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STATUTORY RULES OF NORTHERN IRELAND

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**2011 No. 27**

**ANIMALS**

**The Animals and Animal Products (Import and Export)  
(Amendment) Regulations (Northern Ireland) 2011**

*Made - - - - 3rd February 2011*

*Coming into operation 28th February 2011*

The Department of Agriculture and Rural Development is a Department designated<sup>(1)</sup> for the purpose of making Regulations under section 2(2) of the European Communities Act 1972<sup>(2)</sup> in relation to the common agricultural policy of the European Union.

The Animals and Animal Products (Import and Export) Regulations (Northern Ireland) 2006<sup>(3)</sup> (“the principal Regulations”) make provision for a purpose mentioned in that section and it appears to the Department of Agriculture and Rural Development that it is expedient for the references to the European Union instruments set out in the provisions of Schedules 2 and 6 of the principal Regulations substituted by these Regulations to be construed as references to that legislation as amended from time to time.

The Department of Agriculture and Rural Development makes these Regulations in exercise of the powers conferred by section 2(2) of, and paragraph 1A of Schedule 2 to, the European Communities Act 1972.

In accordance with section 56(1), (2) and (5) of the Finance Act 1973<sup>(4)</sup> the Department of Finance and Personnel consents to the making of these Regulations.

**Citation and commencement**

1. These Regulations may be cited as the Animals and Animal Products (Import and Export) (Amendment) Regulations (Northern Ireland) 2011 and shall come into operation on 28th February 2011.

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(1) [S. I. 2000/2812](#)

(2) 1972 c. 68. Paragraph 1A was inserted into Schedule 2 by section 28 of the [Legislative and Regulatory Reform Act 2006](#) (c. 51) and as amended by [2008 \(c. 7\)](#)

(3) [S.R. 2006 No. 401](#) as last amended by [S.R. 2009 No. 86](#)

(4) 1973 c. 51

**Interpretation**

2. The Interpretation Act (Northern Ireland) 1954(5) shall apply to these Regulations as it applies to an Act of the Assembly.

**Amendment of the Animals and Animal Products (Import and Export) Regulations (Northern Ireland) 2006**

3. The Animals and Animal Products (Import and Export) Regulations (Northern Ireland) 2006 are amended in accordance with regulations 4 and 5.

**Part I of Schedule 2**

4. For Part 1 of Schedule 2 substitute—

**“PART I****LEGISLATION IN RELATION TO INTRA-COMMUNITY TRADE****Bovine animals and swine**

1. Council Directive [64/432/EEC](#) on health problems affecting intra-Community trade in bovine animals and swine(6).

**Bovine semen**

2. Council Directive [88/407/EEC](#) laying down the animal health conditions applicable to intra-Community trade in and imports of semen of domestic animals of the bovine species(7).

**Bovine embryos**

3. Council Directive [89/556/EEC](#) on animal health conditions concerning intra-Community trade in and importation from third countries of embryos of domestic animals of the bovine species(8).

**Equidae**

4. Council Directive [90/426/EEC](#) on health conditions governing the movement of equidae and their import from third countries(9).

5. Council Directive [90/427/EEC](#) on the zootechnical and genealogical conditions governing intra-Community trade in equidae(10).

6. Commission Decision 2010/346/EU on protective measures with regard to equine infectious anaemia in Romania(11).

(5) [1954 c. 33 \(N.I.\)](#)

(6) O.J. No. L 121, 29.7.64, p.1977 – 2012 as last amended by Commission Decision 2009/976/EU (O.J. No. L 336, 18.12.2009, p.36)

(7) O.J. No. L 194, 22.7.98, p.10 as last amended by Council Directive [2008/73/EC](#) (O.J. No. L 219, 14.8.2008, p.40)

(8) O.J. No. L 302, 19.10.89, p.1 as last amended by Council Directive [2008/73/EC](#)

(9) O.J. No. L 224, 18.8.90, p.42 as last amended by Council Directive [2008/73/EC](#)

(10) O.J. No. L 224, 18.8.90, p.55 as last amended by Council Directive [2008/73/EC](#)

(11) O.J. No. L155, 22.6.2010, p. 48

### **Porcine semen**

7. Council Directive [90/429/EEC](#) laying down the animal health requirements applicable to intra-Community trade in and imports of semen of domestic animals of the porcine species(12).

