) the Sheep and Goats Identification and Movement (Interim Measures) (England) Order 2002(6);
- (c) the Sheep and Goats Identification (England) Order 2000(7);
- (d) the Sheep and Goats Identification and Movement (Interim Measures) (Wales) (No. 2) Order 2002(8);
- (e) the Sheep and Goats Identification and Movement (Interim Measures) (Wales) Order 2002(9);
- (f) the Sheep and Goats Identification and Movement (Interim Measures) (Wales) Regulations 2002(10);
- (g) the Identification and Movement of Sheep and Goats Order (Northern Ireland) 2004(11);
- (h) the Identification and Movement of Sheep and Goats Order (Northern Ireland) 1997(12);
- (i) the Sheep and Goats Identification (Scotland) Regulations 2000(13); or
- (j) the Sheep and Goats Movement (Interim Measures)(Scotland) Order 2002(14);

“register” means the register required by Article 5 of the Council Regulation;

“R tag” means a red eartag approved by the Secretary of State in accordance with article 22 with a code comprising the following information, printed in the following order—

- (a) the letters “UK”;
- (b) the flockmark or herdmark of the flock or herd the animal is in when the eartag is applied;

(4) S.I. 1994/867 to which there are amendments not relevant to this Order.

(5) S.I. 2002/2153, amended by S.I. 2003/29, S.I. 2003/502 and S.I. 2003/1728.

(6) S.I. 2002/240, amended S.I. 2002/764 and S.I. 2002/1349.

(7) S.I. 2000/2027, amended by S.I. 2001/281.

(8) S.I. 2002/2302 (W. 227), amended by S.I. 2003/167 (W. 27), S.I. 2003/946 (W. 127) and S.I. 2003/1966 (W. 211).

(9) S.I. 2002/1357 (W. 133).

(10) S.I. 2002/274 (W. 30), amended by S.I. 2002/811 (W.91).

(11) S.R. (NI) 2004 No. 491.

(12) S.R. (NI) 1997 No. 173, amended by S.R. (NI) 1998 No. 393.

(13) S.S.I. 2000/418, amended by S.S.I. 2002/531 and S.S.I. 2002/39.

(14) S.S.I. 2002/38, amended by S.S.I. 2002/221.

- (c) a unique number; and
- (d) the letter “R”;

“R tattoo” means a tattoo with the following information, in the following order—

- (a) the flockmark or herdmark of the flock or herd the animal is in when the tattoo is applied;
- (b) a unique number; and
- (c) the letter “R”;

“temporary grazing” means a holding on to which a keeper moves an animal for a limited period of time for the purpose of being fed or pastured;

“unique number” means a number that is unique to an animal in a flock or herd and contains no more than 6 digits;

“X tag” means an eartag approved by the Secretary of State in accordance with article 22 with a code comprising the following information, printed in the following order—

- (a) the letters “UK”;
- (b) the flockmark or herdmark of the flock or herd the animal is leaving;
- (c) a unique number; and
- (d) the letter “X”.

(2) Expressions not defined in paragraph (1) which are used in this Order and which are also used in the Council Regulation have the same meaning in this Order as they have in that Council Regulation.

Individual identification code

3.—(1) A reference in this Order to the “individual identification code” of an animal, other than an animal bearing more than one eartag or tattoo with a number identifying the animal individually, is a reference to the code on—

- (a) the first means of identification attached to the animal in accordance with the Council Regulation; or
- (b) the eartag or tattoo by means of which an animal born on before 9th July 2005 was individually identified in accordance with any of the previous Orders or, in the case of an animal not so identified, the code on the identification tag.

(2) In the case of an animal bearing more than one eartag or tattoo with a number identifying the animal individually, a reference in this Order to the “individual identification code” is—

- (a) in the case of an animal not from Northern Ireland, the eartag or tattoo with the letters “UK” and a number identifying the animal individually or, if the animal is not so marked, the eartag or tattoo most recently applied that identifies the animal individually; or
- (b) in the case of an animal from Northern Ireland, the code applied to the eartag in the animal’s left ear.

The competent authority

4. The Secretary of State is the competent authority for the purposes of the Council Regulation.

Authorisations

5. Any authorisations, approvals or permissions issued under this Order or the Council Regulation shall be in writing, may be made subject to conditions and may be amended, suspended or revoked by notice in writing at any time.

