STATUTORY RULES OF NORTHERN IRELAND

2015 No. 282

ANIMALS

ANIMAL HEALTH

The Non-Commercial Movement of Pet Animals (Amendment) Order (Northern Ireland) 2015

Made - - - -	*24th June 2015*
Coming into operation	*23rd July 2015*

The Department of Agriculture and Rural Development is designated(**1**) for the purposes of section 2(2) of the European Communities Act 1972(**2**) in relation to the common agricultural policy of the European Union and measures in the veterinary and phytosanitary fields for the protection of public health.

The Department makes this Order in exercise of the powers conferred by Articles 5, 19, 24 and 60 of the Diseases of Animals (Northern Ireland) Order 1981(**3**) and section 2(2) of, and paragraph 1A of Schedule 2 to, the European Communities Act 1972(**4**).

Citation, commencement and interpretation

1. This Order may be cited as The Non-Commercial Movement of Pet Animals (Amendment) Order (Northern Ireland) 2015 and shall come into operation on 23rd July 2015.

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

Amendment of the Non-Commercial Movement of Pet Animals Order (Northern Ireland) 2011

3. The Non-Commercial Movement of Pet Animals Order (Northern Ireland) 2011(**6**) is amended in accordance with articles 4 to 12.

(**1**) S.I. 2000/2812 and S.I. 1999/2027.
(**2**) 1972 c. 68 ("the 1972 Act"). Section 2(2) was amended by the Legislative and Regulatory Reform Act 2006 (c. 51), section 27(1)(a), and the European Union (Amendment) Act 2008 (c. 7), Part 1 of the Schedule.
(**3**) S.I. 1981/1115 (N.I. 22) as amended by S.I.1984/702 (N.I. 2)Art. 17, S.I. 1994/1891 (N.I. 6) Arts. 20 and 23, S.R. 1994 No. 161, S.R. 2004 No. 362 and 2006 No. 41 and Diseases of Animals Act (Northern Ireland) 2010 (c. 1) Section 19
(**4**) Paragraph 1A of Schedule 2 was inserted by section 28 of the Legislative and Regulatory Reform Act 2006, and amended by the European Union (Amendment) Act 2008, Part 1 of the Schedule, and S.I. 2007/1388.
(**5**) 1954 c.33 (N.I.)
(**6**) S.R. 2011 No. 440

Amendment of article 2 (Interpretation)

4.—(1) In paragraph (1) of article 2—

(a) after the definition of "carrier" insert—

> ""the Commission Implementing Regulation" means Commission Implementing Regulation (EU) No 577/2013 on the model identification documents for the non-commercial movement of dogs, cats and ferrets, the establishment of lists of territories and third countries and the format, layout and language requirements of the declarations attesting compliance with certain conditions provided for in Regulation (EU) No 576/2013 of the European Parliament and of the Council(**7**);",

(b) after the definition of "Decision 2007/25/EC" insert—

> ""declaration" means a declaration given in accordance with Article 12(1)(c), Article 25(3) or Article 30(3) of the Pets Regulation;",

(c) in the definition of "health certificate", for "Article 8(2)" substitute "Article 26 or Article 31", and

(d) 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(**8**);".

(2) In paragraph (4) of article 2—

(a) omit the word "and" immediately preceding sub-paragraph (b), and

(b) omit sub-paragraph (b).

Amendment of article 3 (Designation)

5. For article 3 substitute—

> "**3.** The Department is the competent authority for the purposes of—
>
> (a) Articles 3(g) and (h), 10(3)(b), 22(3), 23, 32(1)(b)(i), 33(2), 34 and 35 of the Pets Regulation,
>
> (b) Article 2(1) of Decision 2007/25/EC, and
>
> (c) article 10 of this Order".

Amendment of article 5 (Controls on rabies and certain other diseases of mammals)

6.—(1) In paragraph (1)(a) of article 5, omit "or B".

(2) For paragraph (1)(c) of article 5, substitute—

"(c) is an animal of a species listed in Part B of Annex I to the Pets Regulation and is brought into Northern Ireland from another member State.".

