STATUTORY RULES OF NORTHERN IRELAND

2009 No. 86

EUROPEAN COMMUNITIES

ANIMALS

The Animals and Animal Products (Import and Export) (Amendment) Regulations (Northern Ireland) 2009

Made - - - -	*9th March 2009*
Coming into operation	*6th April 2009*

The Department of Agriculture and Rural Development is a Department 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 Community.

These Regulations make provision for a purpose mentioned in that section and it appears to the Department that it is expedient for the references to the Community instruments mentioned in regulation 2(2) and in the Schedule to be construed as references to those instruments as amended from time to time.

The Department 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.

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Animals and Animal Products (Import and Export) (Amendment) Regulations (Northern Ireland) 2009 and shall come into operation on 6th April 2009.

(2) The Interpretation Act (Northern Ireland) 1954(**3**) shall apply to these Regulations as it applies to an Act of the Assembly.

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

2.—(1) The Animals and Animal Products (Import and Export) Regulations (Northern Ireland) 2006(**4**) are amended in accordance with this regulation.

(2) In regulation 2 (interpretation)—

(**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)
(**3**) 1954 c. 33 (N.I.)
(**4**) S.R. 2006 No.. 401 as amended by S.R. 2007 No.. 224, S.R. 2007 No.. 327 and S.R. 2008 No.. 53

(a) for paragraph (5) substitute—

"(5) Unless specifically defined in these Regulations, any expression used in these Regulations has the meaning it bears in—

(a) Council Directive 90/425/EEC concerning veterinary and zootechnical checks applicable in intra-Community trade in certain live animals and products with a view to the completion of the internal market (O.J. No. L224, 18.8.90, p. 29 as last amended by Directive 2002/33/EC of the European Parliament and of the Council, O.J. No. L315, 19.11.2002, p. 14); and

(b) Council Directive 91/496/EEC laying down the principles governing the organisation of veterinary checks on animals entering the Community from third countries (O.J. No. L268, 24.9.1991, p. 56 as last amended by Council Directive 2006/104/EC, O.J. No. L363, 20.12.2006, p. 352).".

(b) after paragraph (5) insert—

"(5A) Any reference to an instrument of the European Community in these Regulations is a reference to that instrument as amended from time to time.".

(3) In paragraph (5) of regulation 7 (transport of animals and animal products) for "under Article 12 of the Welfare of Animals (Transport) Order (Northern Ireland) 1997 in accordance with Schedule 9 to that Order", substitute—

"in accordance with Council Regulation (EC) No. 1/2005, as applied by the Welfare of Animals (Transport) Regulations (Northern Ireland) 2006(**5**) or other sanctions or controls pursuant to Article 26 of that Council Regulation".

(4) In paragraph (5)(a) of regulation 15 (importation) omit—

"and any additional requirements specified in that part".

(5) Schedule 1 is revoked.

(6) For Part I of Schedule 2 and Schedule 6, substitute the replacements as set out in the Schedule to these Regulations.

Revocations

3. The following Regulations are revoked to the extent specified—

(a) Regulations 11 and 12 of The Animals and Animal Products (Import and Export) (Circuses and Avian Quarantine) Regulations (Northern Ireland) 2007(**6**);

(b) Regulations 6 and 7 of The Animals and Animal Products (Import and Export) (Amendment) Regulations (Northern Ireland) 2008(**7**).

(**5**) S.R.2006 No.538 as amended by S.R. 2007 No.32
(**6**) S.R. 2007 No. 327
(**7**) S.R. 2008 No. 53

Sealed with the Official Seal of the Department of Agriculture and Rural Development on 9th March 2009

L.S.

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

SCHEDULE — Regulation 2(6)

"SCHEDULE 2 — Regulations 4, 5(1), 6(1) and (2), 7(5), 8(1), 10,12(7)(a)13(4), 29(2)(b) and 33

INTRA-COMMUNITY TRADE: LEGISLATION AND ADDITIONAL REQUIREMENTS

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(**8**).

Bovine semen

2. Council Directive 88/407/EEC laying down the animal health conditions applicable to intra-Community trade in and imports of deep-frozen semen of domestic animals of the bovine species(**9**).