PART 2

Identification of animals

Identification of animals born after 9th July 2005

6.—(1) Every keeper must comply with Article 4(1)(first paragraph) and Article 4(2)(a) and (b) of the Council Regulation and this article.

(2) For the purposes of Article 4(1) of the Council Regulation, the time limits for identifying an animal are—

- (a) 9 months from the date of birth, in the case of an animal kept in extensive or free range farming conditions; or
- (b) 6 months from the date of birth, in the case of any other animal.

(3) The identification code for the first means of identification for the purposes of Section A.2 of the Annex to the Council Regulation is the following information, printed in the following order—

- (a) the letters “UK”;
- (b) the flockmark or herdmark of the flock or herd of birth; and
- (c) a unique number.

Identification for animals moved from the holding of birth or holding of import within the United Kingdom

7.—(1) Pursuant to Article 4(2)(c) of the Council Regulation, the system to replace the second means of identification, other than for an animal involved in intra-Community trade, is the system in Schedule 1.

(2) The provisions of Schedule 1 apply in addition to the requirements of—

- (a) Articles 4(1), 4(2)(a), 4(4), 4(5) and 4(6) of the Council Regulation and this Part of this Order;
- (b) Articles 5(1), 5(3) and 5(5) of the Council Regulation and Part 3 of this Order; and
- (c) Articles 6(1) and 6(3) of the Council Regulation and Part 4 of this Order.

(3) Schedule 1 also applies to animals born on or before 9th July 2005.

Identification for animals moved to another member State from the holding of birth or holding of import

8.—(1) In the case of an animal born after 9th July 2005 and involved in intra-Community trade, Schedule 1 does not apply, and the second means of identification specified in Article 4(2)(b) of the Council Regulation is an eartag or electronic transponder conforming to Section A.4 of the Annex to the Council Regulation.

(2) The second means of identification shall bear—

- (a) an identification code identical to that applied to the first means of identification under article 6(3), in the case of an animal born in England, or article 10(3), in the case of an animal imported from a third country; or
- (b) in the case of an eartag only, the letters “UK”, the flockmark or herdmark of the flock or herd of birth or import, a unique number and the letter “X”.

Animals intended for slaughter

9. The identification method referred to in Article 4(3) of the Council Regulation and described in Section A.7 of the Annex to that Regulation shall not be used.

Identification of animals imported from third countries

10.—(1) A keeper must comply with Article 4(4) of the Council Regulation and this article.

(2) For the purposes of Article 4(4) (first paragraph) of the Council Regulation, the period for identifying an animal is 14 days.

(3) The identification code for the first means of identification for the purposes of Section A.2 of the Annex to the Council Regulation for animals imported from third countries is—

- (a) the letters “UK”;
- (b) the flockmark or herdmark of the flock or herd into which the animal is imported;
- (c) a unique number; and
- (d) the letter “F”.

Additional information

11. In accordance with Section A.2 (second paragraph) of the Annex to the Council Regulation, at the keeper’s request—

- (a) a manufacturer of approved eartags may add supplementary information to the eartag; and
- (b) a manufacturer of electronic transponders may add supplementary information to the casing of the transponder,

provided that the supplementary information is distinct from the identification number and provided that the identification number remains legible at all times.

Removal or replacement of means of identification

12.—(1) No person shall remove or replace the original identification of an animal originating in another member State in contravention of Article 4(5) of the Council Regulation.

(2) No person shall contravene or fail to comply with Article 4(6)(first paragraph) of the Council Regulation.

(3) It is a defence for any person charged with contravening or failing to comply with Article 4(5) or 4(6) of the Council Regulation to prove that—

- (a) a means of identification was removed to prevent unnecessary pain or suffering to an animal; and
- (b) a replacement bearing the same code was applied to the animal as soon as possible.

Replacement of the means of identification with a different code

13.—(1) If the first means of identification on a single tagged animal becomes illegible or is lost while the animal is still on the holding of birth or holding of import and the keeper is otherwise unable to ascertain the original code on the identification, he must apply a replacement eartag bearing—

- (a) the letters “UK”;
- (b) the flockmark or herdmark of the flock or herd the animal is in when the eartag is applied;
- (c) a unique number; and
- (d) in the case of an animal imported from a third country, the letter “F”.