### **Poultry and hatching eggs**

8. Council Directive [2009/158/EC](#) on animal health conditions governing intra-Community trade in, and imports from third countries of, poultry and hatching eggs(13).

### **Animal waste**

9. Regulation (EC) No. [1774/2002](#) of the European Parliament and of the Council laying down rules concerning animal by-products not intended for human consumption(14).

### **Fish**

10. Council Directive [2006/88/EC](#) on animal health requirements for aquaculture animals and products thereof, and on the prevention and control of certain diseases in aquatic animals(15).

11. Directive [2004/41/EC](#) of the European Parliament and of the Council repealing certain directives concerning food hygiene and health conditions for the production and placing on the market of certain products of animal origin intended for human consumption and amending Council Directives [89/662/EEC](#) and [92/118/EEC](#) and Council Decision [95/408/EC](#)(16).

12. Commission Regulation (EC) No. [1251/2008](#) implementing Council Decision [2006/88/EC](#) as regards conditions and certification requirements for the placing on the market and the import into the Community of aquaculture animals and products thereof and laying down a list of vector species(17).

### **Ovine and caprine animals**

13. Council Directive [91/68/EEC](#) on animal health conditions governing intra-Community trade in ovine and caprine animals(18).

### **Other animals, semen, ova and embryos**

14. Council Directive [92/65/EEC](#) laying down animal health requirements governing trade in and imports into the Community of animals, semen, ova and embryos not subject to animal health requirements laid down in specific Community rules referred to in Council Directive [90/425/EEC](#)(19).

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(12) O.J. No. L 224, 18.8.90, p.62 as last amended by Council Directive (EC) [2008/73/EC](#)

(13) O.J. No. L 343, 22.12.2009, p.74

(14) O.J. No. L 273, 10.10.2002, p.1 as last amended by Council Regulation (EC) No [596/2009](#) (O.J. No. L 188, 18.7.2009, p. 14)

(15) O.J. No. L 328, 24.11.2006, p.14 as last amended by Commission Directive [2008/53/EC](#) (O.J. No. L 337, 16.12.2008, p. 94)

(16) O.J. No. L 157, 30.4.2004, p.33 as corrected in O.J. No L 195, 2.6.2004, p.12

(17) O.J. No. L 337, 16.12.2008, p.41 as last amended by Commission Regulation (EU) No. [346/2010](#) (O.J. No. L 104, 24.4.2010, p.1)

(18) O.J. No. L 46, 19.2.91, p.19 as last amended by Council Directive [2008/73/EC](#) (O.J. No L 219, 14.8.2008, p.40)

(19) O.J. No. L 268, 14.9.92, p.54 as last amended by Commission Regulation (EU) No [176/2010](#) (O.J. No L 52, 3.3.2010, p.14)

**Circuses and animal acts**

15. Commission Regulation (EC) No. 1739/2005 laying down animal health requirements for the movement of circus animals between member States(20).

**Pathogens**

16. Council Directive 92/118/EEC laying down animal and public health requirements governing trade in and imports into the Community of products not subject to the said requirements laid down in specific Community rules referred to in Annex A(I) to Directive 89/662/EEC and, as regards pathogens, to Directive 90/425/EEC(21).

**Pure-bred animals of the bovine species**

17. Council Directive 2009/157/EC on pure-bred breeding animals of the bovine species(22).

**Breeding animals of the porcine species**

18. Council Directive 88/661/EEC on the zootechnical standards applicable to breeding animals of the porcine species(23).

**Pure-bred breeding sheep and goats**

19. Council Directive 89/361/EEC concerning pure-bred breeding sheep and goats(24).

**Bluetongue susceptible animals**

20. Commission Regulation (EC) No. 1266/2007 on implementing rules for Council Directive 2000/75/EC as regards the control, monitoring, surveillance and restrictions on movements of certain animals of susceptible species in relation to bluetongue(25).

**Transmissible spongiform encephalopathies**

21. Regulation (EC) No. 999/2001 of the European Parliament and of the Council laying down rules for the prevention, control, and eradication of certain transmissible spongiform encephalopathies(26).

