1960 No. 105

The Movement of Animals (Records) Order, 1960

Made - - - - 26*th January*, 1960
Coming into Operation 1*st March*, 1960

The Minister of Agriculture, Fisheries and Food and the Secretary of State, acting jointly, in exercise of the powers conferred upon them by Sections 1 and 85 of the Diseases of Animals Act, 1950(a), and of every other power enabling them in that behalf, hereby make the following Order:—

Citation, Commencement and Extent

1. This Order, which applies to Great Britain, may be cited as the Movement of Animals (Records) Order, 1960, and shall come into operation on the 1st day of March, 1960.

Interpretation and Revocation

2.—(1) In this Order, unless the context otherwise requires—

"animal" means a bovine animal or a sheep, goat or pig;

"bovine animal" means a bull, cow, ox, heifer or calf;

"premises" includes land with or without buildings thereon and any market, saleyard, fairground, place of exhibition or lair.

(2) Any reference to an Order includes any modification or re-enactment thereof for the time being in force.

(3) The references to an ear-mark or an ear-tag in the Schedule to this Order shall be taken as a reference to the mark applied pursuant to Article 6 of the Tuberculosis (Area Eradication) Order, 1950(b), or to paragraph 2 of the Schedule to the Tuberculosis (Attested Herds) Scheme, 1958(c).

(4) The Movement of Animals (Records) Order of 1925(d) is hereby revoked.

(5) The Interpretation Act, 1889(e), shall apply to the interpretation of this Order as it applies to the interpretation of an Act of Parliament and as if this Order and the Order hereby revoked were Acts of Parliament.

Records of Movements of Animals

3.—(1) Subject as hereinafter provided, any person who moves, or permits to be moved, an animal to or from any premises shall enter in a record in the form set out in the Schedule to this Order such particulars relating to the movement of the animal as are specified in the headings of the several columns in that Schedule.

(2) The preceding paragraph of this Article shall not apply to any of the following movements, that is to say—

(a) 14 Geo. 6. c. 36. (b) S.I. 1950/2006 (1950 I, p. 173). (c) S.I. 1958/1912 (1958 I, p. 175).
(d) S.R. & O. 1925/1350 (Rev. II, p. 421: 1925, p. 69). (e) 52 & 53 Vict. c. 63.

(*a*) the movement of an animal between different parts of the premises;

(*b*) the movement of an animal to or from any premises for feeding, watering or milking purposes, and the return of that animal to the premises from which it was moved for those purposes, provided, in either case, that the return takes place within twenty-four hours of the first mentioned movement;

(*c*) the movement of a pig in respect of which particulars are entered in a register required to be kept by a pig dealer in accordance with paragraph (1) of Article 17 of the Swine Fever Order of 1938(a);

(*d*) the movement of an animal to or from any lair authorised by the local authority for use for the temporary detention of imported animals under and in accordance with the Second Schedule to the Diseases of Animals Act, 1950, or any Order made under that Act;

(*e*) the movement of an animal to or from an imported animals wharf or an approved landing place.

(3) The provisions of paragraph (1) of this Article shall not apply—

(*a*) to any person whilst acting as a market authority or as an auctioneer at any market, saleyard, fairground or other premises or as a person responsible for holding any exhibition of animals;

(*b*) to the British Transport Commission or to any other person carrying on the business of transporting goods by rail, road, air or water whilst moving animals in the course of that business on behalf of other persons.

(4) For the purposes of this Order the premises referred to in paragraph (1) of this Article shall include all premises that adjoin each other and are in the same occupation.

4.—(1) Every entry in a record shall be made in ink or indelible pencil within thirty-six hours after the movement of the animal required by this Order to be entered in the record.

(2) Every entry in a record, required by this Order to be made by any person, shall be retained by him for a period of three years, in the case of a bovine animal, or a period of twelve months, in the case of any other animal, from the making of the entry and shall be produced by him for inspection at all reasonable times on demand to any inspector of the Ministry of Agriculture, Fisheries and Food or of a local authority, and the inspector shall be entitled to make a copy thereof.

(3) A local authority may supply forms of record for the purposes of this Order to any person in the district of the local authority.

Transitional Provisions

5. Notwithstanding the revocation of the Movement of Animals (Records) Order of 1925 by this Order, any entry made in a record required to be kept by a person by that Order shall, if made at any time within the period of twelve months ending immediately before the coming into operation of this Order, be retained by him for a period expiring at the end of three years, in the case of a bovine animal, or at the end of twelve months, in the case of any other animal, from the making of the entry and the provisions of paragraph (2) of Article 4 of this Order, relating to the production, inspection and copying of entries, shall apply to that entry as they apply to the entries mentioned in that paragraph.

(a) S.R. & O. 1938/203 (Rev. II, p. 639: 1938 I, p. 273).

Enforcement

6. The provisions of this Order shall be executed and enforced by the local authority.

In witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed this twenty-fifth day of January, nineteen hundred and sixty.

(L.S.)

John Hare,
Minister of Agriculture, Fisheries and Food.

Given under the Seal of the Secretary of State for Scotland this twenty-sixth day of January, nineteen hundred and sixty.

(L.S.)

John S. Maclay,
Secretary of State for Scotland.

SCHEDULE

Form of Record

Movement of Animals (Records) Order, 1960

Name and full address of person keeping the record.....

Date of Movement	Particulars of each bovine animal moved to or moved from premises mentioned above				Number of sheep, goats or pigs (specifying which)	Movements to premises mentioned above	Movements from premises mentioned above
	Breed	Age	Sex	Ear Mark or Ear Tag No.		Premises from which moved (including market, saleyard or fair) and/or Name and address of person from whom delivery was taken N.B.—Both of these particulars are to be entered if available	Premises to which moved (including market, saleyard or fair) and/or Name and address of person taking delivery N.B.—Both of these particulars are to be entered if available
1	2	3	4	5	6	7	8

EXPLANATORY NOTE

(This Note is not part of the Order, but it is intended to indicate its general purport.)

This Order, made under the Diseases of Animals Act, 1950, revokes the Movement of Animals (Records) Order of 1925 and re-enacts it with amendments.

The principal change is the requirement that records of movements of animals, so far as they relate to bovine animals, shall contain additional particulars (including particulars of the ear-marks required by the Tuberculosis (Area Eradication) Order, 1950, or the Tuberculosis (Attested Herds) Scheme, 1958), and shall be retained for three years instead of twelve months. In respect of other animals (sheep, goats and pigs) this time limit remains unchanged.

The Order comes into operation on the 1st March, 1960.