



Statutory Document No. 66/03

THE ANIMAL HEALTH ACT 1996

THE MARKING AND CATTLE RECORDS (AMENDMENT) ORDER 2003

Approved by Tynwald on : 18th March 2003

Coming into operation on : 27th January 2003

In exercise of the powers vested in the Department of Agriculture, Fisheries and Forestry by sections 1 and 6 of the Animal Health Act 1996¹, and of all other enabling powers, the following Order is hereby made:-

Citation, commencement

1. This Order may be cited as the Marking and Cattle Records (Amendment) Order 2003 and shall come into operation on the 27th January 2003.

Amendment of SD 604/97

2. In the Marking and Cattle Records Order 1997² -

(a) for article 5(1) and (2) substitute -

“5. (1) The owner or person in charge of a bovine animal shall attach two ear tags as provided by paragraph (3), one to each ear -

(a) in the case of any bovine animal born or imported on or after the coming into operation of this Order, in accordance with the provisions of paragraph (4) or (5); or

¹ 1996 c. 22

² SD 604/97: amended by SD 561/98 and SD 672/99

(b) in the case of a bovine animal which, before the 1st January 1998, was marked with an identification mark in compliance with the 1995 Order but has not been issued with a cattle passport under the provisions of article 14A of the Cattle Passports Order 1997¹ -

(i) on or before a date specified by notice in writing by the Department and before it is moved from the holding at which it is being kept at the time that the notice is given; or

(ii) in any event by the 1st June 2003.

(2) Paragraph (1)(a) does not apply to an imported bovine animal to which an ear tag has been attached in compliance with the Directive in accordance with provisions of the law of a member State or an EEA State.”;

(b) in article 6 -

(i) in sub-paragraphs (1)(a) and (3)(a), for “article (5)” substitute “article 5”;

(ii) for sub-paragraph (1)(b), substitute -

“(b) in the case of a tag which had been attached in compliance with the 1995 Order, the Department shall give a notice in writing under article 5(1)(b)(i);”

(iii) in sub-paragraph (3)(b), for “State; or” substitute “State,”;

(iv) delete sub-paragraph (c); and

(v) delete paragraph (4);

¹ SD 604/97: article 14A was inserted by SD 561/98

(c) in article 12, for sub-paragraph (3)(b) substitute -

“(b) before the 1st June 2003 in the case of an animal -

(i) which, before the 1st January 1998, was marked in compliance with the 1995 Order; and

(ii) in respect of which a notice in writing under article 5(1)(b)(i) has not been given,

the approved identification mark applied to the animal under the 1995 Order; or”;

(d) in article 12B, for paragraph (3) substitute -

“If the operator of a slaughterhouse discovers that an animal -

(a) to which article 5(2) applies; or

(b) which, before the 1st June 2003 -

(i) is required to be marked with an identification mark in compliance with the 1995 Order; and

(ii) in respect of which a notice in writing under article 5(1)(b)(i) has not been given,

is not marked or tagged as specified in that article or in the 1995 Order, he shall not slaughter it for human consumption but shall return it to the previous keeper under the authority of a licence granted by the Department.”.

MADE 24th January 2003

J. Rimington

Minister for Agriculture, Fisheries and Forestry.

EXPLANATORY NOTE

(This note is not part of the Order)

The Order amends the Marking and Cattle Records Order 1997 by requiring ear tags to be applied to bovine animals which were previously identified by other tags.

Before the 1st January 1998 (when the 1997 Order came into operation), bovine animals were marked in compliance with the Marking of Cattle Order 1995. The 1997 Order did not require animals marked in that way to be re-tagged in the manner otherwise prescribed in the 1997 Order.

This Order now provides that the Department may give notice in writing requiring such animals to be re-tagged by a date specified in the notice. In any event, all such animals must be re-tagged on or before the 1st June 2003. All animals will, therefore, be brought within the system of identification by ear tags of the description set out in the 1997 Order.

The Order also includes other amendments consequent on this change.