22. Commission Decision 2007/453/EC establishing the BSE status of Member States or third countries or regions thereof according to the BSE risk(27).”.

**Schedule 6**

5. For Schedule 6 substitute—

(20) O.J. No. L 279, 22.10.2005, p.47

(21) O.J. No. L 62, 15.3.93, p.49 as last amended by Commission Regulation (EC) No 445/2004 (O.J. No L 72, 11.3.2004, p. 60)

(22) O.J. No. L 323, 10.12.2009, p.1

(23) O.J. No. L 382, 31.12.1988, p.36 as last amended by Council Directive 2008/73/EC (O.J. No L 219, 14.8.2003, p. 40).

(24) O.J. No. L 153, 6.6.1989, p.30 as last amended by Council Directive 2008/73/EC

(25) O.J. No. L 283, 27.10.2007, p.37 as last amended by Commission Regulation (EC) No 1156/2009 (O.J. No. L 313, 28.11.2009, p.59)

(26) O.J. No. L 147, 31.5.2001, p.1 as last amended by Commission Regulation (EC) No 220/2009 (O.J. No. L 87, 31.3.2009, p. 155)

(27) O.J. No. L 172, 30.6.2007, p.84 as last amended by Commission Decision 2009/830 (O.J. No. L 295, 12.11.2009, p.11)

“SCHEDULE 6

Regulation 2(3),15(5), 23 and 33

EU LEGISLATION IN RELATION TO IMPORTS FROM THIRD COUNTRIES

PART I

INSTRUMENTS SPECIFYING THIRD COUNTRIES AND  
TERRITORIES IN THIRD COUNTRIES FROM WHICH  
MEMBER STATES MAY AUTHORISE CERTAIN IMPORTS

**Cloven-hoofed animals and elephants and zoo ungulates**

1. [Commission Regulation \(EC\) No. 206/2010](#) laying down lists of third countries, territories or parts thereof authorised for the introduction into the EU of certain animals and fresh meat and the veterinary certification requirements(28).

**Poultry**

2. [Commission Regulation \(EC\) No. 798/2008](#) laying down a list of third countries, territories, zones or compartments from which poultry and poultry products may be imported into and transit through the Community and the veterinary certification requirements(29).

**Captive birds**

3. [Commission Regulation \(EC\) No. 318/2007](#) of 23 March 2007 laying down animal health conditions for imports of certain birds into the Community and the quarantine conditions thereof(30).

**Shellfish and finfish**

4. [Commission Regulation \(EC\) No. 1251/2008](#) implementing Council Decision 2006/88/EC as regards conditions and certification requirements for the placing on the market and the import into the Community of aquaculture animals and products thereof and laying down a list of vector species(31).

5. Commission Decision 2006/766/EC establishing the lists of third countries and territories from which imports of bivalve molluscs, echinoderms, tunicates, marine gastropods and fishery products are permitted(32).

**Bees**

6. [Commission Regulation \(EC\) No. 206/2010](#) laying down lists of third countries, territories or parts thereof authorised for the introduction into the EU of certain animals and fresh meat and the veterinary certification requirements(33).

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(28) O.J. No. L 73, 20.3.2010, p.1

(29) O.J. No. L 226, 23.8.2008, p.1 as last amended by Commission Regulation (EU) No 254/2010 (O.J. No. L 80, 26.3.2010, p. 1)

(30) O.J. No. L 84, 24.3.2007, p. 7 as last amended by [Commission Regulation \(EC\) No 239/2010](#) (O.J. No. L 75, 23.3.2010, p.18)

(31) O.J. No. L 337, 16.12.2008, p.41 as last amended by [Commission Regulation \(EC\) No 719/2009](#) (O.J. No. L 205, 7.8.2009, p.10)

(32) O. J. No. L 320, 18.11.2006, p.53 last amended by Commission Decision 2009/951/EU (O.J. No. L 328, 15.12.2009, p.70)

(33) O.J. No. L 73, 20.3.2010, p.1

**Equidae**

7. Commission Decision [2004/211/EC](#) establishing the list of third countries and parts of territory thereof from which Member States authorise imports of live equidae and semen, ova and embryos of the equine species([34](#)).
8. Commission Decision [2010/57/EU](#) laying down health guarantees for the transit of equidae being transported through the territories listed in Annex I to Council Directive [97/78/EC](#)([35](#)).

