

Animal Health (Identification and Traceability) Regulations [2017]

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[Enabling powers, etc.]

Part 1

Preliminary

1 Citation and commencement

These Regulations may be cited as the Animal Health (Identification and Traceability) Regulations [2017] and come into force on [date / procedure].

2 Interpretation

In these Regulationsô

- (a) words and expressions defined in section 2 of the Act have the meaning given in that Act;
- (b) òthe Actö means the Animal Health and Production Act 2016; and
- (c) unless the context otherwise requiresô

ôadministratorö means the administrator of the distribution of identification devices designated or appointed under regulation 14(1);

ôanimal gatheringö means an event at which animals from different establishments are brought together for sale, show, exhibition, inspection, onward consignment or any other purpose;

ôapproved deviceö means a tag, mark, transponder or other device approved by the Director under regulation 11 for the identification of a designated animal;

ôcentral databaseö means the central database in respect of designated animals established under regulation 26(1);

ôdesignated animalö means an animal designated by the Minister under regulation **Error! Reference source not found.**;

ômanager of the central databaseö means the manager of the central database designated or appointed under regulation 26(2).

3 Designated animals

- (1) The following animals shall be designated animals for the purposes of these Regulationsô

- (a) an animal of the species cattle, sheep, goats or pigs;
- (b) any other species of animal designated by the Minister.

- (2) A designation by the Minister under paragraph (1)(b) shallô

- (a) be set out in regulations;
- (b) be accompanied by traceability and identification measures, consistent with these regulations; and

- (c) not come into effect sooner than 6 months after the entry into force of the regulations.
- (3) The Minister may exempt certain classes of designated animals from the provisions of these Regulations, except for Part 2.

Part 2

Holding or Keeping of Designated Animals

4 Notification of holding or keeping of designated animal

- (1) A person who holds or keeps or proposes to hold or keep a designated animal on an establishment must notify the Director, in such form and manner as the Director may require, that heô
 - (a) holds or keeps a designated animal on the establishment; or
 - (b) intends to hold or keep a designated animal on the establishment.
- (2) Notification under paragraph (1) must be given no later than 21 days after the date on which a person first holds or keeps a designated animal on an establishment.
- (3) A person who keeps or holds or proposes to keep or hold designated animals on two or more establishments must give a notification separately in respect of each of those establishments.
- (4) The Director may request a person giving a notification to furnish additional information that may be necessary for recording any relevant fact concerning the holding or keeping of a designated animal by that person.
- (5) A person who fails to give notification of the holding or keeping of any designated animal under paragraph (1) commits an offence.

5 Registration of establishment and allocation of identification code

- (1) Upon receiving a duly completed notification under regulation 4(1), the Director mustô
 - (a) register the establishment and enter the relevant information of the notification in the central database;
 - (b) allocate to the person in respect of the registered establishment a herd or flock identification code approved by the Director; and
 - (c) notify the applicant in writing that the establishment has been registered and of the herd or flock identification code allocated.
- (2) The same herd or flock identification code may be allocated to a person who has given separate notifications in respect of two or more establishments.

6 Notification of change

- (1) A holder of a herd or flock identification code must give notice in writing to the Director ifô
 - (a) the person ceases to hold or keep designated animals on an establishment registered in respect of the person under regulation 5;
 - (b) any change occurs in respect of the address or contact details of the person as contained in the notification given by the person under regulation 4(1).

- (2) A notice in terms of paragraph (1) must be given within 28 days after the date on which
 - (a) the person ceases to hold or keep any designated animals; or
 - (b) a change referred to in paragraph (1)(b) occurs.
- (3) If the holder of a herd or flock identification code
 - (a) dies or his estate is sequestrated; or
 - (b) being a body corporate, is placed in liquidation, the executor or trustee of the person's estate or the liquidator of the body corporate, as the case may be, must, within 28 days of being appointed, give notice in writing to the Director that the holder of the herd or flock identification code in question has died or is subject of an insolvency or liquidation order.
- (4) A person who fails to comply with paragraph (1) or (2) commits an offence.

7 Transitional provision

- (1) Regulation 4(2) shall not apply to a person who already holds or keeps a designated animal on an establishment on the date on which these Regulations come into effect and paragraph (2) shall apply instead.
- (2) Notification under regulation 4(1) must be given no later than 6 months after the date on which these Regulations come into effect.

