

2013 No. 821 (W. 97)

ANIMALS, WALES

ANIMAL HEALTH

**The Cattle Identification (Wales)
(Amendment) Regulations 2013**

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Cattle Identification (Wales) Regulations 2007 (S.I. 2007/842) (W.74).

Regulations 3 and 4 update references to EU legislation. Regulation 5 clarifies the role of the competent authority in relation to unidentified animals.

Regulation 6 makes provision to add a new automated telephony system to the list of methods by which keepers may register animals with the Welsh Ministers.

Regulation 7 makes provision to remove the need for the occupiers of slaughterhouses to enter certain details into the passports of animals they have slaughtered.

Regulation 8 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 Welsh Ministers within seven days of the death unless it has been retained by an inspector.

The Welsh Ministers' Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to these Regulations. As a result, it was not considered necessary to carry out a regulatory impact assessment as to the likely costs and benefits of complying with these Regulations.

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**The Cattle Identification (Wales)
(Amendment) Regulations 2013**

Made 9 April 2013

Laid before the National Assembly for Wales
10 April 2013

Coming into force 1 May 2013

The Welsh Ministers are designated for the purposes of section 2(2) of the European Communities Act 1972⁽¹⁾ in relation to the common agricultural policy of the European Union⁽²⁾ and in relation to measures in the veterinary and phytosanitary fields for the protection of public health⁽³⁾.

The Welsh Ministers make these Regulations in exercise of the powers conferred by section 2(2) of the European Communities Act 1972.

Title, application and commencement

1. The title of these Regulations is the Cattle Identification (Wales) (Amendment) Regulations 2013; they apply in relation to Wales and come into force on 1 May 2013.

Amendment of the Cattle Identification (Wales) Regulations 2007

2. The Cattle Identification (Wales) Regulations 2007⁽⁴⁾ are amended in accordance with regulations 3 to 8.

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- (1) 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).
- (2) S.I. 2010/2690.
- (3) S.I. 2008/1792.
- (4) S.I. 2007/842 (W.74) amended by S.I. 2007/3004 (W.260).

3. In regulation 2 (interpretation), in paragraph (1) in the appropriate place in the alphabetical order insert—

“Commission Regulation (EC) No 494/98” (*“Rheoliad y Comisiwn (EC) Rhif 494/98”*) means Commission Regulation (EC) No 494/98 laying down detailed rules for the implementation of Council Regulation (EC) No 820/97 as regards the application of minimum administrative sanctions in the framework of the system for the identification and registration of bovine animals⁽¹⁾;□.

4. In regulation 10 (powers of inspectors), for paragraph (1)(c) substitute—

□(c) Commission Regulation (EC) No 494/98;□.

5. In regulation 12 (slaughter of unmarked animals), omit “the veterinary authority and”.

Schedule 2 (registration of cattle)

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

□(aa) using the Welsh Ministers’ automated telephony service;□.

Schedule 3 (cattle passports)

7. 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)

8. In Schedule 4—

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

□(aa) using the Welsh Ministers 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 Welsh Ministers of the death within seven days—

(a) using the Welsh Ministers’ interactive website;

(b) using the Welsh Ministers’ automated telephony service;

(1) OJ No L 60, 28.2.1998, p.78, amended by Commission Regulation (EU) No 1053/2010 (OJ No L 303, 19.11.2010, p.1).

- (c) using software approved by the Welsh Ministers; or
- (d) by completing the death details in the animal's passport and returning it to the Welsh Ministers,

and must return the animal's passport to the Welsh Ministers 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 Welsh Ministers 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 Welsh Ministers of the death within seven days—

- (a) using the Welsh Ministers interactive website;
- (b) using the Welsh Ministers automated telephony service;
- (c) using software approved by the Welsh Ministers; or
- (d) by completing the death details in the animal's passport and returning it to the Welsh Ministers,

and must return the animal's passport to the Welsh Ministers 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 Welsh Ministers does not apply for so long as the passport is so retained.□, and

- (ii) omit sub-paragraph (5).

Alun Davies

Minister for Natural Resources and Food, one of the
Welsh Ministers

9 April 2013