

# Statutory Rule 1997 No. 172

## Animals (Records) Order (Northern Ireland) 1997

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### STATUTORY RULES OF NORTHERN IRELAND

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#### 1997No. 172

#### ANIMALS

#### Animals (Records) Order (Northern Ireland) 1997

*Made* 20th March 1997

*Coming into operation* 1st May 1997

The Department of Agriculture, in exercise of the powers conferred on it by Articles 44 and 60(1) of the Diseases of Animals (Northern Ireland) Order 1981<sup>[1]</sup> and of every other power enabling it in that behalf, hereby makes the following Order:

#### **Citation and commencement**

**1.** This Order may be cited as the Animals (Records) Order (Northern Ireland) 1997 and shall come into operation on 1st May 1997.

#### **Interpretation**

**2.** In this Order—  
"animals" means any bovine animals, goats, sheep or swine;

"identification mark" in relation to pigs has the meaning given to the term "holding number" in the Aujeszky's Disease Scheme (Northern Ireland) 1994<sup>[2]</sup> and in relation to sheep and goats means the mark applied or attached to such sheep or goats in accordance with the Identification and Movement of Sheep and Goats Order (Northern Ireland) 1997<sup>[3]</sup>;

"identification number" in relation to a bovine animal has the same meaning as in the Tuberculosis Control Order (Northern Ireland) 1964<sup>[4]</sup>;

"market" means a market place, sale-yard or any other premises or place to which animals are brought from any other place and exposed for sale and includes any place, lairage or parking area adjoining a market and used in connection with it;

"market operator" means the person for the time being responsible for managing the reception or the sale of animals in a market.

### **Bovine animals**

**3.**—(1) Subject to the provisions of Articles 5 and 6 the owner or person in charge of bovine animals shall keep a record of the particulars of each bovine animal as specified in the several columns of the form set out in Schedule 1.

(2) A record required by paragraph (1) shall be made within 48 hours of the acquisition, sale, disposal, birth, death or re-identification of each bovine animal.

(3) A market operator shall—

(a) allocate a lot number to each bovine animal presented for sale on his premises;

(b) on the day of the sale make and keep a record of each such bovine animal; and

(c) within 72 hours furnish to the Department a copy of that record.

(4) In relation to a bovine animal, the record kept in accordance with paragraph (3) shall show—

(a) the date of the sale;

(b) the lot number, identification number, sex, breed and colour of that bovine animal;

(c) the name and address of the person who presented that bovine animal for sale; and

(d) the name and address of the purchaser, if any, of that bovine animal.

### **Goats, sheep or swine**

**4.**—(1) Subject to the provisions of Articles 5 and 6, the owner or person in charge of goats or swine shall keep a record of the particulars of such goats or swine as specified in the several columns of the form set out in Schedule 2.

(2) Subject to the provisions of Articles 5 and 6, the owner or person in charge of sheep shall keep a record of the particulars of such sheep as specified in the several columns of the form set out in Schedule 3.

(3) A record required by paragraph (1) or (2) shall be made within 48 hours of the acquisition, sale, disposal, birth, death or re-identification of such goats, sheep or swine.

(4) A market operator shall make and keep a record of goats, sheep or swine presented for sale on his premises and such record shall show—

(a) the date of that sale;

- (b) the number, identification mark, sex, breed and description of such goats, sheep or swine;
- (c) the name and address of the person who presented such goats, sheep or swine for sale; and
- (d) the name and address of the purchaser, if any, of such goats, sheep or swine.

### **Purchase of animals intended for slaughter or export to a place outside Northern Ireland**

5.—(1) The provisions of Articles 3(1) and (2) and 4(1), (2) and (3) shall not apply to a person who purchases an animal intended for—

- (a) slaughter; or
  - (b) export to a place outside Northern Ireland,
- within 7 days of such purchase.

(2) A person who purchases an animal to which paragraph (1) applies shall keep a record of—

- (a) the date of purchase;
- (b) the name and address of the person from whom the animal was purchased, if it was purchased by private treaty or the name of the market if the animal was purchased by auction;
- (c) the identification mark or identification number on any ear tag or tattoo borne by the animal;
- (d) the date and place of slaughter or the date and place of export from Northern Ireland.

(3) A record required by paragraph (2) shall be made within 48 hours of either the slaughter or the export from Northern Ireland of each animal.

### **Exemption for market operators**

6. The provisions of Articles 3(1) and (2) and 4(1), (2) and (3) shall not apply to a market operator engaged in the purchase or sale of animals in so far as he is engaged in such purchase or sale in the ordinary course of his business as a market operator.

### **Making and retention of records**

7.—(1) A record required by this Order to be kept shall be made in permanent and legible form.

(2) A person required to keep a record under Article 3 or 4 shall retain such record from the date of the last entry therein—

- (a) in the case of bovine animals, for a period of 10 years; and
- (b) in the case of goats, sheep or swine, for a period of 3 years.

(3) A person required to keep a record under Article 5(2) shall retain such record from the date of the last entry therein for a period of 3 years.

(4) A person required by this Order to keep a record shall on demand by an inspector or a constable produce to him that record and such inspector or constable shall be entitled to inspect that record and take extracts therefrom.

(5) Where a record required by this Order to be kept is lost, stolen or destroyed the person responsible for the keeping of such record shall within 72 hours of the discovery of that loss, theft or destruction—

- (a) report in writing such occurrence to the Department; and

(b) make a new record in respect of every animal in his possession at the time of the discovery of that loss, theft or destruction.

### **Transitional and saving provisions**

**8.** Notwithstanding the provisions of the Movement of Animals (Records) Order (Northern Ireland) 1980<sup>[5]</sup> as in operation immediately before the commencement of this Order—

(a) any entry made in a record in respect of bovine animals and required to be kept by a person by that Order shall, if made on or after 1st February 1988, be retained by him for a period of 10 years after the making of the last entry in the record and the provisions of Article 7(4) of that Order relating to the production, inspection and taking of extracts, shall apply to that entry until the expiration of that period of 10 years; and

(b) any entry made in a record in respect of goats, sheep or swine required to be kept by a person by that Order shall, if made on or after 1st May 1996 be retained by him for a period of 3 years after the making of the last entry in the record and the provisions of Article 7(4) of that Order relating to the production, inspection and taking of extracts, shall apply to that entry until the expiration of that period of 3 years.

### **Revocations**

**9.** The following Orders are hereby revoked—

(a) the Movement of Animals (Records) Order (Northern Ireland) 1980;

(b) the Movement of Animals (Records) (Amendment) Order (Northern Ireland) 1982<sup>[6]</sup>;

(c) the Movement of Animals (Records) (Amendment) Order (Northern Ireland) 1991<sup>[7]</sup>.

Sealed with the Official Seal of the Department of Agriculture on

*R. S. Johnston*

Assistant Secretary

20th March 1997.

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#### *Notes:*

[1] S.I. 1981/1115 (N.I. 22) Article 60(1) was amended by S.I. 1994/1891 (N.I. 6) Art. 23 back

[2] See S.R. 1994 No. 199, Schedule back

[3] S.R. 1997 No. 173 back

[4] S.R. & O. (N.I.) 1964 No. 31; relevant amending order is S.R. 1986 No. 48 back

[5] S.R. 1980 No. 195 back

[6] S.R. 1982 No. 218 back

[7] S.R. 1991 No. 9 back

Schedules omitted

## Explanatory Note

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