
EXPLANATORY NOTE

(This note is not part of the Order)

This Order makes provision for the administration and enforcement in England of 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). It revokes and replaces the Sheep and Goats (Records, Identification and Movement) (England) Order 2007, S.I. 2007/3493.

Part 2 provides that identification devices used to comply with this Order must be of a type approved by the Secretary of State and sets out some general provisions in relation to the application of identification devices.

Part 3 of the Order requires the application of two means of identification, including one electronic device, to an animal identified or imported on or after 31st December 2009. It provides for animals that are not intended for export and intended for slaughter within 12 months of birth to be identified with a single identification tag (article 10).

Part 4 makes provisions for the removal or replacement of identification marks on animals identified under Part 3.

Part 5 makes provisions for the identification of goats not identified under Part 3.

Part 6 makes provisions for the replacement of identification marks on animals identified before 31 December 2009 and on goats.

Part 7 makes provision for every keeper to keep an up-to-date holding register, setting out the information which must be entered in the register and when.

Part 8 makes provision for a movement document to accompany every animal when it moves between holdings (article 22) and specifies when and to whom the document must be supplied (article 23).

Part 9 sets out the requirement for keepers to keep an annual inventory (article 24) and supply information to the Secretary of State about their holding (article 25) and the time limits for doing so.

Part 10 provides for the allocation of lot numbers to animals at a market and prohibits the buying or selling of animals unless all animals from a lot are bought or sold (article 26). It exempts markets from the need to re-identify animals with missing identification marks (article 27) and provides for arrangements to be agreed to allow markets to continue to operate in the event of a power or equipment failure (article 28).

Part 11 makes provision for the identification requirements of animals brought into England from other member States, other parts of the United Kingdom, the Crown Dependencies and from third countries (articles 29 and 30).

Part 12 contains miscellaneous and enforcement provisions including the requirements relating to animals which are to be exported. Article 34 sets out a defence to the failure to identify an animal correctly in the case of emergency veterinary treatment. Article 35 confers various powers on inspectors and article 36 enables inspectors to prohibit the movement of a flock of sheep or a herd of goats to or from a holding. Articles 37 and 38 relate to the provision of false or misleading information and the alteration of identification marks. Article 39 relates to offences committed by bodies corporate and article 40 relates to offences committed by partnerships and unincorporated associations. The Order is enforced by the local authority or the Secretary of State if so directed (article 41).

Changes to legislation: *There are currently no known outstanding effects for the The Sheep and Goats (Records, Identification and Movement) (England) Order 2009. (See end of Document for details)*

Breach of the Order is an offence under section 73 of the Animal Health Act 1981, punishable in accordance with section 75 of that Act.

An Impact Assessment has been prepared and placed in the library of each House of Parliament. Copies can be obtained from Terry Gurnhill, Department for Environment, Food and Rural Affairs, Nobel House, 17 Smith Square, London SW1P 3JR.

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