

**2018 No. 204**

**ANIMALS**

**The Zootechnical Standards Regulations (Northern Ireland)  
2018**

*Made* - - - - *5th December 2018*

*Coming into operation* - *26th December 2018*

The Department of Agriculture, Environment and Rural Affairs(a) is a Department designated(b) for the purposes of section 2(2) of the European Communities Act 1972(c) in relation to the common agricultural policy of the European Union and makes the following Regulations in exercise of the powers conferred by section 2(2) of, and paragraph 1A of Schedule 2, to that Act.

**Citation and commencement**

1. These Regulations may be cited as the Zootechnical Standards Regulations (Northern Ireland) 2018 and come into operation on 26th December 2018.

**Interpretation**

2.—(1) The Interpretation Act (Northern Ireland) 1954(d) applies to these Regulations as it applies to an Act of the Assembly.

(2) In these Regulations—

“the Animal Breeding Regulation” means Regulation (EU) 2016/1012 of the European Parliament and of the Council of 8 June 2016 on zootechnical and genealogical conditions for the breeding, trade in and entry into the Union of purebred breeding animals, hybrid breeding pigs and the germinal products thereof and amending Regulation (EU) No 652/2014, Council Directives 89/608/EEC and 90/425/EEC and repealing certain acts in the area of animal breeding as amended from time to time(e);

“the Department” means the Department of Agriculture, Environment and Rural Affairs;

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(a) The Department of Agriculture and Rural Development was renamed the Department of Agriculture, Environment and Rural Affairs by section 1(2) of the Departments Act (Northern Ireland) 2016 (c. 5 (N.I.)).

(b) S.I. 1972/1811 and S.I. 2000/2812.

(c) 1972 C. 68; section 2(2) was amended by section 27(1)(a) of the Legislative and Regulatory Reform Act 2006 (c. 51) (the 2006 Act) and by Part 1 of Schedule 1 to the European Union (Amendment ) Act 2008 (c. 7) (the 2008 Act). Paragraph 1A of Schedule 2 was inserted by section 28 of the 2006 Act and by Part 1 of Schedule 1 to the 2008 Act. Section 2(2) and paragraph 1A of Schedule 2 are prospectively amended by section 1 of the European Union (Withdrawal) Act 2018 (c. 16) from exit day (see section 20 of that Act).

(d) 1954 c. 33 (N.I.).

(e) is OJ L 171, 29.6.2016, p. 66–143. See also Commission Implementing Regulations (EU) 2017/716, which makes provision in respect of the model forms to be used for the information to be included in the lists of recognised breed societies and breeding operations; Commission Implementing Regulation (EU) 2017/717 laying down rules for the application of Regulation (EU) 2016/1012 with regard to the model forms of zootechnical certificates for breeding animals and their germinal products and Commission Delegated Regulation (EU) 2017/1940 as regards the content and format of zootechnical certificates issued for purebred breeding animals of the equine species contained in a single lifetime identification document for equidae

(3) Expressions used in the Animal Breeding Regulation have the same meaning in these Regulations as in that Regulation.

### **Designation of the Department as the competent authority**

3. The Department is the Competent Authority for the purpose of the Animal Breeding Regulation.

### **Enforcement**

4. The Animal Breeding Regulation is enforced by the Department.

### **Notifications**

5.—(1) Any notice to be served under the Animal Breeding Regulation may be sent to the operator by post or electronically to the postal or electronic address provided by the operator to the Department.

(2) If the notice is sent to the operator electronically it is to be treated as given only if—

(a) the operator had indicated to the Department willingness to receive notification by electronic means and provided an address suitable for that purpose; and

(b) the notification was sent to that address.

### **Obligation to inform the Department of a change in contact details**

6.—(1) This regulation applies where an operator's contact details change ("changed contact details").

(2) Subject to paragraph (3), the operator must give the Department notice of its changed contact details no later than 10 working days following the change, that period of 10 days beginning with the day on which the change occurs.

(3) Notice given under this regulation must be sent to the Department at such postal or electronic address as the Department may specify.

