



STATUTORY INSTRUMENTS

**S.I. No. 400 of 2008**

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NATIONAL BEEF ASSURANCE SCHEME ACT 2000 (ANIMAL  
MOVEMENT) REGULATIONS 2008

**(Prn. A8/1614)**

## NATIONAL BEEF ASSURANCE SCHEME ACT 2000 (ANIMAL MOVEMENT) REGULATIONS 2008

I, BRENDAN SMITH, Minister for Agriculture, Fisheries and Food, in exercise of the powers conferred on me by Sections 19 and 21(4) of the National Beef Assurance Scheme Act 2000 (No. 2 of 2000) (as adapted by the Agriculture and Food (Alteration of Name of Department and Title of Minister) Order 2007 (S.I. No. 705 of 2007)) and for the purpose, inter alia, of giving full effect to Regulation (EC) No. 1760/2000 of the European Parliament and of the Council of 17 July 2000<sup>1</sup>, hereby make the following Regulations—

1. These Regulations may be cited as the National Beef Assurance Scheme Act 2000 (Animal Movement) Regulations 2008.

2. (1) In these Regulations—

“certificate of CMMS compliance” means a document relating to an animal issued under Regulation 3;

“dealer” means any natural or legal person who buys and sells animals commercially either directly or indirectly, who has a regular turnover of these animals and who within a maximum of 30 days of purchasing animals resells them or relocates them from the first premises to other premises not within his or her ownership and who meets the conditions of Article 13 of Council Directive 97/12/EC of 17 March 1997<sup>2</sup>.

(2) A word or expression that is used in these Regulations and is also used in Regulation (EC) No. 1760/2000 of the European Parliament and of the Council of 17 July 2000 has, in these Regulations, the same meaning as it has in Regulation (EC) No. 1760/2000 of the European Parliament and of the Council of 17 July 2000.

3. (1) A keeper shall not move an animal, or cause or permit another person to move an animal, from or onto a premises unless he or she is in possession of a movement permit or a valid certificate of CMMS compliance.

(2) An application for a certificate of CMMS compliance shall be in a form, contain any information and be made in a manner that the Minister may determine.

(3) The Minister may issue, or cause to issue, a certificate of CMMS compliance, valid for the time specified on the certificate, in respect of an animal complying with CMMS requirements as regards its current status, origin and identification.

<sup>1</sup>O.J. No. L 204 of 11.8.2000, p.1

<sup>2</sup>O.J. No. L109 of 24.4.1997, p.1

*Notice of the making of this Statutory Instrument was published in “Iris Oifigiúil” of 17th October, 2008.*

(4) Paragraph (1) does not apply to the—

- (a) movement of an animal directly to slaughter, an export assembly centre or to or from a mart (within the meaning of the Livestock Marts Act 1967 (No. 20 of 1967)) where, in the case of a mart, the current status, origin and identification of the animal is confirmed in accordance with Regulation 4(2),
- (b) movement of an animal under 28 days of age directly to a premises in order to replace for suckling purposes an animal that was stillborn or died within 7 days of birth if the first mentioned animal is moved into the premises within 2 days of the stillbirth or death,
- (c) movement of an animal to and from an agricultural show, or
- (d) onward movement of an animal by a dealer in accordance with the Diseases of Animals Act 1966 (Control on Supply of Animals) Order 2002 (S.I. No. 189 of 2002) during the currency of a certificate of CMMS compliance.

4. (1) A person shall not—

- (a) slaughter an animal for human consumption, or permit an animal to be slaughtered for human consumption, or
- (b) export an animal, or permit the animal to be exported,

unless its current status, origin and identification have been verified with the Department of Agriculture, Fisheries and Food.

(2) The operator of a livestock mart (within the meaning of the Livestock Marts Act 1967 (No. 20 of 1967)) or his or her employee, servant or agent shall not sell or supply an animal unless its current status, origin and identification is verified with the Department of Agriculture, Fisheries and Food.

5. A keeper, other than a transporter of animals, shall notify the Minister of—

- (a) the movement of an animal to and from a premises (“animal movement notification”), and
- (b) the death of an animal on a premises (“animal death notification”),

and the date of each such event within 7 days of the event.

6. The Minister may specify the format of an animal movement notification or an animal death notification, and, if he or she does so, a keeper shall notify the movement or death in the format specified.

7. A person shall not, without lawful authority, take possession of, move or cause or permit the movement of an animal unless he or she has been assigned an official identification number by the Minister.

8. (1) A person shall not forge or utter knowing it to be forged—

- (a) a certificate of CMMS compliance,
- (b) an animal movement notification, or
- (c) an animal death notification,

or a document purporting to be an extract therefrom (hereafter in this Regulation referred to as “a forged document”).

(2) A person shall not alter with intent to defraud or deceive, or utter knowing it to be so altered—

- (a) a certificate of CMMS compliance,
- (b) an animal movement notification, or
- (c) an animal death notification,

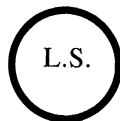
or an extract therefrom (hereafter in this Regulation referred to as “an altered document”).

(3) A person shall not have, without lawful authority, in his or her possession or under his or her control a forged document or an altered document.

9. (1) A person shall supply an authorised officer, upon request, with all information concerning the origin, identification and, where appropriate, the movement and destination of an animal that he or she has owned, kept, moved or transported, sold, supplied or otherwise handled or slaughtered.

(2) A person shall not, in purported compliance with paragraph (1), give information that is false and misleading.

10. The National Beef Assurance Scheme Act 2000 (Animal Movement) Regulations 2003 (S.I. No. 655 of 2003) are revoked.



GIVEN under my Official Seal,  
2 October 2008

BRENDAN SMITH.  
Minister for Agriculture, Fisheries and Food.

EXPLANATORY NOTE

*(This note is not part of the instrument and does not purport to be a legal interpretation)*

This Regulation provides for the notification of animal movements and the death of an animal. The Regulation also provides for the issue of a certificate of CMMS compliance or the verification of the current status, origin and identification of an animal for certain movements.

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