

Regulation (EU) 2016/429 of the European Parliament and of the Council of 9 March 2016 on transmissible animal diseases and amending and repealing certain acts in the area of animal health ('Animal Health Law') (Text with EEA relevance)

PART IV

**REGISTRATION, APPROVAL, TRACEABILITY AND MOVEMENTS**

TITLE I

**TERRESTRIAL ANIMALS, GERMINAL PRODUCTS AND PRODUCTS OF ANIMAL ORIGIN FROM TERRESTRIAL ANIMALS**

*CHAPTER 3*

*Movements within the Union of kept terrestrial animals*

*Section 7*

*Animal health certification*

*Article 144*

**Delegation of powers concerning the obligation of operators to ensure that animals are accompanied by an animal health certificate**

1 The Commission shall be empowered to adopt delegated acts in accordance with Article 264 concerning:

- a derogations from the animal health certification requirements provided for in Article 143(1), for movements of kept terrestrial animals which do not pose a significant risk for the spread of a disease on account of:
  - (i) the species or categories of the kept terrestrial animals that are being moved and the listed diseases referred to in point (d) of Article 9(1) for which they are listed species;
  - (ii) the methods of keeping and the type of production of those species and categories of kept terrestrial animals;
  - (iii) the intended use of the kept terrestrial animals; or
  - (iv) the place of destination of the kept terrestrial animals; including those cases where their place of destination is in the same Member State as their place of origin but they pass through another Member State in order to reach their place of destination;

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**Changes to legislation:** There are currently no known outstanding effects for the Regulation (EU) 2016/429 of the European Parliament and of the Council, Article 144. (See end of Document for details)

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- b special rules for animal health certification as provided for in Article 143(1) where specific risk-mitigation measures concerning surveillance or biosecurity are taken, taking into account the matters provided for in paragraph 2 of this Article, which ensure:
    - (i) the traceability of the kept terrestrial animals being moved;
    - (ii) that the kept terrestrial animals being moved fulfil the animal health requirements for movements provided for in Sections 1 to 6 (Articles 124 to 142);
  - c the requirement for animal health certification for movements of species and categories of kept terrestrial animals other than those referred to in points (a), (b) and (c) of Article 143(1) in cases where animal health certification is imperative in order to ensure that the movement in question complies with the animal health requirements for movements provided for in Sections 1 to 6 (Articles 124 to 142).
- 2 When establishing the special rules provided for in point (b) of paragraph 1, the Commission shall take the following matters into account:
- a the assessment by the competent authority of the biosecurity put in place by operators as provided for in point (b) of Article 10(1) and any rules adopted pursuant Article 10(6);
  - b the ability of the competent authority, in so far as may be necessary and appropriate, to take measures and to engage in activities required by this Regulation as provided for in Article 13(1);
  - c the level of knowledge of animal health as provided for in Article 11 and the encouragement thereof provided for in Article 13(2);
  - d the carrying-out of the animal health visits provided for in Article 25 or other relevant surveillance or official controls in place;
  - e the performance by the competent authority of its obligations under the Union notification and reporting system provided for in Articles 19 to 22 and in the rules adopted pursuant to Article 20(3) and Article 23;
  - f the application of surveillance as provided for in Article 26 and surveillance programmes as provided for in Article 28 and in any rules adopted pursuant to Articles 29 and 30.
- 3 The Commission shall take the matters referred to in point (a)(i) to (iv) of paragraph 1 into account when establishing the requirements for animal health certification provided for in point (c) of paragraph (1).

**Changes to legislation:**

There are currently no known outstanding effects for the Regulation (EU) 2016/429 of the European Parliament and of the Council, Article 144.