Amendment of article 6 (Rabies)

7. In article 6, for "Article 5 or 8" substitute "Article 6 or 10".

(**7**) OJ No L 178, 28.06.2013, p. 109-148.
(**8**) OJ No L 178, 28.06.2013, p. 1-26.

Insertion of Part 2A (Microchipping of pet animals)

8. After article 10 (Controls on highly pathogenic avian influenza), insert the following Part—

"PART 2A

Microchipping of Pet Animals

Minimum qualifications for microchipping of pet animals

10A.—(1) No person may implant a microchip in an animal of the species listed in Part A of Annex I to the Pets Regulation for the purposes of a non-commercial movement unless—

(a) they are a veterinary surgeon or a veterinary nurse acting under the direction of a veterinary surgeon,

(b) they are a student of veterinary surgery or student veterinary nurse and in either case acting under the direction of a veterinary surgeon,

(c) they have been satisfactorily assessed on a training course approved by the competent authority for that purpose, or

(d) before the 29th December 2014 they received training on implantation which included practical experience of implanting a microchip.

(2) In this Article—

"microchip" has the same meaning as "transponder" in the Pets Regulation;

"student veterinary nurse" and "veterinary nurse" have the meanings given by Schedule 3 of the Veterinary Surgeons Act 1966(**9**);

"student of veterinary surgery" has the same meaning as in regulation 3 of the Schedule to the Veterinary Surgeons (Practice by Students) Regulations Order of Council 1981(**10**);

"veterinary surgeon" means a person registered in the register of veterinary surgeons under section 2 of the Veterinary Surgeons Act 1966.".

Amendment of article 11 (Landing of assistance dogs)

9.—(1) In paragraph (1) of article 11, for the words "community air carrier" substitute "Community air carrier or a Union carrier,".

(2) For paragraph (2) of article 11, substitute—

"(2) In this article—

"Community air carrier" has the meaning given by Article 2 of Regulation (EC) No 1107/2006 of the European Parliament and of the Council concerning the rights of disabled persons and persons with reduced mobility when travelling by air(**11**), and for the purposes of travelling by air "recognised assistance dog" shall be interpreted in accordance with that Regulation;

"Union carrier" has the meaning given by Article 3 of Regulation (EU) No 1177/2010 of the European Parliament and of the Council concerning the rights of passengers

(**9**) 1966 c. 36. Paragraph 6 of Schedule 3 of the Veterinary Surgeons Act 1966 was inserted by S.I. 1991/1412, substituted by S.I. 2002/1479 and amended by S.I. 2008/1824, paragraph 18 of the Schedule. Paragraph 7 of Schedule 3 of the Veterinary Surgeons Act 1966 was inserted by S.I. 2002/1479.
(**10**) S.I. 1981/988. Regulation 3 was substituted by the Schedule of S.I. 1995/2397.
(**11**) OJ No L 204, 26.07.2006, p. 1-9.

when travelling by sea and inland waterway and amending Regulation (EC) No 2006/2004(**12**), and for the purposes of travelling by sea and inland waterway "recognised assistance dog" shall be interpreted in accordance with that Regulation".

Amendment of article 12 (Powers of inspectors)

10. In paragraph (1) of article 12, after "the Pets Regulation," insert "the Commission Implementing Regulation,".

Amendment of article 13 (Offences)

11.—(1) In paragraph (d) of article 13, for "(including information contained in a passport or health certificate)" substitute "(including information contained in a passport, health certificate or declaration)".

(2) In paragraph (e) of article 13, for "(including a passport or health certificate)" substitute "(including a passport, health certificate or declaration)".

Consequential Amendments

12. The Schedule (Consequential Amendments) has effect.

Sealed with the Official Seal of the Department of Agriculture and Rural Development on 24th June 2015

L.S.

Geraldine Fee
A senior officer of the
Department of Agriculture and Rural
Development

(**12**) OJ No L 334, 17.12.2010, p. 1-16.