**Cats, dogs and ferrets**

9. Commission Decision [2005/64/EC](#) implementing Council Directive [92/65/EEC](#) as regards import conditions for cats, dogs and ferrets for approved bodies, institutes or centres([36](#)).
10. Commission Regulation (EU) No. 388/2010 implementing Council Regulation (EC) No. [998/2003](#) of the European Parliament and of the Council as regards the maximum number of pet animals of certain species that may be the subject of non-commercial movement([37](#))

**PART II****DETAILED PROVISIONS****Cloven-hoofed animals and elephants and zoo ungulates**

1. [Commission Regulation \(EC\) No. 206/2010](#) laying down lists of third countries, territories or parts thereof authorised for the introduction into the EU of certain animals and fresh meat and the veterinary certification requirements([38](#)).

**Zoo ungulates**

2. Council Directive [2004/68/EC](#) laying down health rules for the importation into and transit through the Community of certain live ungulate animals, amending Directives [90/426/EEC](#) and [92/65/EEC](#) and repealing Directive [74/462/EEC](#)([39](#)).

**General provisions for equidae**

3. Council Directive [90/426/EEC](#) on health conditions governing the movement of equidae and their import from third countries([40](#)).
4. Commission Decision [2004/211/EC](#) establishing the list of third countries and parts of territory thereof from which Member States authorise imports of live equidae and semen, ova and embryos of the equine species([41](#)).
5. Council Directive [2009/156/EC](#) on animal health conditions governing the movement and importation from third countries of equidae([42](#)).

(34) O.J. No. L 73, 11.3.2004, p.1 as last amended by Commission Decision [2009/624/EC](#) (O.J. No. L 227, 29.8.2009, p. 7)

(35) O.J. No. L32, 4.2.2010, p.32

(36) O.J. No. L 27, 29.1.2005, p.48

(37) O.J. No. L 114, 7.5.2010, p. 3

(38) O.J. No. L 73, 20.3.2010, p.1

(39) O.J. No. L 139, 30.4.2004, p.321 as corrected in O.J. No L 226, 25.6.2004, p.128

(40) O.J. No. L 224, 18.8.1990, p. 42 as last amended by Council Directive [2006/104/EC](#), (O.J. No. L 363, 20.12.2006, p. 352)

(41) O.J. No. L 73, 11.3.2004, p.1 as last amended by Commission Decision [2009/624/EC](#) (O.J. No. L 227, 29.8.2009, p. 7)

(42) O.J. No. L 192, 23.7.2010 p.1

### **Temporary admission of registered horses**

6. Commission Decision [92/260/EEC](#) on animal health conditions and veterinary certification for temporary admission of registered horses(43).

### **Registered horses for racing etc, upon re-entry**

7. Commission Decision [93/195/EEC](#) on animal health conditions and veterinary certification for the re-entry of registered horses for racing, competition and cultural events after temporary export(44).

### **Equidae for slaughter**

8. Commission Decision [93/196/EEC](#) on animal health conditions and veterinary certification for imports of equidae for slaughter(45).

### **Registered equidae and equidae for breeding and production**

9. Commission Decision [93/197/EEC](#) on animal health conditions and veterinary certification on imports of registered equidae and equidae for breeding and production(46).

### **Poultry**

10. Council Directive [2009/158/EC](#) on animal health conditions governing intra-Community trade in, and imports from third countries of, poultry and hatching eggs(47).

11. [Commission Regulation \(EC\) No. 798/2008](#) laying down a list of third countries, territories, zones or compartments from which poultry and poultry products may be imported into and transit through the Community and the veterinary certification requirements(48).

### **Other specified animals, semen, ova and embryos**

12. Council Directive [92/65/EEC](#) laying down animal health requirements governing trade in and imports into the Community of animals, semen, ova and embryos not subject to animal health requirements laid down in specific Community rules referred to in Council Directive [90/425/EEC](#)(49).