Part 3 Animal Gatherings

8 Licensing of an establishment for animal gathering

- (1) A person may not use an establishment, whether a registered establishment or not, for an animal gathering unless the establishment is licensed for that purpose by the Director under these Regulations.
- (2) A person who, immediately before these Regulations came into effect, used any premises that had been approved by the Director for the holding of animal gatherings
 - (a) may continue to use those premises for animal gatherings without a licence under these Regulations for a period not exceeding 6 months after the date these Regulations came into effect; and
 - (b) must, after expiry of that period of 6 months, hold a licence issued under these Regulations in respect of the premises if the person proposes to continue using the premises for any animal gathering.
- (3) A person who contravenes paragraph (1) or fails to comply with paragraph (2)(b) commits of an offence.

9 Application for licence

- (1) An application for a licence must
 - (a) be lodged with the nearest veterinary inspector where the establishment is located; and
 - (b) be in the approved form.
- (2) The applicant may be required by a veterinary inspector to furnish any additional information considered necessary for determining the application.

- (3) If the Director, upon a report by a veterinary inspector, is satisfied that the establishment to which the application relates is suitable and provides adequate facilities for the holding of an animal gathering, the Director may grant the application and cause the licence to be issued to the applicant.
- (4) In granting an application for a licence the Director may impose any conditions which the Director considers necessary to control the introduction into or spread of disease within or from the licensed establishment.
- (5) A licence must be issued in the approved form and must specify - (a) the name of the licensee; (b) the establishment on which an animal gathering may take place; and (c) any conditions imposed under paragraph (4).
- (6) If the application for a licence is refused the Director must notify the applicant of the decision and the reason for the refusal.
- (7) A licensee must give notice in writing to a veterinary inspector of any change in respect of the licensee's address or contact details within 28 days after the change occurs.
- (8) A licensee commits an offence who^o
 - (a) contravenes, or fails to comply with, a condition of a licence imposed under paragraph (4); or
 - (b) fails to comply with paragraph (7).
- (9) If a licensee has failed to comply with a condition of the licence, the Director may, by notice in writing to the licensee, and after having given the licensee reasonable opportunity to make representations to the Director, cancel the licence.

10 Approval required for animal gathering

- (1) A licensee may not hold, or allow any other person to hold, an animal gathering on the licensed establishment unless prior approval for the holding of the animal gathering has been obtained from a veterinary inspector.
- (2) An application for approval for the holding of an animal gathering must^o
 - (a) be made to a veterinary inspector at least 10 working days before the proposed animal gathering is to take place; and
 - (b) be in the approved form.
- (3) Application for approval of animal gatherings that are to be held on a recurring basis must^o
 - (a) be made on an annual basis by a date determined by the Director; and
 - (b) be accompanied by the applicant's annual events calendar.
- (4) The organiser of an animal gathering event must notify the veterinary inspector of any change in respect of an event scheduled on an events calendar submitted in terms of paragraph (3) at least 10 working days before the day of the event.
- (5) A person who contravenes paragraph (1) commits an offence.

11 Prohibition or restriction of animal gatherings

- (1) If a veterinary inspector considers it necessary for the purposes of the control of an animal disease, the veterinary inspector may by notice in writing to a licensee^o

- (a) prohibit the licensee from holding an animal gathering on the licensed establishment; or
 - (b) impose a restriction on the holding of animal gatherings on the licensed establishment.
- (2) A prohibition or restriction imposed under paragraph (1) has effectô
- (a) for the period specified in the notice; or
 - (b) if a period is not so specified, until the prohibition or restriction is withdrawn by a veterinary inspector by notice in writing to the licensee.
- (3) A person who fails to comply with a prohibition or restriction imposed under paragraph (1) commits an offence.

Part 4

Animal Identification

12 Approval of identification devices

- (1) For the purposes of the animal identification system provided for in respect of designated animals in this Part, only a tag, chip or other identification device approved by the Director, may be used.
- (2) A tag, chip or other identification device may be approved by the Director under paragraph (1) if it is of a quality and design thatô
- (a) is capable of bearing a unique identification number or code allocated in accordance with the approved numbering system;
 - (b) secures that information contained in or on it can not easily be altered or otherwise tampered with;
 - (c) is difficult to counterfeit and incapable of being re-used;
 - (d) allows the unique identification number or code to be easily and reliably readable, either visually or by electronic means;
 - (e) can effectively be retained by the animal to which it is applied; and
 - (f) is not harmful to the animal to which it is applied.
- (3) When considering the revocation of an approved tag, chip or other identification device, the Minister shall take into accountô
- (a) whether there is any other tag, chip or other indicator that offers improved performance over that approved tag, chip or other indicator with respect to the criteria set out in paragraphs (2)(b) to (e); and
 - (b) the costs and practicalities of use of such other tag, chip or other indicator to potential users of it.