(2) If the first means of identification on a single tagged animal is discovered to be illegible or is lost on any holding other than the holding of birth or holding of import and the keeper is otherwise unable to ascertain the original code on the identification, he must replace it with an R tag.

(3) For the purposes of this article, a “single tagged animal” means an animal born after 9th July 2005 which has only a first means of identification in accordance with Article 4(2)(a) of the Council Regulation.

PART 3

Holding registers

Holding register

14.—(1) Any keeper, other than a transporter, who fails to comply with Articles 5(1), 5(3) and 5(5) of the Council Regulation and, in respect of a register, fails to complete and keep that register in accordance with this article, is guilty of an offence against the Animal Health Act 1981 **(15)**.

(2) He must enter the following information in the register when an animal is moved on to or from his holding, in addition to the information required by Section B of the Annex to the Council Regulation—

- (a) the number of animals moved; and either
- (b) in the case of an animal identified in accordance with Articles 4(2)(a) and 4(2)(b) of the Council Regulation, the code on the first means of identification and, if it is different, the code on the second means of identification;
- (c) in the case of an animal moved on to the holding from another member State and marked in accordance with Council Directive [92/102/EEC](#), the code on the eartag applied under that Directive; or
- (d) in the case any other animal, the details required to be entered in the register under Schedule 1.

(3) In addition to paragraph 2, when an animal is moved from one location on a holding to another location on the holding, if those locations are not contiguous, the keeper must enter in the register—

- (a) a description of the locations to and from which the animal is moved;
- (b) the date of the movement; and
- (c) the number of animals moved.

(4) For the purposes of Article 5(3) of the Council Regulation, the register shall be in the form set out in Schedule 2.

(5) The keeper must complete the register at the following times—

- (a) in the case of the movement of an animal on to or from his holding, within 36 hours of the movement;
- (b) in the case of the movement of an animal from one location on his holding to another, within 36 hours of the movement; and
- (c) in the case of the replacement of an eartag or electronic device, within 36 hours of the replacement.

(6) For the purposes of Article 5(3) of the Council Regulation, the period for which the register shall be available is 6 years from the end of the calendar year in which the last entry was made.

Additional requirements for movements through markets

15.—(1) When animals are moved from a market, the market operator must enter the lot number he allocated to those animals under article 31(1) in the register at the market in addition to the information he is required to enter in that register under the Council Regulation and article 14.

(2) When animals are moved on to a holding from a market, the keeper at that holding must enter the lot number allocated by the market to those animals in his register in addition to the information he is required to enter in that register under the Council Regulation and article 14.

Additional requirements for movements to slaughterhouses

16. In addition to the requirements of article 14, when an animal is moved from a holding to a slaughterhouse, the keeper at that holding must enter the address of the slaughterhouse in his register, in addition to the name of the slaughterhouse as required by Section B.1 (sixth indent) of the Annex to the Council Regulation.

PART 4

Movement documents

Movement document

17.—(1) A keeper must comply with Article 6(1) of the Council Regulation and complete the movement document in accordance with this article.

(2) Any keeper who fails to comply with Article 6(3) of the Council Regulation is guilty of an offence against the Animal Health Act 1981**(16)**.

(3) Subject to paragraph (4), the movement document must—

- (a) be in the form set out in Schedule 3;
- (b) be completed in full by the appropriate keeper as specified in that form; and
- (c) in addition to containing the information required by Section C of the Annex to the Council Regulation, be completed by the keeper with the information in Schedule 3, including—
 - (i) in the case of an animal identified in accordance with Articles 4(2)(a) and 4(2)(b) of the Council Regulation, the code on the first means of identification and, if it is different, the code on the second means of identification; or
 - (ii) in the case of any other animal, the details required to be entered in the movement document under Schedule 1.

(4) A market operator may complete an electronically generated movement document in a form other than that set out in Schedule 3, provided that it—

- (a) contains the information in Section C of the Annex to the Council Regulation and paragraph (3)(c)(i) or (3)(c)(ii) of this article; and
- (b) is printed and signed by the market operator.