### **Captive birds**

13. [Commission Regulation \(EC\) No. 318/2007](#) of 23 March 2007 laying down animal health conditions for imports of certain birds into the Community and the quarantine conditions thereof(50).

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(43) O.J. No. L 130, 15.5.1992, p.67 as last amended by [Commission Regulation \(EC\) No. 1792/2006](#)

(44) O.J. No. L 86, 6.4.93, p.7 as last amended by [Commission Regulation \(EC\) No. 1792/2006](#) (O.J. No L 362, 20.12.2006, p.1)

(45) O.J. No. L 86, 6.4.93, p.7 as last amended by [Commission Regulation \(EC\) No. 1792/2006](#)

(46) O.J. No. L 86, 6.4.93, p.16 as last amended by [Commission Regulation \(EC\) No. 1792/2006](#)

(47) O.J. No. L 343, 22.12.2009, p.74

(48) O.J. No. L 226, 23.8.2008, p.1 as last amended by [Commission Regulation \(EU\) No. 254/2010](#) (O.J. No L 80, 26.3.2010, p. 1)

(49) O.J. No. L 268, 14.9.92, p.54 as last amended by [Commission Regulation \(EU\) 176/2010](#) (O.J. No L 52 3.3. 2010, p.14)

(50) O.J. No L 84, 24.3.2007, p. 7 as last amended by [Commission Regulation \(EC\) No. 1118/2009](#) (O.J. No. L 307, 21.11.2009, p.3)

### Cats, dogs and ferrets

14. Commission Decision [2005/64/EC](#) implementing Council Directive [92/65/EEC](#) as regards import conditions for cats, dogs and ferrets for approved bodies, institutes or centres(51).

15. Commission Regulation (EU) No. 388/2010 implementing Regulation (EC) No. 998/2003 of the European Parliament and of the Council as regards the maximum number of pet animals of certain species that may be the subject of non-commercial movement.

### Live animals from New Zealand

16. Commission Decision [2003/56/EC](#) on health certificates for the importation of live animals and animal products from New Zealand(52).

### Zootechnical conditions

17. Council Directive [94/28/EC](#) laying down the principles relating to the zootechnical and genealogical conditions applicable to imports from third countries of animals, their semen, ova and embryos, and amending Directive [77/504/EEC](#) on pure-bred breeding animals of the bovine species(53).

### Transmissible spongiform encephalopathies

18. Regulation (EC) No. 999/2001 of the European Parliament and of the Council laying down rules for the prevention, control, and eradication of certain transmissible spongiform encephalopathies(54).

19. Commission Decision [2007/453/EC](#) establishing the BSE status of Member States or third countries or regions thereof according to the BSE risk(55).”.

Sealed with the Official Seal of the Department of Agriculture and Rural Development on 3rd February 2011



*C. McMaster*  
A senior officer of the Department of Agriculture  
and Rural Development

(51) O.J. No L 27, 29.1.2005, p.48

(52) O.J. No L 22, 25.1.2003, p.38 as last amended by Commission Decision [2006/855/EC](#) (O.J. No. L 338, 5.12.2006, p.45)

(53) O.J. No L 178, 12.7.94, p.66 as amended by Council Directive [2008/73/EC](#) (O.J. No. L 219, 14.8.2008, p.40)

(54) O.J. No L 147, 31.5.2001, p.1 as last amended by [Commission Regulation \(EC\) No. 220/2009](#)

(55) O.J. No L 172, 30.6.2007, p.84 as last amended by Commission Decision [2009/830/EC](#) (O.J. No. L 295, 12.11.2009, p.11)



Sealed with the Official Seal of the Department of Finance and Personnel on 3rd February 2011



*Jack Layberry*  
A senior officer of the Department of Finance  
and Personnel

**Status:** This is the original version (as it was originally made).

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## **EXPLANATORY NOTE**

*(This note is not part of the Regulations)*

These Regulations replace Part I of Schedule 2 and Schedule 6 to the Animals and Animal Products (Import and Export) Regulations (Northern Ireland) 2006 ([S.R. 2006 No. 401](#)). The new Schedules incorporate a number of new and amended pieces of EU legislation that have come into force since those Regulations came into operation.

An Impact Assessment has not been produced for this instrument as no impact on private, voluntary or public sectors is foreseen.