13 Manufacture and distribution of identification devices

- (1) A person who proposes to manufacture, or conduct business as distributor of, a type of device intended to be offered or sold for the purpose of identification of designated animals under the animal identification system, must apply for such device to be approved by the Director under regulation 12(1).
- (2) An application for approval under paragraph (1) shall be in such form and contain such particulars as the Director may determine.

- (3) The Director may require the applicant to give within a stated reasonable period technical information and samples of the device for the purpose of determining the application.
- (4) The Director may decide to
 - (a) grant approval;
 - (b) grant approval, subject to certain conditions; or
 - (c) refuse approval,and in each case shall inform the applicant in writing of his decision, and the reasons for it.
- (5) A person who sells or offers or exposes for sale any device that is held out as being of a type approved by the Director under paragraph (1) and which the person knows or ought to know has not been so approved, commits an offence.

14 Administrator of distribution of identification devices

- (1) The Director may
 - (a) designate a public officer; or
 - (b) by mutual agreement with any person, body or organisation, appoint that person, body or organisation,to be the administrator of the distribution of identification devices for the purposes of these Regulations.
- (2) The administrator is responsible for
 - (a) managing and maintaining a [computerised] system for allocating approved devices;
 - (b) managing the issuing of approved devices; and
 - (c) managing approved devices distribution.
- (3) Identification numbers or codes of approved devices must be allocated centrally by the administrator
 - (a) in accordance with the structure determined by the Director; and
 - (b) using a computerised database approved by the Director.
- (4) An administrator appointed under paragraph (1)(b) may charge to owners of designated animals for the allocation of identification numbers or codes of approved devices, and other services rendered, such fees as may be determined and specified with the approval of the Minister.

15 Requirements in respect of approved ear tags

- (1) An ear tag approved by the Director as identification device must
 - (a) be of durable material;
 - (b) consist of two parts, a male and a female component;
 - (c) bear only indelible imprinted characters; and
 - (d) be tested and certified for use as an official animal identification ear tag by a body recognised by the Director.
- (2) An approved ear tag must contain on each component characters forming the unique animal identification number or code as determined by the Director and that enables establishing
 - (a) the origin of the animal to which it is attached; and

- (b) the individual identity of that animal.
- (3) A person may add, or cause the manufacturer or distributor of approved ear tags to add, supplementary information to an ear tag or replacement ear tag to be used by that person, if
 - (a) the supplementary information is distinct from the official identification number or code; and
 - (b) the identification number or code remains legible and clearly distinguishable at all times.

16 Obligations with respect to supply or use of approved device

- (1) A manufacturer or distributor of an approved device
 - (a) must, before supplying an approved device ordered by a person from the manufacturer or distributor, obtain from the administrator approval for the order;
 - (b) must not supply an approved device unless it bears a unique identification number or code allocated by the administrator; and
 - (c) must, if so required by the Director, ensure that each approved device supplied is accompanied by a corresponding animal registration document approved by the Director.
- (2) Within 48 hours after supplying any approved device, the manufacturer or distributor of the device must furnish the following information to the administrator
 - (a) the name, address and contact details of the person to whom the approved device was supplied;
 - (b) the date it was supplied;
 - (c) the unique identification number or code allocated in respect of each approved device supplied; and
 - (d) the number of approved devices supplied.
- (3) An approved device supplied in accordance with paragraph (3) may not be used by any person to identify an animal not owned by the person to whom the device was supplied, unless such use is authorised in writing by a veterinary inspector.
- (4) The administrator must forthwith notify to the manager of the central database of the details of approved devices and their identification numbers or codes supplied to a person.
- (5) A person who contravenes or fails to comply with paragraph (1), (2) or (3) commits an offence.

17 Identification of cattle

- (1) An owner of cattle must ensure that each animal is identified by means of an approved device attached or applied to the animal in the manner the type of device is ordinarily required to be attached or applied to cattle.
- (2) If approved ear tags are used, cattle must be tagged by means of
 - (a) a primary ear tag applied to the left ear; and
 - (b) a secondary ear tag applied to the right ear, to ensure that identification of the animal will still be possible if one ear tag is lost.

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- (3) Subject to paragraph (4), the obligation to identify cattle by means of an approved device must be complied with, in relation to calves born into an owner's herd
 - (a) not later than 6 months after the date of birth; or
 - (b) before a calf leaves the establishment where it was born, whichever is sooner.
- (4) Despite paragraph (3), the Director may, by notice in writing given to a person, or by general notice publicly made known in a manner the Director considers appropriate, require that calves be identified by means of an approved device by any age as specified in the notice.
- (5) Without prejudice to paragraphs (3) and (4), the obligation to identify cattle by means of an approved device must be complied with by every owner of cattle not later than the date of expiry of the period of 6 months following on the date on which these Regulations come into effect.
- (6) A person who fails to comply with a provision of this regulation commits an offence.

