STATUTORY RULES OF NORTHERN IRELAND

2008 No. 53

EUROPEAN COMMUNITIES

ANIMALS

The Animals and Animal Products (Import and Export) (Amendment) Regulations (Northern Ireland) 2008

Made - - - -	*8th February 2008*
Coming into operation	*10th March 2008*

The Department of Agriculture and Rural Development, being 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 and in exercise of the powers conferred on it by section 2(2) and in exercise of the powers conferred on it by section 56(1), (2) and (5) of the Finance Act 1973(**3**) and with the consent of the Department of Finance and Personnel makes the following Regulations.

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Animals and Animal Products (Import and Export) (Amendment) Regulations (Northern Ireland) 2008 and shall come into operation on 10th March 2008.

(2) The Interpretation Act (Northern Ireland) 1954(**4**) shall apply to these Regulations as it applies to an Act of the Assembly.

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

2. The Animals and Animal Products (Import and Export) Regulations (Northern Ireland) 2006(**5**) are amended as provided in these Regulations.

3. After regulation 3 (Exception) paragraph (2) insert—

"(3) In this regulation "pet" means any animal of a species listed in Annex I to Regulation (EC) No. 998/2003.".

(**1**) S.I. 2000/2812
(**2**) 1972 c. 68
(**3**) 1973 c. 51
(**4**) 1954 c. 33 (N.I.)
(**5**) S.R. 2006 No. 401 as amended by S.R. 2007 No. 59, S.R. 2007 No. 224 and S.R. 2007 No. 327

4. For the heading of Part III (TRADE IN THIRD COUNTRY ANIMALS) substitute—

*"**THIRD COUNTRY IMPORTS"***

Insertion of Part IVA (THIRD COUNTRY EXPORTS)

5. After regulation 26 (Import procedure) insert—

"PART IVA

THIRD COUNTRY EXPORTS

Application of Part IVA

26A. This Part shall apply in respect of any animal, semen, ovum or embryo exported anywhere other than to a member State.

Exports to third countries

26B.—(1) A person shall not export any animal, semen, ovum, or embryo to a third country unless it complies with the relevant provisions of the instrument listed in Schedule 7A.

(2) If an inspector has reasonable cause to suspect that a person intends to export any animal, semen, ovum or embryo in contravention of this regulation he may by notice served on that person, his representative or the person appearing to him to be in charge of the animal, semen, ovum or embryo, prohibit that export and require the person on whom the notice is served to take the animal, semen, ovum or embryo to such places as may be specified in the notice and to take such further action in relation to them as may be specified in the notice.

(3) If a notice served under paragraph (2) is not complied with, an inspector may seize any animal, semen, ovum or embryo to which it relates and arrange for the requirements of the notice to be complied with."

Amendment to Schedule 2 (INTRA-COMMUNITY TRADE: LEGISLATION AND ADDITIONAL REQUIREMENTS)

6. At the end of Schedule 2, Part I (LEGISLATION IN RELATION TO INTRA-COMMUNITY TRADE) insert—

"**Bluetongue susceptible animals**

16. Instrument: Commission Regulation (EC) No. 1266/2007 on implementing rules for Council Directive 2000/75/EC as regards the control, monitoring, surveillance and restrictions on movements of certain animals of susceptible species in relation to bluetongue (O.J. No. L283, 27.10.2007, p. 37).

Relevant provisions in that instrument: Articles 7(1), 7(2), 7(4), 8(1), 8(3), 8(4)(a) and (b), 8(6) and 9, and Annex III.".

7. For the heading of Schedule 6 (COMMUNITY LEGISLATION IN RELATION TO THIRD COUNTRIES) substitute—

"COMMUNITY LEGISLATION IN RELATION TO IMPORTS FROM THIRD COUNTRIES"