

SCHEDULE

Article 12

Consequential Amendments

PART 1

Rabies (Importation of Dogs, Cats and Other Mammals) Order (Northern Ireland) 1977

**Amendment of the Rabies (Importation of Dogs, Cats and Other Mammals) Order (Northern Ireland) 1977**

1. The Rabies (Importation of Dogs, Cats and Other Mammals) Order (Northern Ireland) 1977(1) is amended in accordance with this Part.

**Amendment of article 3 (Interpretation)**

2.—(1) In paragraph (1) of article 3—

(a) for the definition of “the Pets Regulation” substitute—

““the Pets Regulation” means Regulation (EU) No 576/2013 of the European Parliament and of the Council on the non-commercial movement of pet animals and repealing Regulation (EC) 998/2003(2),”, and

(b) for the definition of “the Pets Regulation quarantine end date” substitute—

““the Pets Regulation quarantine end date” means the earliest of either—

(a) in the case of—

- (i) a cat or ferret subject to Article 6 of the Pets Regulation, the date on which the animal satisfies the requirements of that Article,
- (ii) a cat or ferret subject to Article 10 of the Pets Regulation, the date on which the animal satisfies the requirements of that Article,
- (iii) a dog subject to Article 6 of the Pets Regulation and Article 7 of the supplementary Regulation, the date on which the dog satisfies the requirements of both Articles,
- (iv) a dog subject to Article 6 of the Pets Regulation but exempt from Article 7 of the supplementary Regulation, the date on which the dog satisfies the requirements of Article 6 of the Pets Regulation,
- (v) a dog subject to Article 10 of the Pets Regulation and Article 7 of the supplementary Regulation, the date on which the dog satisfies the requirements of both Articles, or

(b) where the animal has satisfied the requirements applicable to it under subparagraphs (a)(i) to (v) above, but does not satisfy the requirements in relation to rabies under Article 6(b) or Article 10(b) and (c) of the Pets Regulation as appropriate, the date of the expiry of a period of four months beginning with the date on which the animal is detained for the purposes of isolation in quarantine.”.

(1) S.R. 1977 No. 113; as amended by S.R. 1977 No. 256, S.R. 1994 No. 402, S.R. 2000 No. 10, S.R. 2005 No. 275, S.R. 2011 No. 438, S.R. 2011 No. 440 and partial disapplication by S.R. 2006 No. 401

(2) OJ No L 178, 28.06.2013, p. 1-26.

*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

(2) After paragraph 1 of article 3, insert—

“(1A) For the purposes of the definition of “the Pets Regulation quarantine end date” in paragraph (1), “the supplementary Regulation” means Commission Delegated Regulation (EU) No 1152/2011 supplementing Regulation (EC) No 998/2003 of the European Parliament and of the Council as regards preventative measures for the control of *Echinococcus multilocularis* infection in dogs<sup>(3)</sup>.”.

**Amendment of article 4 (Prohibition on landing of animals)**

3. In paragraph (2)(c)(i) of article 4, for “Article 5” substitute “Article 6”.

**Amendment of article 5 (Detention and isolation in quarantine)**

4. In paragraphs (2B)(a), (2C) and (3) of article 5, for “Article 5 or 8” in each place it occurs, substitute “Article 6 or 10”.

**Amendment of article 6 (Vaccination of animals in quarantine)**

5. In paragraph (3) of article 6, for “Article 5 or 8” substitute “Article 6 or 10”.

**Amendment of article 8 (Control of animals passing through Northern Ireland)**

6. In paragraph (8) of article 8, for “Article 5 or 8” substitute “Article 6 or 10”.

**Amendment of article 12 (Detention of animals on board vessels in harbour)**

7. In paragraphs (5A)(a) and (b), and paragraphs (9A)(a) and (b), of article 12, for “Article 5 or 8” in each place it occurs, substitute “Article 6 or 10”.

**Amendment of article 13 (Action in case of illegal landing or breach of quarantine)**

8. In paragraphs (1A), (3A)(a) and (b) of article 13, for “Article 5 or 8” in each place it occurs, substitute “Article 6 or 10”.

**Amendment of article 14 (Power to destroy imported animals)**

9. In paragraph (2) of article 14—
- (a) for “Article 8” substitute “Article 6 or 10”, and
  - (b) for “Article 14(c)” substitute “Article 35(1)(c)”.

## PART 2

### The Trade in Animals and Related Products Regulations (Northern Ireland) 2011

**Amendment of the Trade in Animals and Related Products Regulations (Northern Ireland) 2011**

10. The Trade in Animals and Related Products Regulations (Northern Ireland) 2011<sup>(4)</sup> are amended in accordance with this Part.

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(3) OJ No L 296, 15.11.2011, p6. The repeal of Regulation (EC) No 998/2003 has no effect and this Regulation remains in force under Article 43(3) of Regulation (EU) No 576/2013.

(4) S.R. 2011 No. 438, as amended by S.R. 2014 No. 196

### **Amendment of regulation 3 (Exceptions for pet animals)**

11. For regulation 3, substitute—

#### **“Exceptions for pet animals**

3.—(1) These Regulations do not apply in relation to pet animals where—

- (a) the movement is a non-commercial movement, and
- (b) in the case of cats, dogs and ferrets—
  - (i) the pet animal is accompanying the owner or authorised person, or
  - (ii) where more than five pet animals are accompanying the owner or authorised person, the conditions set out in Article 5(2) of the Pets Regulation are fulfilled.

(2) In this regulation—

“authorised person”, “non-commercial movement” and “owner” have the meaning given by Article 3 of the Pets Regulation;

“the Pets Regulation” means Regulation (EU) No 576/2013 of the European Parliament and of the Council on the non-commercial movement of pet animals and repealing Regulation (EC) No 998/2003<sup>(5)</sup>;

“pet animal” means an animal of a species listed in Annex I of the Pets Regulation;

“accompanying” has the same meaning as in the Pets Regulation.”.

## **PART 3**

### **The Welfare of Animals at the Time of Killing Regulations (Northern Ireland) 2014**

#### **Amendment of The Welfare of Animals at the Time of Killing Regulations (Northern Ireland) 2014**

12. The Welfare of Animals at the Time of Killing Regulations (Northern Ireland) 2014<sup>(6)</sup> are amended in accordance with this Part.

#### **Amendment of regulation 16 (Review by the competent authority)**

13. After regulation 16(4), insert—

“(5) A person who is aggrieved by the final determination of the competent authority under paragraph (4) may, within 21 days of the notification of the determination, appeal against that determination to a court of summary jurisdiction.”.

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<sup>(5)</sup> OJ No L 178, 28.06.2013, p. 1-26.

<sup>(6)</sup> S.R. 2014 No. 107