(5) For the purposes of Article 6(3) of the Council Regulation, the minimum period for which the keeper at the holding of destination must keep the movement document is 3 years from the date of the movement of an animal on to his holding.

Additional requirements for movements from markets

18. When animals are moved from a market, the market operator must enter the lot number he allocated to those animals under article 31(1) in the movement document in addition to the information he is required to enter in that movement document under the Council Regulation and article 17.

Supply of movement document

19.—(1) In the case of an animal moved to another holding—

- (a) upon the animal's arrival at that other holding, the transporter must give the movement document to the keeper at that holding; and
- (b) the keeper at that holding must send a copy of the movement document to the local authority within 3 days of the animal arriving at the holding.

(2) In the case of an animal moved from a holding for consignment outside the United Kingdom, the keeper at that holding must send a copy of the movement document to the local authority within 3 days of the animal leaving the holding.

PART 5

Central database

Inventory of animals

20. For the purposes of Article 7(2) of the Council Regulation, a keeper who keeps animals permanently must, before 1st February each year, make an inventory of the number of animals on his holding as at the 1st January that year.

Supply of information

21.—(1) Subject to paragraph (2), any keeper who fails to comply with Article 8(2) of the Council Regulation is guilty of an offence against the Animal Health Act 1981.

(2) Paragraph (1) shall not apply in respect of information that was provided to the Secretary of State in accordance with article 3 of the Sheep and Goats Identification and Movement (Interim Measures) (England) (No. 2) Order 2002(17).

(3) The keeper must notify the Secretary of State in writing of any change in the information specified in Article 8(2) of the Council Regulation within thirty days of such change.

(4) On receiving notification under Article 8(2) of the Council Regulation that a person has become the keeper on a holding, the Secretary of State shall, subject to paragraph (5), allocate a flockmark in respect of each flock of sheep on the holding and a herdmark in respect of each herd of goats on the holding.

(5) Where the holding is a slaughterhouse or a market, the Secretary of State shall allocate a flockmark or herdmark only where she deems it appropriate to do so.

PART 6

Eartags

Approval of eartags

22.—(1) In addition to approving eartags for the purposes of Section A.3 of the Annex to the Council Regulation, the Secretary of State shall approve eartags for the purposes of this Order.

(2) The Secretary of State may only approve eartags under paragraph (1) if she is satisfied that they are—

- (a) made of non-degradable material;
- (b) tamper-proof;
- (c) easy to read;
- (d) designed to remain attached to an animal without being harmful to it;
- (e) incapable of re-use; and
- (f) permanently marked with the information required by this Order.

Removal or replacement of eartags

23.—(1) No person shall remove any movement tag, identification tag, X tag or R tag from an animal without the authorisation of the Secretary of State, unless it is removed to prevent unnecessary pain or suffering to the animal.

(2) Paragraphs (3) to (5) are subject to article 25.

(3) If a movement tag is removed, lost or illegible, the keeper of the animal must, if he knows the number of that movement tag, attach an identical replacement to the animal as soon as possible, but no later than 6 months, after the movement tag was removed, lost or discovered to be illegible, but in any event before the animal is moved from the holding.

(4) If an identification tag is removed, lost or illegible, the keeper of the animal must attach an identical replacement or an R tag to the animal as soon as possible, but no later than 6 months, after the identification tag was removed, lost or discovered to be illegible, but in any event before the animal is moved from the holding.

(5) If an R tag is removed, lost or illegible, the keeper of the animal must attach an identical replacement or another R tag to the animal as soon as possible, but no later than 6 months, after the R tag was removed, lost or discovered to be illegible, but in any event before the animal is moved from the holding.

(6) For the purposes of this article, “movement tag”, “identification tag”, “X tag” and “R tag” shall be construed as including any eartag attached to an animal in Scotland, Wales or Northern Ireland in accordance with the Council Regulation and any provisions that give effect to the Council Regulation in Scotland, Wales and Northern Ireland that bears the same code as a movement tag, identification tag, X tag or R tag.

Removal or replacement of eartags and tattoos applied under previous Orders

24.—(1) No person shall remove an eartag or tattoo attached or applied to an animal under any of the previous Orders without the authorisation of the Secretary of State, unless it is removed to prevent unnecessary pain or suffering to the animal.

