

## **MINISTRY OF AGRICULTURE, WATER AND FORESTRY**

No. 5 2011

### **ANIMAL IDENTIFICATION AMENDMENT REGULATIONS: ANIMAL DISEASES AND PARASITES ACT, 1956**

Under section 27 of the Animal Diseases and Parasites Act, 1956 (Act No. 13 of 1956), I have made the regulations set out in the Schedule.

**J. Mutorwa**  
**Ministry of Agriculture,**  
**Water and Forestry**  
Windhoek, 2 November 2010

#### **SCHEDULE**

##### **Definitions**

**1.** In these regulations -

“the Regulations” means the Animal Identification Regulations published under Government Notice No. 29 of 5 March 2009, as amended by Government Notice No. 201 of 1 October 2009; 6 Government Gazette 1 February 2011 No. 4645

“veterinary cordon fence” means the fence which divides the veterinary buffer zone and the veterinary surveillance zone, commencing at Palgrave Point on the west coast of Namibia and running in a generally eastern direction to a point on the common border between the Republic of Namibia and the Republic of Botswana at 20 degree latitude.

##### **Amendment of regulation 16 of the Regulations**

**2.** Regulation 16 of the Regulations is amended by -

(a) the substitution for subregulation (5) of the following subregulation:

“(5) without prejudice to subregulation (3) and (4), the obligation of an owner of cattle to identify every such animal by means of an approved device must be complied with by such owner -

- (a) in relation to cattle kept on an establishment at any place south of the veterinary cordon fence, not later than 2 August 2011;
- (b) in relation to cattle kept on an establishment at any place north of the veterinary cordon fence, not later than the date or the cut-off date of a period determined and specified by the Minister for such identification in a notice referred to in subregulation (6).”;

(b) the substitution for subregulation 6 of the following subregulation:

“(6) For the purpose of the identification of cattle kept on establishments north of the veterinary cordon fence by means of an approved device in accordance with subregulation (5)(b), the Minister may -

- (a) by individual notice served on the owner of cattle kept on any such establishment, require that owner; or
- (b) by general notice published in a manner appropriate for any area as

the Minister may consider suitable, require every owner of cattle kept on any establishment within an area as specified in the notice,

to bring such cattle to such place, and on such date or within such period, as specified in the notice for the purpose of having every such animal identified by means of an approved device to be attached or applied by or under the supervision of a person designated by the director for that purpose.”; and

- (c) by the insertion of the following subregulation after subregulation 6:

“(7) A person who without reasonable excuse fails to comply with a provision of this regulation or the requirements of a notice given under subregulation (6) commits an offence.”.

### **Amendment of regulation 31 of Regulations**

#### **3. Regulation 31 of the Regulations is amended by -**

- (a) the substitution for subregulation (1) of the following subregulation:

“(1) A person may not move a designated animal from an establishment to any other place, unless -

- (a) subject to subregulation (1a), the animal bears an approved device or mark attached or applied to the animal in accordance with these regulations;
- (b) the person in charge of moving the animal is in possession of a movement permit issued by a State veterinarian under this regulation that authorises the movement of the animal from that establishment to that other place; and
- (c) in the case of an individually identified animal, a duly completed animal movement notice in the approved form is attached to the movement permit, except if, in relation to cattle, the movement permit bears an endorsement in accordance with regulation 31 A, that an animal movement notice is not required in relation to any animal to which the movement permit relates and which is moved in accordance with that permit.”;

- (b) by the insertion of the following subregulation after subregulation (1):

“(1a) Despite subregulation (1)(a) or any other provision of these regulations, where a person, at any time during the period after the date of commencement of this subregulation and the date with effect from which cattle are required to be identified by means of an approved device in accordance with regulation 16(5)(a) or (b), as may be applicable, moves any cattle from an establishment to any other place, must ensure that every head of cattle so moved is identified either by means of an approved device or an ear tag that, immediately before the commencement of this subregulation, was required to be attached to cattle being moved.”; and

- (c) by the substitution for subregulation (5) of the following subregulation:

“(5) A movement permit issued under this regulation, or a true copy of the permit must accompany animals during their movement under that permit and, if individually identified animals are being moved, an animal movement notice on which their individual identification numbers or codes are recorded must be attached to the permit, except if, in relation to cattle, the movement permit bears an endorsement in accordance with regulation 31 A that the movement of animals under the permit is exempt from the required animal movement notice.”.

#### **Insertion of regulation 31A**

- 4.** The Regulations are amended by the insertion of the following regulation after regulation 31:

**“31A.** (1) The State veterinarian, when issuing a movement permit under regulation 31, and upon being satisfied by the applicant that -

- (a) the movement permit is required for moving cattle to an abattoir for slaughter or to a licensed establishment for an animal gathering event; and
- (b) there is available at that abattoir or that establishment a device or facility capable of, and being used for, recording electronically the individual identification details of every head of cattle delivered to the abattoir or establishment, may issue the movement permit with an endorsement that the movement of animals under the permit is exempt from the requirement of an accompanying movement notice.

- (2) If the device or facility at an abattoir or establishment used for recording electronically the delivery of cattle is defective or not functioning effectively when any cattle are delivered to that abattoir or establishment under a movement permit endorsed in accordance with subregulation (1), the person in charge of the abattoir or the establishment, when accepting delivery of such cattle, must -

- (a) in the approved form, compile a list containing the individual identification details of every animal delivered under the movement permit; and
- (b) provide a copy of that list to the person by whom the animals were delivered and to the nearest State Veterinarian.”.