

EXPLANATORY MEMORANDUM TO
THE PIGS (RECORDS, IDENTIFICATION AND MOVEMENT) ORDER (NORTHERN
IRELAND) 2012

S.R. 2012 No. 67

1. Introduction

- 1.1 This Explanatory Memorandum has been prepared by the Department of Agriculture and Rural Development for Northern Ireland 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 by the Diseases of Animals (Northern Ireland) Order 1981 and is not subject to any resolution procedure at the Assembly.
- 1.3 The Order will come into operation on 19th March 2012.

2. Purpose

- 2.1 The Pigs (Records, Identification and Movement) Order (NI) 2012 provides for the effective traceability of pigs and will replace existing identification, movement and record keeping requirements for pigs. The legislation will underpin the new Aujeszky's Disease legislation and will add clarity to the legislative provision on pig traceability.
- 2.2 This Order implements Council Directive 2008/71/EC on the identification and registration of pigs.

3. Background

- 3.1 The Aujeszky's Disease Order (NI) 2012 revoked the previous Aujeszky's legislation which provided for the identification and movement of pigs. It was therefore necessary to make this Order to provide a traceability system for pigs. It covers both pigs kept commercially and kept as pets.
- 3.2 The objective of the Order is to implement Council Directive 2008/71/EC to provide for the identification of pigs, movement documents to accompany them during movement, and holding registers on each holding; while minimising the administrative cost to the keeper in line with the Department's better regulation principals.

4. Consultation

- 4.1 A full 12 week consultation on the Pigs (Records, Identification and Movement) Order was launched on 16 December 2010. The consultation was accompanied by a draft Partial Regulatory Impact Assessment (RIA) which set out an assessment of the costs and benefits of the proposals.
- 4.2 We received 7 responses to the consultation. Respondents expressed either no comment or welcomed the introduction of the legislation.

5. Equality Impact

- 5.1 In accordance with DARD's obligations under Section 75 of the Northern Ireland Act 1998, the equality implications of the proposed Orders have been assessed and do not have an equality dimension and therefore an Equality Impact Assessment is not considered necessary.

6. Regulatory Impact / Better Regulation

- 6.1 A Regulatory Impact Assessment was carried out and published as part of the public consultation. If the current legislation were not updated then the Department would not be compliant with Council Directive 2008/71/EC and may be subject to refraction proceedings.
- 6.2 A regulatory impact assessment of the effect that this statutory rule will have on the costs of business is available from Animal Identification, Legislation and Welfare Division of the Department of Agriculture and Rural Development, Room 916, Dundonald House, Upper Newtownards Road, Belfast, BT4 3SB.

7. Financial Implications

- 7.1 None.

8. Section 24 of the Northern Ireland Act 1998

- 8.1 The Order deals with animal traceability and does not have any human rights implications, nor is it deemed incompatible with EU law. The Orders are therefore deemed to comply with the requirements of section 24 of the Northern Ireland Act 1998.

9. EU Implications

- 9.1 The Order implements Council Directive 2008/71/EC in Northern Ireland.

10. Parity or Replicatory Measure

- 10.1 England, Scotland and Wales made legislation in 2011 specifically for the identification and movement of pigs.
- 10.2 The Department of Agriculture, Food and Marine (DAFM) made legislation in 2002, which was further amended in 2010, to implement Council Directive 2008/71/EC and provide for the identification and movement of pigs.

11. Additional Information

- 11.1 Not applicable

12. Contact

- 12.1 John McConnell at the Department of Agriculture and Rural Development.
Telephone: 02890 525248 or
e-mail: john.mcconnell@dardni.gov.uk
Room 917, Dundonald House, Ballymiscaw, Upper Newtownards Road,
Belfast, BT6 9SB.