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 (1) for the purpose of making Regulations under section 2(2) of the European Communities Act 1972 (2) in relation to the common agricultural policy of the European Union.

The Animals and Animal Products (Import and Export) Regulations (Northern Ireland) 2006 (3) ("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 (4) 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.

Interpretation

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

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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
(5) 1954 c. 33 (N.I.)
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


Bovine semen


Bovine embryos


Equidae


Porcine semen


(11) O.J. No. L155, 22.6.2010, p. 48
Poultry and hatching eggs


Animal waste


Fish


Ovine and caprine animals


Other animals, semen, ova and embryos


Circuses and animal acts


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


Pure-bred animals of the bovine species


Breeding animals of the porcine species


Pure-bred breeding sheep and goats


Bluetongue susceptible animals


Transmissible spongiform encephalopathies


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—

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


Shellfish and finfish


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).

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


Cats, dogs and ferrets


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


General provisions for equidae


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).


(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
(42) O.J. No. L 192, 23.7.2010 p.1
Temporary admission of registered horses


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


Registered equidae and equidae for breeding and production


Poultry


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


Captive birds


Cats, dogs and ferrets


Live animals from New Zealand


Zootechnical conditions


Transmissible spongiform encephalopathies


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
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
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.