EXPLANATORY MEMORANDUM TO

THE CATTLE IDENTIFICATION (NO.2) (AMENDMENT) REGULATIONS (NORTHERN IRELAND) 2026

S.R. 2026 No. 110

1. Introduction

1.1. This Explanatory Memorandum has been prepared by the Department of Agriculture, Environment and Rural Affairs (the Department) to accompany the Statutory Rule (details above) which is laid before the Northern Ireland Assembly.

1.2. The Statutory Rule is made under powers conferred on it by sections 11 and 22 and paragraph 11M(1), (3) and (8) of Schedule 2 and paragraph 21(b) of Schedule 7 to, the European Union (Withdrawal) Act 2018 and is subject to the negative resolution procedure.

2. Purpose

2.1. The Statutory Rule makes amendments to Northern Ireland (NI) subordinate legislation relating to cattle identification, to provide for the implementation of Electronic Identification (EID) of cattle on a voluntary basis in NI. This will enable herd keepers to choose to use an electronic ear tag in place of a conventional tag, without placing any obligation on them to do so.

3. Background

3.1. Cattle in NI are currently identified using visual ear tags embossed with the animal's unique identification number. This system underpins the NI traceability regime, covering births, deaths, movements and disease-related recording requirements.

3.2. Implementation of EID for cattle is expected to greatly reduce errors in tag reading, streamline animal handling across farms, markets and processing sites, and decrease administrative burdens. In addition, EID is expected to enhance transparency, improve health and safety throughout the supply chain, and support ongoing disease control efforts in NI. Through the optional integration of EID tags, readers, and farm management software and equipment, it can also support better decision-making on farms. It can do this by streamlining routine farm management tasks, such as weight tracking, informing choices about selling or feeding, and quickly identifying and addressing health concerns within the herd. This could therefore support improved management and care of livestock, enabling increased profitability on farms.

3.3. EID ear tags contain a microchip encoded with an animal's unique identification number and can be read automatically using an electronic reader. EID tags are available in low frequency (LF), high frequency (HF) and ultra-high frequency (UHF) options. There are benefits and limitations to all tag types; however, the main difference is the speed and range from which tags can be read. Under EU Animal Health Law (AHL), which NI

must continue to follow, EID for bovines is optional, but if adopted, LF tags must be used.

3.4. AHL rules are supported domestically by several Regulations, including the Cattle Identification (No. 2) Regulations (NI) 1998 ("the 1998 Regulations"), which set out identification requirements, offences and penalties. As EID is optional under AHL, there is no mandatory requirement for NI to introduce it. However, AHL prescribes technical specifications that must be followed where EID is used. The Statutory Rule therefore introduces minor technical amendments to the 1998 Regulations to reference the relevant AHL provisions. This will allow keepers to use EID tags should they wish to do so.

4. Consultation

4.1. As voluntary EID does not impose new obligations on herd keepers or industry, no public consultation is required.

5. Equality Impact

5.1. The Department is required under section 75 of the Northern Ireland Act 1998 to screen the proposed changes to ascertain if an Equality Impact Assessment is required. A screening exercise was, therefore, carried out on the Statutory Rule. No equality issues were identified.

6. Regulatory Impact

6.1. A Regulatory Impact Assessment has not been prepared for this Statutory Rule as it does not place any significant mandatory impact in terms of costs on business, charities, social economy enterprises or voluntary bodies.

7. Financial Implications

7.1. The Statutory Rule is not expected to have any significant financial implications. While EID tags are more expensive than non-EID tags, the Statutory Rule does not mandate their use and therefore those who wish to benefit from this technology will absorb the necessary costs.

7.2. Operators, such as markets and abattoirs, may wish to upgrade their IT systems and associated equipment; however, this is voluntary, and most are expected to already possess and use this technology for sheep EID. For the Department, an upgrade to the Northern Ireland Food Animal Information System (NIFAIS) database to incorporate and support bovine EID is required. Such an upgrade necessitates capital expenditure, which is expected to be less than £10,000.

8. Section 24 of the Northern Ireland Act 1998

8.1. The Statutory Rule does not have any human rights implications, nor is it incompatible with EU law. It therefore complies with the requirements of section 24 of the NI Act 1998.

9. EU Implications

9.1. The Statutory Rule supports implementation of some of the IRM elements of the EU AHL, and in particular the technical specifications for electronic

cattle tags, which must be followed if EID is adopted. These automatically apply to NI because it is listed in Annex 2 to the Windsor Framework.

10. Parity or Replicatory Measure

10.1. The Statutory Rule is not necessary for parity elsewhere.

11. Additional Information

11.1. Not applicable.