

2013 No. 517

ANIMALS, ENGLAND

ANIMAL HEALTH

The Cattle Identification (Amendment) Regulations 2013

Made - - - - *5th March 2013*

Laid before Parliament *11th March 2013*

Coming into force - - *6th April 2013*

The Secretary of State is a Minister designated for the purposes of section 2(2) of the European Communities Act 1972(a) in relation to the common agricultural policy of the European Union(b) and in relation to measures in the veterinary and phytosanitary fields for the protection of public health(c).

The Secretary of State makes these Regulations in exercise of the powers conferred by section 2(2) of the European Communities Act 1972.

Title, application and commencement

1. These Regulations may be cited as the Cattle Identification (Amendment) Regulations 2013; they apply in England and come into force on 6th April 2013.

Amendment of the Cattle Identification Regulations 2007

2. The Cattle Identification Regulations 2007(d) are amended in accordance with regulations 3 to 6.

Review

3. After regulation 17 insert—

“Review

18.—(1) The Secretary of State must from time to time—

- (a) carry out a review of these Regulations;
- (b) set out the conclusions of the review in a report; and

(a) 1972 c. 68. Section 2(2) was amended by section 27(1)(a) of the Legislative and Regulatory Reform Act 2006 (c. 51) and section 3(3) of, and Part 1 of the Schedule to, the European Union (Amendment) Act 2008 (c. 7).
(b) S.I. 1972/1811.
(c) S.I. 1999/2027.
(d) S.I. 2007/529 amended by S.I. 2007/1046 and 2012/2897.

(c) publish the report.

(2) In carrying out the review the Secretary of State must, so far as is reasonable, have regard to how Regulation (EC) No 1760/2000 is implemented in other member States.

(3) The report must in particular—

(a) set out the objectives intended to be achieved by the regulatory system established by these Regulations;

(b) assess the extent to which those objectives are achieved; and

(c) assess whether those objectives remain appropriate and, if so, the extent to which they could be achieved with a system that imposes less regulation.

(4) The first report under this regulation must be published before the end of the period of five years beginning with 6th April 2013.

(5) Reports under this regulation are afterwards to be published at intervals not exceeding five years.”.

Schedule 2 (registration of cattle)

4. In paragraph 2(3) of Schedule 2, after paragraph (a) insert—

“(aa) using the Secretary of State’s automated telephony service;”.

Schedule 3 (cattle passports)

5. In paragraph 11 of Schedule 3, after sub-paragraph (2) insert—

“(2A) But sub-paragraph (2) does not apply to the occupier of a slaughterhouse.”.

Schedule 4 (notification of movement or death)

6. In Schedule 4—

(a) in paragraph 1(1), after paragraph (a) insert—

“(aa) using the Secretary of State’s automated telephony service;” and

(b) in paragraph 2—

(i) for sub-paragraphs (1) to (3) substitute—

“(1) When an animal is slaughtered at a slaughterhouse, the occupier of the slaughterhouse must notify the Secretary of State of the death within seven days—

(a) using the Secretary of State’s interactive website;

(b) using the Secretary of State’s automated telephony service;

(c) using software approved by the Secretary of State; or

(d) by completing the death details in the animal’s passport and returning it to the Secretary of State,

and must return the animal’s passport to the Secretary of State within seven days.

(2) If an animal is slaughtered outside a slaughterhouse but sent to a slaughterhouse for dressing, the keeper must complete the death details in the passport and send it with the animal to the slaughterhouse, and the occupier of the slaughterhouse must notify the death by returning the passport to the Secretary of State within seven days of the death of the animal.

(3) In any other case, when an animal dies or is killed the keeper must notify the Secretary of State of the death within seven days—

(a) using the Secretary of State’s interactive website;

(b) using the Secretary of State’s automated telephony service;

(c) using software approved by the Secretary of State; or

(d) by completing the death details in the animal's passport and returning it to the Secretary of State,

and must return the animal's passport to the Secretary of State within seven days.

(3A) But where an animal's passport has been taken and retained by an inspector under regulation 10(3)(d), a requirement under this paragraph to return the passport to the Secretary of State does not apply for so long as the passport is so retained.", and

(ii) omit sub-paragraph (5).

David Heath
Minister of State

5th March 2013

Department for Environment, Food and Rural Affairs

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Cattle Identification Regulations 2007 (S.I. 2007/529).

Regulation 3 makes provision for the Secretary of State to review the operation and effect of the Cattle Identification Regulations 2007 and publish a report no later than 6th April 2018 and within every five years after that. Following a review it will fall to the Secretary of State to consider whether the Regulations should remain as they are, be revoked or be amended. A further instrument would be needed to revoke the Regulations or to amend them.

Regulation 4 makes provision to add a new automated telephony system to the list of methods by which keepers may register animals with the Secretary of State.

Regulation 5 makes provision to remove the need for the occupiers of slaughterhouses to enter certain details into the passports of animals they have slaughtered.

Regulation 6 makes provision to allow keepers to report animal movements by using the new automated telephony system as a method of notification and also to report animal deaths using electronic methods as well as paper, except in the case of animals slaughtered outside a slaughterhouse that are sent to a slaughterhouse for dressing. An animal's passport must be returned to the Secretary of State within seven days of the death unless it has been retained by an inspector.

A full impact assessment of the effect of this instrument on the costs of business and the voluntary sector is available from the Animal Identification and Movements of Livestock team, Department for Environment, Food and Rural Affairs, Nobel House, 17 Smith Square, London, SW1P 3JR and is published with the Explanatory Memorandum alongside the instrument on www.legislation.gov.uk.

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