Bovine embryos

3. Council Directive 89/556/EEC on animal health conditions governing intra-Community trade in and importation from third countries of embryos of domestic animals of the bovine species(**10**).

Equidae

4. Council Directive 90/426/EEC on animal health conditions governing the movement of equidae and their import from third countries of equidae(**11**).

Porcine Semen

5. 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

6. Council Directive 90/539/EEC on animal health conditions governing intra-Community trade in, and imports from third countries of poultry and hatching eggs(**13**).

Animal waste

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

(**8**) O.J. No. L121, 29.7.64, p. 1977 as last amended by Council Directive 2008/73/EC (O.J. No. L219, 14.8.2008, p. 40)
(**9**) O.J. No. L194, 22.7.98, p. 10 as last amended by Council Directive 2008/73/EC (O.J. No. L219, 14.8.2008, p. 40)
(**10**) O.J. No. L302, 19.10.89, p. 1 as last amended by Council Directive 2008/73/EC (O.J. No. L219, 14.8.2008, p. 40)
(**11**) O.J. No. L224, 18.8.90, p. 42 as last amended by Council Directive 2008/73/EC (O.J. No. L219, 14.8.2008, p. 40)
(**12**) O.J. No. L224, 18.8.90, p. 62 as last amended by Council Directive 2008/73/EC (O.J. No. L219, 14.8.2008, p. 40)
(**13**) O.J. No. L303, 31.10.90, p. 6 as last amended by Council Directive 2008/73/EC (O.J. No. L219, 14.8.2008, p. 40)
(**14**) O.J. No. L273, 10.10.2002, p. 1 as last amended by Commission Regulation (EC) 777/2008 (O.J. No. L207, 5.8.2008, p. 9)

Fish

8. 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**).

9. 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**).

Ovine and caprine animals

10. Council Directive 91/68/EEC on animal health conditions governing intra-Community trade in ovine and caprine animals(**17**).

Other animals, semen, ova and embryos

11. 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 Annex A(I) to Council Directive 90/425/EEC(**18**).

Circuses and animal acts

12. Commission Regulation (EC) No. 1739/2005 laying down animal health requirements for the movement of circus animals between member States(**19**).

Pathogens

13. 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(**20**).

Pure-bred animals of the bovine species

14. Council Directive 77/504/EEC on pure-bred breeding animals of the bovine species(**21**).

Breeding animals of the porcine species

15. Council Directive 88/661/EEC on the zootechnical standards applicable to breeding animals of the porcine species(**22**).

Pure-bred breeding sheep and goats

16. Council Directive 89/361/EEC concerning pure-bred breeding sheep and goats(**23**).

(**15**) O.J. No. L328, 24.11.2006, p. 14 as last amended by Commission Directive 2008/53/EC (O.J. No. L117, 1.5.2008, p. 27)
(**16**) O.J. No. L157, 30.4.2004, p. 33 as corrected in O.J. No. L195, 2.6.2004, p. 12
(**17**) O.J. No. L46, 19.2.91, p. 19 as last amended by Council Directive 2008/73/EC (O.J. No. L219, 14.8.2008, p. 40)
(**18**) O.J. No. L268, 14.9.92, p. 54 as last amended by Council Directive 2008/73/EC (O.J. No. L219, 14.8.2008, p. 40)
(**19**) O.J. No. L279, 22.10.2005, p. 47
(**20**) O.J. No. L62, 15.3.93, p. 49 as last amended by Commission Regulation (EC) 445/2004 (O.J. No. L72, 11.3.2004, p. 60)
(**21**) O.J. No. L206, 12.8.1977, p. 8 as last amended by Council Directive 2008/73/EC (O.J. No. L219, 14.8.2008, p. 40)
(**22**) O.J. No. L382, 31.12.1988, p. 36 as last amended by Council Directive 2008/73/EC (O.J. No. L219, 14.8.2008, p. 40)
(**23**) O.J. No. L153, 6.6.1989, p. 30 as last amended by Council Directive 2008/73/EC (O.J. No. L219, 14.8.2008, p. 40)