18 Identification of sheep and goats

- (1) An owner of sheep or goats must ensure that each animal is identified by means of an approved device attached or applied to the animal in the manner the type of device is ordinarily required to be attached or applied to the kind of animal.
- (2) Subject to paragraph (3), the obligation to identify sheep or goats by means of an approved device must be complied with in relation to lambs born into an owner's flock
 - (a) not later than 3 months after the date of birth; or
 - (b) before a lamb leaves the establishment where it was born, whichever is sooner.
- (3) Despite paragraph (3), the Director may, by notice in writing given to a person or by general notice publicly made known in a manner the Director considers appropriate, require that lambs of sheep or goats be identified by means of an approved device by any age as specified in the notice.
- (4) Without prejudice to paragraphs (2) and (3), the obligation to identify sheep or goats by means of an approved device must be complied with by every owner of such animals not later than the date of expiry of the period of 6 months following on the date on which these Regulations come into effect.
- (5) A person who fails to comply with a provision of this regulation commits an offence.

19 Identification of pigs

- (1) An owner of pigs must ensure that each animal is identified by means of a mark or other device approved under regulation 12 and applied or attached to the animal in the manner the type of mark or device is ordinarily required to be attached or applied to a pig.
- (2) Subject to paragraph (3), the obligation to identify pigs by means of an approved mark or other device must be complied with, in relation to an animal born into an owner's herd
 - (a) not later than 3 months after the date of birth; or

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- (b) before the animal leaves the establishment where it was born, whichever is sooner.
- (3) Despite paragraph (2), the Director may, by notice in writing given to a person or by general notice publicly made known in a manner the Director considers appropriate, require that pigs be identified by means of an approved mark or device by any age as specified in the notice.
- (4) Without prejudice to paragraphs (2) and (3), the obligation to identify pigs by means of an approved mark or other device must be complied with by every owner of pigs not later than the date of expiry of the period of 12 months following on the date on which these Regulations come into effect.
- (5) A person who fails to comply with a provision of this regulation commits an offence.

20 Identification of imported designated animals

- (1) A person who imports a designated animal into The Bahamas must ensure that the animal is given an import identification device or mark supplied or determined by the Director, or both such device and mark, as the Director may direct
 - (a) within 7 days of the date on which the animal is released from the border inspection post through which it is imported; or
 - (b) before the animal leaves the establishment to which it is removed from the border inspection post, whichever is sooner.
- (2) For the purposes of paragraph (1), a designated animal that is temporarily removed from The Bahamas for any reason, is taken to be imported when it is brought back into The Bahamas.
- (3) Upon application, the Director may, on any condition imposed by the Director, exempt an importer from paragraph (1) in respect of any designated animal which the Director is satisfied
 - (a) is imported for direct removal to an abattoir for slaughter and the import permit of which indicates an abattoir as the establishment of destination; or
 - (b) is temporarily imported into The Bahamas and is to leave The Bahamas within 14 days of being released from the border inspection post into The Bahamas, provided the animal bears a unique tamper-resistant identification tag or mark from the country of origin.
- (4) A person who contravenes paragraph (1) or fails to comply with a condition imposed under paragraph (3), commits an offence.

21 Replacement of approved device

- (1) Subject to paragraph (2), if an approved device attached or applied to an animal in accordance with these Regulations is lost or becomes illegible or becomes ineffective otherwise for the identification of the animal to which it is attached or applied, it must be replaced with a similar approved device bearing the same identification number or code
 - (a) within 28 days after the owner becomes aware that the approved device is lost or illegible or ineffective; or
 - (b) before the animal leaves the establishment, whichever is sooner.
- (2) Despite paragraph (1)

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- (a) an animal may be given, instead of a replacement device, a new approved device in accordance with regulation 22;
- (b) an animal that loses its approved device while being moved to an abattoir for slaughter or while being transported for delivery at a destination outside The Bahamas, is not required to be given a replacement device if the operator of the abattoir or the exporter, furnishes a veterinary inspector with relevant information that allows the origin of the animal to be traced, including
 - (i) the identification number or code on the lost approved device;
 - (ii) the name and address of the owner of the animal or the person who last had possession or the care or control of the animal before it was moved, and the date when it was moved; and
 - (iii) details identifying the conveyance by means of which the animal was moved.
- (3) A person who fails to comply with paragraph (1) commits an offence.