(2) Paragraphs (3) to (6) are subject to article 25.

(3) If an S mark is removed, lost or illegible, the keeper of the animal must, if he knows the number of that S mark, attach or apply an identical replacement to the animal as soon as possible,

but no later than 6 months, after the S mark was removed, lost or discovered to be illegible, but in any event before the animal is moved from the holding.

- (4) If an origin mark is removed, lost or illegible, the keeper must attach or apply to the animal—
 - (a) an identical replacement;
 - (b) an eartag or tattoo with the letters “UK”, in the case of an eartag, the flockmark or herdmark of the flock or herd of birth and a unique number, if the animal is on its holding of birth; or
 - (c) an R tag or, in the case of the replacement of a tattoo, an R tattoo, if the animal is on a holding other than the holding of birth.
- (5) If an F mark is removed, lost or illegible, the keeper must attach or apply to the animal—
 - (a) an identical replacement;
 - (b) an eartag or tattoo with the letters “UK”, in the case of an eartag, the flockmark or herdmark of the flock or herd of import and a unique number and the letter “F”, if the animal is on the holding of import; or
 - (c) an R tag or, in the case of the replacement of a tattoo, an R tattoo, if the animal is on a holding other than the holding of import.
- (6) If an R mark is removed, lost or illegible, the keeper must attach or apply to the animal—
 - (a) an R tag, if the R mark is an eartag or a tattoo; or
 - (b) an R tattoo, if the R mark is a tattoo.
- (7) For the purposes of this article, the “S mark”, “origin mark”, “F mark”, and “R mark” mean—
 - (a) the S mark, origin mark, F mark and R mark that was attached or applied to an animal in accordance with any of the previous Orders applicable in England; or
 - (b) in the case of an animal from Scotland, Wales or Northern Ireland any eartag that was attached to an animal in Scotland, Wales or Northern Ireland in accordance with any of the previous Orders applicable in Scotland, Wales or Northern Ireland that bears the same code as an S mark, origin mark, F mark or R mark.

Replacement of eartags lost at markets

25.—(1) The requirements of articles 23 and 24 to replace eartags and tattoos do not apply to a market operator or slaughterhouse operator.

(2) If an eartag or tattoo is removed, lost or discovered to be illegible while an animal is on the way to or at a market, the person who purchases the animal at the market must apply a replacement in accordance with the following provisions as soon as possible and in any event before the animal is moved from his holding—

- (a) in the case of a removed, lost or illegible movement tag, he must attach an identical replacement, unless, after taking all reasonable steps he cannot ascertain the number on the original tag;
- (b) in the case of a removed, lost or illegible identification tag, he must attach an identical replacement or an R tag;
- (c) in the case of a removed, lost or illegible eartag that was attached under any of the previous Orders, other than an S mark, he must attach an identical replacement or an R tag; or
- (d) in the case of a removed or illegible tattoo that was attached under any of the previous Orders, he must attach an R tag or apply an R tattoo.

Alteration of eartags etc.

26. No person shall alter, obliterate or deface the information on any eartag, tattoo or electronic transponder attached to an animal under—

- (a) the Council Regulation;
- (b) this Order or any provisions that give effect to the Council Regulation in Scotland, Wales or Northern Ireland;
- (c) any of the previous Orders; or
- (d) Council Directive [92/102/EEC](#), in the case of an animal marked in another member State in accordance with that Directive.

Red eartags

27. No person shall attach a red eartag to any animal, other than an R tag.

Application of flockmarks and herdmarks

28. No person shall attach or apply to any animal an eartag, tattoo or electronic transponder bearing a flockmark or herdmark, other than for the purpose of complying with the Council Regulation or this Order, unless authorised to do so by the Secretary of State.

Intra-Community trade or export

29. No person shall consign an animal for export or intra-Community trade if it is marked with an eartag or tattoo with the letter “R” indicating that it is a replacement eartag or tattoo attached or applied under articles 13(2), 23, 24 or 25 or under any of the previous Orders.

Defences

30.—(1) It is a defence for any person charged with contravening or failing to comply with any provision in this Order or in the Council Regulation relating to attaching or applying eartags, tattoos or electronic transponders to prove that doing so would cause unnecessary pain or suffering to the animal.