### **Penalties**

7. Article 47(1) of the Animal Breeding Regulation makes provision in relation to non-compliance with that Regulation, including by setting out a list of particular actions which the Department may take in the event of non-compliance.

### **Review in respect of a decision taken under Article 47(2)(a) of the Animal Breeding Regulation**

8.—(1) Where the Department has given a breed society or breeding operation a notice under Article 47(2)(a) of the Animal Breeding Regulation in respect of a decision to withdraw the recognition of the breed society or breeding operation granted in accordance with Article 4(3) of that Regulation, that breed society or breeding operation may apply to the Department for a reconsideration of the decision given in that notice.

(2) An application under paragraph (1) must—

(a) be made by the breed society or breeding operation within the period of 28 days beginning with the day on which the relevant notice is served; and

(b) state the reasons for making the application and be accompanied by such evidence as the breed society or breeding operation believes supports those reasons.

(3) The Department may request evidence from the breed society or breeding operation in support of the application.

(4) The Department must as soon as reasonably practicable—

- (a) consider the application and make a decision in respect of it;
- (b) give written notification to the breed society or breeding operation stating whether the decision is confirmed or reversed; and
- (c) if the decision is reversed take the appropriate action in respect of the reversed decision.

(5) The availability of a review under this regulation does not prevent a notice described in paragraph (1) having effect immediately upon being served.

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

**9.**—(1) The Trade in Animals and Related Products Regulations (Northern Ireland) 2011(**a**) are amended as follows.

(2) In regulation 15(1) (procedure on importation), after sub-paragraph (c) insert—

“(d) the checks required by article 37(1) of Regulation (EU) 2016/1012 of the European Parliament and of the Council of 8 June 2016 on zootechnical and genealogical conditions for the breeding, trade in and entry into the Union of purebred breeding animals, hybrid breeding pigs and the germinal products thereof and amending Regulation (EU) No 652/2014, Council Directives 89/608/EEC and 90/425/EEC and repealing certain acts in the area of animal breeding as amended from time to time;”.

(3) In Schedule 2 (European Union legislation), at the end insert—

Regulation (EU) 2016/1012 of the European Parliament and of the Council of 8 June 2016 on zootechnical and genealogical conditions for the breeding, trade in and entry into the Union of purebred breeding animals, hybrid breeding pigs and the germinal products thereof	Purebred breeding animals, hybrid breeding pigs and the germinal products thereof
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### **Revocations**

**10.** The following Regulations(**b**) are revoked—

- (a) the Zootechnical Standards Regulations (Northern Ireland) 1992(**c**);
- (b) the Zootechnical Standards (Amendment) Regulations (Northern Ireland) 2008(**d**);
- (c) the Horses (Zootechnical Standards) Regulations (Northern Ireland) 2009(**e**).

Sealed with the Official Seal of the Department of Agriculture, Environment and Rural Affairs on 5th December 2018



*Jackie Robinson*

A senior officer of the Department of Agriculture, Environment and Rural Affairs

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(a) S.R. 2011 No. 438, to which there are amendments not relevant to these Regulations.  
 (b) See Article 64 of Regulation (EU) 2016/1012 as to the transitional arrangements in respect of the Directives which these revoked regulations implemented.  
 (c) S.R. 1992 No. 438.  
 (d) S.R. 2008 No. 37.  
 (e) S.R. 2009 No. 251.

## EXPLANATORY NOTE

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

These Regulations supplement, and make provision for the enforcement of, Regulation (EU) 2016/1012 of the European Parliament and of the Council of 8 June 2016 (“the Animal Breeding Regulation”) in Northern Ireland.

These Regulations designate the Department of Agriculture, Environment and Rural Affairs as the Competent Authority for the purposes of the Animal Breeding Regulation, and provide that the Department as the Competent Authority is responsible for enforcement of that Regulation in Northern Ireland. They also make provision for certain administrative matters.

These Regulations also amend the Trade in Animals and Related Products Regulations (Northern Ireland) 2011 to make provision in respect of border checks in certain circumstances envisaged by the Animal Breeding Regulations.

These Regulations also make revocations consequential on the coming into force of the Animal Breeding Regulations.

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