22 Replacing approved device with different number

- (1) If an animal identified with an approved device in accordance with these Regulations is given a new approved device that bears a different identification number or code than the original device, the owner of the animal must, within 14 days of the new approved device being attached or applied, or before the animal leaves the establishment, whichever is sooner, notify a veterinary inspector of the change of the approved device, stating the identification numbers or codes of both the original and the new device.
- (2) A person who fails to comply with paragraph (1) commits an offence.

23 Alteration or removal of approved device

- (1) A person may not
 - (a) deface, render illegible, or alter the information printed or contained on or in; or
 - (b) cause or permit to be defaced or rendered illegible or so altered, an approved device attached or applied to a designated animal in accordance with these Regulations.
- (2) A person may not remove, or cause or permit to be removed, an approved device attached or applied to a designated animal, unless
 - (a) the removal is done with the oral or written approval of a veterinary inspector;
 - (b) the approved device is removed by or with the approval of the owner for purposes of replacement with a different approved device in accordance with regulation 21;
 - (c) the approved device is removed when the animal is slaughtered; or
 - (d) the animal dies and the approved device is removed by or with the approval of the owner of the animal.
- (3) A person who contravenes paragraph (1) or (2) commits an offence.

24 Safekeeping of unused approved devices

- (1) A person in possession of any unused approved devices issued for the purposes of these Regulations must
- (a) take reasonable steps to ensure that they are kept secure against theft; and
 - (b) notify a veterinary inspector immediately if it is discovered that any approved device is lost.
- (2) A person who contravenes paragraph (1) commits an offence.

25 Identification of carcass or meat or offal of slaughtered animal

If so required by a veterinary inspector, the operator of an abattoir must cause the carcass of a slaughtered designated animal, or the meat or offal derived from that carcass, to be marked or labelled in a manner approved by the veterinary inspector so as to facilitate the tracing of the carcass, or the meat or offal back to the animal or the group of animals from which it was taken.

Part 5

Animal Registration and Keeping of Registers

26 Central database

- (1) The Minister must cause a central database to be established and maintained for the purposes of
- (a) the registration of establishments, stock owners and designated animals; and
 - (b) the recording of information notified in relation to designated animals in terms of these Regulations and any other information as the Director may determine concerning their treatment, health status and feeding records.
- (2) The Minister must
- (a) designate a public officer; or
 - (b) by mutual agreement with any person, body or organisation, appoint that person, body or organisation,
- to be the manager of the central database and to perform the functions assigned to the manager of the central database by these Regulations.
- (3) A person, body or organisation appointed under paragraph (2)(b) may charge to owners of designated animals, for the recording of registrations and other information on the central database and the rendering of other services in managing or operating the central database, such fees as may be determined and specified with the approval of the Minister.
- (4) When a notification is given or submitted to the manager of the central database in terms of these Regulations, other than a notification given under regulation 27(1), the manager, upon being satisfied that the notification duly contains the information required to be given, cause that information to be recorded on the central database as soon as is practicable, but in any event not later than 5 working days after the manager receives the notification.
- (5) The manager of the central database commits an offence if he fails to comply with paragraph (4).

27 Cattle to be registered on central database

- (1) A person liable for ensuring that cattle be identified by means of an approved device in accordance with regulation 16, must furnish to the manager of the central database the required information for the registration of every animal on the central database within 14 days after an approved device is attached or required to be attached to the animal in terms of that regulation.
- (2) The information for registering cattle in terms of paragraph (1) must be furnished by the owner of the cattle to the manager of the central database
 - (a) in writing, using the cattle registration form provided or approved by the Director; or
 - (b) by electronic means in a format approved by the Director.
- (3) With effect from expiry of the period of 12 months following on the date which these Regulations come into effect, cattle may not be removed from any establishment where they are kept until confirmation of registration on to the central database is received in writing or by electronic means from the manager of the database.
- (4) A person who fails to comply with paragraph (1) or (3) commits an offence.

28 Imported designated animals to be registered on central database

- (1) A person liable for ensuring that an imported designated animal is tagged or marked in accordance with regulation 19, must furnish to the manager of the central database the required information for the registration of the animal on the central database within 7 days after the animal is given or required to be given the import ear tag or import mark in terms of that regulation.
- (2) The information for registering an imported designated animal in terms of paragraph (1) must be furnished by the owner of the animal to the manager of the central database
 - (a) in writing, using the animal registration form provided or approved by the Director; or (b) by electronic means in a format approved by the Director.
- (3) Within 2 working days of receiving the required information in accordance with paragraph (2) in relation to any imported designated animal, the manager of the central database must register that animal on the central database.
- (4) A person who fails to comply with paragraph (1) commits an offence.
- (5) The manager of the central database commits an offence if he fails to comply with paragraph (3).

