
STATUTORY RULES OF NORTHERN IRELAND

2005 No. 78

Animals and Animal Products (Import and Export) Regulations (Northern Ireland) 2005

PART I
INTRODUCTION

Citation and commencement

1. These Regulations may be cited as the Animals and Animal Products (Import and Export) Regulations (Northern Ireland) 2005; and shall come into operation on 4th April 2005.

Interpretation

2.—(1) In these Regulations –

“assembly centre” means holdings, collection centres and markets, at which cattle, pigs, sheep or goats originating from different holdings are grouped together to form consignments of animals intended for intra-Community trade or which are used in the course of intra-Community trade, and which are approved by the Department in accordance with regulation 12;

“border inspection post” means a border inspection post as defined in Commission Decision [97/778/EEC](#) drawing up a list of border inspection posts agreed for veterinary checks on animals and animal products from third countries, laying down detailed rules concerning the checks to be carried out by the experts of the commission;

“dealer” means

- (a) in the case of cattle or pigs, any person who buys and sells animals commercially either directly or indirectly, who has a regular turnover of those animals and who within 30 days of purchasing animals resells or relocates them to other premises not within his ownership; and
- (b) in the case of sheep or goats, any person who buys and sells animals commercially either directly or indirectly, who has a turnover of those animals and who within 29 days of purchasing animals resells or relocates them to other premises or directly to a slaughterhouse not within his ownership;

“equidae” means wild or domesticated animals of the equine (including zebras) or asinine species or the offspring or crossings of those species;

“European international instruments” means –

- (a) the Act of Accession to the European Communities of the Kingdom of Denmark, Ireland, the Kingdom of Norway and the United Kingdom of Great Britain and Northern Ireland⁽¹⁾;

(1) O.J. No. L73, Special Edition, 27.3.1972

- (b) the Decision on the conclusion of the Agreement on the European Economic Area between the European Communities, their member States and the Republic of Austria, the Republic of Finland, the Republic of Iceland, the Principality of Liechtenstein, the Kingdom of Norway, the Kingdom of Sweden, and the Swiss Confederation⁽²⁾;
- (c) the Act concerning the conditions of accession of the Kingdom of Norway, the Republic of Austria, the Republic of Finland and the Kingdom of Sweden and the adjustments to the Treaties on which the European Union is founded⁽³⁾;
- (d) the Act concerning the conditions of accession of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic and the adjustments to the Treaties on which the European Union is founded⁽⁴⁾;

“export” means sent out of Northern Ireland by any means whatsoever;

“herd” or “flock” means a group of animals kept as an epidemiological unit;

“import” means brought into Northern Ireland by any means whatsoever;

“importer” in relation to any imported animal or animal product means any person who, whether as owner, consignor, consignee, agent or broker, is in possession of or in any way entitled to the custody or control of that animal or animal product;

“inspector” means a person appointed to be an inspector for the purposes of these Regulations by the Department and includes a veterinary inspector;

“keeper” means any natural or legal person responsible for animals, whether on a permanent or on a temporary basis, including during transportation or at a market;

“member State” means any member State of the European Union other than the United Kingdom and does not include the Isle of Man or any of the Channel Islands;

“official veterinary surgeon” means a veterinary inspector designated to act as such by the Department;

“place of destination” in relation to any animals or animal products means the address or addresses to which the animals or animal products are consigned by the consignor;

“required consignment documentation” in relation to any consignment means any certificates or other documents which are required by these Regulations to accompany the consignment;

“veterinary inspector” means a person appointed as a veterinary inspector by the Department.

(2) Any expressions used in these Regulations have the meaning they bear in –

- (a) Council Directive [90/425/EEC](#) (concerning veterinary and zootechnical checks applicable in intra-Community trade in certain live animals and animal products with a view to the completion of the single market)⁽⁵⁾; and
- (b) Council Directive [91/496/EEC](#) (laying down the principles governing the organisation of veterinary checks on animals entering the Community from third countries)⁽⁶⁾,

both of which have been amended by the legislation listed in Schedule 1;

(3) The Interpretation Act (Northern Ireland) 1954⁽⁷⁾ shall apply to these Regulations as it applies to an Act of the Northern Ireland Assembly.

(2) O.J. No. L1, 3.1.94, p. 1

(3) O.J. No. C241, 29.8.94, p. 21 as amended by O.J. No. L12, 1.1.95, p. 1

(4) O.J. No. L236, 23.9.03, p. 33

(5) O.J. No. L224, 18.8.90, p. 29 as amended by and as read with the provisions listed in Schedule 1

(6) O.J. No. L268, 24.9.91, p. 56 as amended by and as read with the provisions listed in Schedule 1

(7) [1954 c. 33 \(N.I.\)](#)

(4) Any reference in these Regulations to an instrument of the European Community is to that instrument as amended by the instruments listed in Schedules 1, 2 and 4.

(5) Any notices, approvals or declarations under these Regulations –

(a) shall be in writing;

(b) may be made subject to such conditions as are specified therein; and

(c) may be amended, suspended or revoked by a further notice in writing served on the same person at any time.

(6) Any person on whom a notice is served under these Regulations shall comply with the requirements thereof.

Exception

3.—(1) Subject to paragraph (2), these Regulations shall not apply in relation to veterinary checks on movements of pets (other than equidae) accompanied by and under the responsibility of a natural person, where such movements are not the subject of a commercial transaction.

(2) Where a person is accompanying and has under his responsibility more than 5 pets travelling together that –

(a) are of a species listed in Annex I to Regulation (EC) No. 998/2003⁽⁸⁾; and

(b) come from a third country other than one listed in section 2 of part B of Annex II to Regulation (EC) No. 998/2003,

these Regulations shall apply to the veterinary checks on the movements of those animals, notwithstanding that their movement is not the subject of a commercial transaction.

⁽⁸⁾ O.J. No. L146, 13.6.2003, p.1, as amended by Commission Regulation (EC) No. 592/2004 (O.J. No. L94, 31.3.2004, p. 7)