
WELSH STATUTORY INSTRUMENTS

2008 No. 130

**The Sheep and Goats (Records, Identification
and Movement) (Wales) Order 2008**

PART 10

Miscellaneous

Defence related to movement for emergency veterinary treatment

31. It is a defence for any person charged with contravening or failing to comply with any provision in this Order relating to the movement of an animal from a holding without attaching or applying the required means of identification to prove that the animal was moved from the holding for the purposes of emergency veterinary treatment.

Powers of inspectors

32.—(1) An inspector may, for any purpose relating to the enforcement of this Order—

- (a) collect, pen and mark any animal and require a keeper to arrange for the collection, penning, marking and securing of any animal;
- (b) require the keeper to produce or copy any document or record;
- (c) remove and retain any document or record;
- (d) have access to, and check the operation of, any computer and any associated apparatus or material which is or has been used in connection with records;
- (e) where a record is kept by means of a computer, require the record to be produced in a form which may be taken away;
- (f) require the production of any unused identification tags, and record their numbers;
- (g) take with him or her a representative of the European Commission acting for the purposes of Article 12 of the Council Regulation, or any people or things he or she considers necessary.

(2) A person required to do anything by an inspector acting under paragraph (1) must, unless he or she has reasonable cause, do so without delay.

Power to prohibit movement of animals

33.—(1) An inspector may, by serving notice on a keeper, prohibit the movement of a flock of sheep onto or from the holding specified in the notice, if he or she is satisfied that the prohibition is necessary for the proper enforcement of this Order in relation to that flock.

(2) An inspector may, by serving notice on a keeper, prohibit the movement of a herd of goats onto or from the holding specified in the notice, if he or she is satisfied that the prohibition is necessary for the proper enforcement of this Order in relation to that herd.

(3) A notice served under this article may be amended or revoked by further notice at any time.

False information

34. A person must not furnish information which he or she knows to be false or misleading to a person acting under this Order.

Offences by bodies corporate

35.—(1) If an offence against the Animal Health Act 1981 committed by a body corporate is shown—

- (a) to have been committed with the consent or connivance of an officer; or
- (b) to be attributable to any neglect on his or her part, the officer as well as the body corporate is guilty of the offence and liable to be proceeded against and punished accordingly.

(2) If the affairs of a body corporate are managed by its members, paragraph (1) applies in relation to the acts and defaults of a member in connection with his or her functions of management as if he or she were a director of the body.

(3) “Officer”, in relation to a body corporate, means a director, member of the committee of management, chief executive, manager, secretary or other similar officer of the body, or a person purporting to act in any such capacity.

Enforcement

36.—(1) This Order will be enforced by the local authority.

(2) The Welsh Ministers may direct, in relation to cases of a particular description or any particular case, that an enforcement duty imposed on a local authority by this Order must be discharged by the Welsh Ministers and not by the local authority.

Revocations

37. The following are revoked—

- (1) the Sheep and Goats (Records, Identification and Movement) (Wales) Order 2006(1); and
- (2) the Sheep and Goats (Records, Identification and Movement) (Amendment) (Wales) Order 2006(2).

(1) [S.I 2005/1036](#) amended by [S.I 2006/2926](#).

(2) [S.I 2006/2926](#).