29 Keeping of livestock register

- (1) An owner of designated animals must
 - (a) keep a livestock register in respect of such animals held on every establishment owned or occupied by that person;
 - (b) ensure that the livestock register is kept up to date and accurate and in legible condition;
 - (c) make the livestock register available for inspection upon request by a veterinary inspector or an officer or an authorised person; and
 - (d) keep the livestock register for a period of at least 10 years after the last entry.

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- (2) The livestock register must be kept
 - (a) by using a register provided or approved by the Director for the purpose; or
 - (b) by electronic means in a format approved by the Director.
- (3) Despite paragraph (1)(a), if a designated animal is moved by the owner of the animal to another establishment for a period not exceeding 12 months in the continued ownership of that owner, the register in respect of that animal may be retained on the establishment from where the animal was moved but must be made available to a veterinary inspector within a reasonable time if it is required for inspection by the veterinary inspector.
- (4) Not later than 28 days after the expiry of every period ending on 30 June and 31 December of each year, or such other period as the Director may direct, the owner of designated animals must furnish to the Director a return, in the approved form, in respect of
 - (a) the number of each species of designated animals; and
 - (b) the number of any other animals, not being designated animals, as may be required by the Director, that are held by the owner as at the end of that period.
- (5) An owner who keeps animals on two or more separate establishments must furnish a separate return under paragraph (4) in respect of each establishment.
- (6) A person who fails to comply with paragraph (1), (2), (4) or (5) commits an offence.

30 Keeping of individual animal register

- (1) If so required by the Director, an owner of designated animals must keep, in addition to a livestock register referred to in regulation 28, an individual animal register in respect of designated animals individually identified in accordance with these Regulations and held by the owner on any establishment owned or occupied by the person.
- (2) An owner referred to in paragraph (1) must
 - (a) ensure that the individual animal register is kept up to date, accurate and in legible condition; and
 - (b) make the individual animal register available for inspection upon request by a veterinary inspector or an officer or an authorised person; and
 - (c) keep the individual animal register for a period of at least 10 years after the last entry.
- (3) The individual animal register must be kept
 - (a) by using an individual animal register provided or approved by the Director for the purpose; or
 - (b) by electronic means in a format approved by the Director.
- (4) A person who fails to comply with paragraph (1), (2) or (3) commits an offence.

31 Keeping of register of imported designated animals

- (1) A person who has imported any designated animal from another country must enter the required information in respect of the animal into an imported

- livestock register within 7 days of the animal arriving at the destination establishment.
- (2) An imported livestock register must be kept by the importer of designated animals on every establishment owned or occupied by that person and such person must ensure that the register
 - (a) is kept up to date, accurate and in a legible condition;
 - (b) is made available for inspection upon request by a veterinary inspector or an officer or an authorised person; and
 - (c) is kept for a period of at least 10 years after the last entry.
 - (3) An imported livestock register must be kept
 - (a) by using an imported livestock register provided or approved by the Director for the purpose; or
 - (b) by electronic means in a format approved by the Director.
 - (4) Despite paragraph (2), if an imported designated animal is moved by the owner of the animal to another establishment for a period not exceeding 12 months in the continued ownership of that owner, the register in respect of that animal may be retained on the establishment from where the animal was moved but must be made available to a veterinary inspector within a reasonable time if it is required for inspection by the veterinary inspector.
 - (5) A person who fails to comply with paragraph (1), (2) or (3) commits an offence.

Part 6

Movement of Designated Animals

32 Permit required for movement of designated animals

- (1) A person must not move a designated animal from an establishment to any other place, unless
 - (a) 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 veterinary inspector 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.
- (2) An application for a movement permit may be made to a veterinary inspector by submitting the application in the approved form or by sending it by means of facsimile or by filing it by means of other electronic communication in a format approved by the Director.
- (3) A veterinary inspector may require an applicant for an animal movement permit to provide further information or documents considered relevant for determining whether to issue the permit.
- (4) A veterinary inspector may not issue a movement permit unless he is satisfied that