(2) It is a defence for any person charged with contravening or failing to comply with any provision in this Order or the Council Regulation relating to the movement of an animal from a holding without attaching or applying the required eartag, tattoo or electronic transponder to prove that the animal was moved from the holding for the purposes of emergency veterinary treatment.

PART 7

Markets

Markets

31.—(1) A market operator must ensure that all animals are divided into lots of one or more animals immediately upon their arrival at the market and that a lot number is allocated to each lot.

(2) No person shall buy an animal at a market unless he buys all the other animals in the lot to which that animal belongs and moves the entire lot from the market to the same holding.

(3) No person shall sell an animal at a market unless he also sells all the other animals in the lot to the same buyer.

PART 8

Animals brought into England

Receipt of animals from another member State

32. No person shall receive an animal from another member State unless it is identified in accordance with—

- (a) the Council Regulation, in the case of an animal born after 9th July 2005; or
- (b) Council Directive [92/102/EEC](#), in the case of an animal born on or before 9th July 2005.

Receipt of animals from Scotland, Wales or Northern Ireland

33. No person shall receive an animal from Scotland, Wales or Northern Ireland unless it is identified, tagged and accompanied by a movement document in accordance with—

- (a) in the case of an animal born after 9th July 2005, the Council Regulation, including any derogation exercised under the Council Regulation; or
- (b) in the case of an animal born on or before 9th July 2005, any of the previous Orders and any additional requirements imposed in legislation enforcing the Council Regulation.

Movements within England

34.—(1) Schedule 1 applies to the movement of a single tagged animal brought into England from Scotland, Wales or Northern Ireland.

(2) For the purposes of this article, a “single tagged animal” is an animal born after 9th July 2005 and identified in Scotland, Wales or Northern Ireland with only the first means of identification in accordance with Article 4(2)(a) of the Council Regulation and any provisions that give effect to that Article in Scotland, Wales or Northern Ireland.

PART 9

Miscellaneous

Enforcement

35.—(1) This Order shall be enforced by the local authority.

(2) The Secretary of State may direct, in relation to cases of a particular description or a particular case, that any duty imposed on a local authority under paragraph (1) shall be discharged by the Secretary of State and not by the local authority.

Amendments to the Disease Control (England) Order 2003

36.—(1) The Disease Control (England) Order 2003(**18**) shall be amended in accordance with paragraphs (2) to (4).

- (2) Article 9 shall be deleted.
- (3) In paragraph 12 of Schedule 1, sub-paragraph (2)(c) shall be deleted.
- (4) In Schedule 2—

- (a) paragraph 6(2)(c) shall be deleted;
- (b) paragraph 7(2)(b) shall be deleted; and
- (c) paragraph 8(2)(a) shall be deleted.

Revocations and transitional provisions

37.—(1) Subject to paragraphs (2) and (3), the following are revoked—

- (a) the Sheep and Goats Identification and Movement (Interim Measures) (England) (No. 2) Order 2002(**19**);
- (b) the Sheep and Goats Identification and Movement (Interim Measures) (England) (No. 2) (Amendment) Order 2003(**20**);
- (c) the Sheep and Goats Identification and Movement (Interim Measures) (England) (No. 2) (Amendment No. 2) Order 2003(**21**);
- (d) the Sheep and Goats Identification and Movement (Interim Measures) (England) (No. 2) (Amendment No. 3) Order 2003(**22**).

(2) The provisions of the Sheep and Goats Identification and Movement (Interim Measures) (England) (No. 2) Order 2002 relating to the marking of animals on the holding of birth shall continue to apply to any animal born on or before 9th July 2005.

(3) The provisions of the Sheep and Goats Identification and Movement (Interim Measures) (England) (No. 2) Order 2002 relating to the marking of animals imported on to a holding from outside the European Union shall continue to apply to any animal imported from outside the European Union on or before 9th July 2005.

Ben Bradshaw
Parliamentary Under Secretary of State
Department for Environment, Food and Rural
Affairs

6th November 2005

(19) S.I. 2002/2153.
(20) S.I. 2003/29.
(21) S.I. 2003/502.
(22) S.I. 2003/1728.