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- (a) both the origin and destination establishments are registered establishments in the central database;
 - (b) neither the origin establishment nor the destination establishment is subject to movement restriction in terms of the Act or these Regulations;
 - (c) the animal health status of both the origin and destination establishments are known and that movement of an animal to or from any of those establishments will not pose a health risk to any animal;
 - (d) if the applicant is not the owner of the animals to be moved, the applicant is duly authorised by the owner of the establishment from where the animals are to be moved or by the owner of the establishment to which the movement is intended; and
 - (e) all previous movement permits issued for movement of designated animals to the destination establishment have been accounted for by notification to the central database of the movement of animals under those permits within the respective periods stated in those permits.
- (5) A movement permit issued under this regulation, or a true copy thereof, must accompany animals during their movement under the 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.
- (6) The movement of a designated animal must be carried out
- (a) in accordance with any conditions imposed by the Director and specified in the movement permit; and
 - (b) only within the period specified in the permit.
- (7) Permit conditions imposed under paragraph (6) may include conditions relating to
- (a) the identification, inspection, testing or treatment of an animal to which the permit relates at any time before, during or after the movement;
 - (b) the isolation of the animal at any time before, during or after the movement;
 - (c) the quarantine of the animal before or after the movement;
 - (d) the certification of any aspect of the identity, health status, origin or history of the animal;
 - (e) the route and means of movement.
- (8) In addition to any permit conditions imposed and specified under paragraph (7), a veterinary inspector may specify, verbally or in writing, any conditions with which the holder of the movement permit must comply in moving an animal under the permit.
- (9) Despite a movement permit authorising the movement of an animal specified in the permit, a person may not move that animal from its registered establishment if
- (a) the person knows or has reason to believe that the animal is sick or infected; and
 - (b) the permit does not specifically authorise the movement of the animal while being so infected or sick.
- (10) An animal in respect of which a movement permit has been issued

- (a) may not be moved through an area infected or suspected of being infected with any disease which may affect the animal being moved;
 - (b) must be made available, if so required by a veterinary inspector, at the place of destination or any other place specified by the veterinary inspector for the purpose of inspection or carrying out any function under the Act or these Regulations or the requirement of a condition to which the permit is subject.
- (11) It is a defence to a charge for a contravention of paragraph (1) if it is shown that the designated animal was moved for the purposes of emergency veterinary treatment which could not be delayed to obtain a movement permit.
- (12) If an animal arriving at an animal gathering or abattoir is not tagged or marked in accordance with these Regulations, a veterinary inspector may issue a movement permit authorising for the animal to be moved to the last establishment of residence or any other establishment specified in the permit.
- (13) A person who contravenes or fails to comply with paragraph (1), (5), (6) or (9) commits an offence.

33 Sending of movement permit by electronic means

- (1) Without prejudice to regulation 31, a movement permit may be authorised by a veterinary inspector and issued by sending a copy thereof to the applicant by means of facsimile or other electronic means as determined by the Director.
- (2) A copy of a movement permit issued under paragraph (1) has the effect of the original movement permit and may be used by the applicant for the movement of the animal specified therein, subject to the conditions attached to the permit.
- (3) The Director may determine with respect to establishments determined by him that the original movement permit and accompanying animal movement notice, if applicable in terms of regulation 31(1)(c), must be available and be produced at the point of delivery of the animal.

34 Notification of movement of designated animals

- (1) If a designated animal is moved by the owner of the animal, or a person authorised by the owner from the registered establishment where the animal is kept to another establishment of that owner, the owner must notify the movement of the animal to the nearest veterinary inspector where the destination establishment is located, by submitting the movement permit, duly endorsed by the owner, and the accompanying animal movement notice, if applicable in terms of regulation 31(1)(c), to the veterinary inspector.
- (2) A person who, under authority of a power conferred by or under any law, or an order of a competent court, moves or causes to be moved any designated animal from the registered establishment where the animal is kept to any other establishment, must notify the movement of the animal to the nearest veterinary inspector where the destination establishment is located, by submitting the movement permit, duly endorsed by the person, and the accompanying animal movement notice, if applicable in terms of regulation 31(1)(c), to the veterinary inspector.
- (3) If a designated animal is moved from the registered establishment where it is kept to another establishment occupied by or under the control of another person, both the original keeper of the animal and the person receiving the

animal must confirm the movement of the animal under the movement permit as follows

- (a) the original keeper of the animal must
 - (i) check and verify that the animal being moved is as specified on the movement permit and, if applicable, the animal movement notice;
 - (ii) endorse the movement permit; and
 - (iii) hand the movement permit and the accompanying animal movement notice to the person receiving the animal; and
 - (b) the person receiving the designated animal must
 - (i) check and verify that the animal received is as specified on the movement permit and, if applicable, the animal movement notice;
 - (ii) endorse the movement permit; and
 - (iii) notify the movement of the animal to the nearest veterinary inspector where the destination establishment is located by submitting the movement permit and accompanying animal movement notice to that veterinary inspector within the period specified in the permit.
- (4) Notification of the movement of an animal in terms of paragraph (1) or (2) may be effected by facsimile or by means of other electronic communication in a format approved by the Director, but the original movement permit, duly endorsed, and the accompanying animal movement notice, must be submitted to the nearest veterinary inspector where the destination establishment is located, within the period specified in the permit, by the person liable to give notification of the movement of the animal.
 - (5) In the case of the movement of designated animals to or from an animal gathering the Director may require that notification of the movement of animals to or from the establishment where the animal gathering is held, be given by the organiser of the animal gathering exclusively by means of electronic communication in a format approved by the Director, not later than the second working day after the event has taken place.
 - (6) If a movement permit issued under these Regulations is not used by the person to whom it was issued, that person must return the permit to the office of the veterinary inspector in the district where it was issued not later than 7 days after the date of expiry of the permit that is specified in the permit.
 - (7) A person who contravenes, or fails to comply with paragraph (1), (2), (4) or (5) commits an offence.

35 Notification of death, theft or stray of individually identified animal

- (1) If an individually designated animal dies or is slaughtered on an establishment, other than an abattoir, or is stolen or strays from that establishment, the owner or other person in charge of the establishment must notify that fact to a veterinary inspector, within 21 days after it comes to that person's knowledge, by
 - (a) completing the required details in an animal termination notice in the approved form; and
 - (b) submitting the animal termination notice to the veterinary inspector.

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- (2) If a designated animal moved to an abattoir arrives dead at the abattoir or dies at the abattoir before it is slaughtered, the person in charge of the abattoir must notify the death to a veterinary inspector, within 48 hours after the death comes to the person's knowledge, by
 - (a) completing the required details in an animal termination notice in the approved form; and
 - (b) submitting the animal termination notice to the veterinary inspector.
- (3) If a designated animal dies while it is being transported, the person in charge of the conveyance transporting the animal must notify the death to a veterinary inspector, within 48 hours after the death comes to the person's knowledge, by
 - (a) completing the required details in an animal termination notice in the approved form; and
 - (b) submitting the animal termination notice to the veterinary inspector.
- (4) A person referred to in paragraph (1), (2) or (3) must keep a copy of the animal termination notice submitted to the veterinary inspector for a period of at least 3 years after the date the notice is submitted to the veterinary inspector.
- (5) A person who fails to comply with paragraph (1), (2), (3) or (4) commits an offence.

36 Notification of slaughter at abattoirs

- (1) A person in charge of an abattoir must notify a veterinary inspector of every designated animal slaughtered at the abattoir.
- (2) Subject to paragraph (4), the notification in terms of paragraph (1) must be effected by submitting to the veterinary inspector
 - (a) the movement permit in respect of the animal;
 - (b) the accompanying animal movement notice, if applicable in terms of regulation 31(1)(c); and
 - (c) the approved form giving the required slaughter information in respect of the animal.
- (3) If so required by the Director, the person in charge of an abattoir, before slaughtering a designated animal presented for slaughter, must check the central database or any other records pertaining to the designated animal to verify the information relating to the animal's ownership, health status, origin, previous location, movement history and eligibility to be slaughtered for a specific market.
- (4) In the case of an abattoir certified for slaughter for export purposes, the Director may require that the notification to be given by the person in charge of the abattoir about designated animals received and slaughtered at, or returned from, the abattoir, be given by that person exclusively by means of electronic communication in a format approved by the Director.
- (5) A person in charge of an abattoir must ensure that copies of the documents referred to in paragraph (2)(a), (b) and (c) in respect of a designated animal slaughtered at the abattoir are kept for a period of at least 3 years after the date it is slaughtered.
- (6) A person who fails to comply with paragraph (1), (3), (4) or (5) commits an offence.

**Schedule 1
Movement Permit**

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Movement Permit

_____ *(Name of Owner or Authorised Person)*

of _____ *(Business Address of Owner)*

Origin establishment:

Address:

Registration No.:

Destination establishment:

Address:

Registration No.:

Telephone: _____ Fax: _____ Email: _____

The animals which may be moved pursuant to this permit are

| Animal(s) | Identification No(s). | Identification mark(s) |
|-----------|-----------------------|------------------------|
| | | |
| | | |

The movement authorized under this permit must be carried out within the following period

This movement authorized under this permit must be carried out in accordance with the Regulations and the following condition(s)

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Dated the day of , 20

(Affix Stamp of Competent Authority)

Signed:_____

Veterinary Inspector

This permit is not transferable.