
STATUTORY RULES OF NORTHERN IRELAND

2011 No. 438

The Trade in Animals and Related Products
Regulations (Northern Ireland) 2011

PART 1

INTRODUCTION

Citation and commencement

1. These Regulations may be cited as the Trade in Animals and Related Products Regulations (Northern Ireland) 2011 and shall come into operation on 1st January 2012.

Interpretation

2.—(1) In these Regulations—

“the Agency” means the Food Standards Agency;

“animal” means an animal of any kind, including a bird, fish or invertebrate;

“authorised officer” means a person who is authorised by the Department, a district council, or the Agency either generally or specifically, to act in matters arising under these Regulations, whether or not that person is an officer of the Department, a district council or the Agency;

“border inspection post” means a port or airport approved as such by the European Commission⁽¹⁾;

“CVED” means the Common Veterinary Entry Document specified in—

(a) [Commission Regulation \(EC\) No. 136/2004](#) laying down procedures for veterinary checks at Community border inspection posts on products imported from third countries⁽²⁾; and

(b) [Commission Regulation \(EC\) No. 282/2004](#) introducing a document for the declaration of, and veterinary checks on, animals from third countries entering the Community⁽³⁾.

“the Department” means the Department of Agriculture and Rural Development;

“enforcement authority” has the meaning given in regulation 31;

“equidae” means wild or domesticated animals of the equine (including zebras) or asinine species or the offspring or crossings of those species;

“genetic material” means hatching eggs and animal semen, ova or embryos;

“official veterinary surgeon” means a veterinary surgeon appointed by the Department in accordance with regulation 12(1)(a);

“premises” includes—

(1) The Commission periodically publishes lists of border inspection posts

(2) O.J. No. L 21, 28.1.2004, p. 11 as last amended by [Commission Regulation \(EC\) No 206/2009](#) (O.J. No. L 77, 24.3.2009, p. 1)

(3) O.J. No. L 49, 19.2.2004, p. 11 as last amended by [Commission Regulation \(EC\) No 585/2004](#) (O.J. No. L 91, 30.3.2004, p. 17)

- (a) any land, building, shed, pen or other place;
- (b) any receptacle or container;
- (c) ship, vessel, boat, aircraft, hovercraft or vehicle of any other description;

“product” means a product listed in Annex I to Commission Decision [2007/275/EC](#) (concerning lists of animals and products to be subject to controls at border inspection posts under Council Directives [91/496/EEC](#) and [97/78/EC](#)(4)) and, in addition, hay and straw.

(2) All references in Schedule 2 to European Union instruments are references to those instruments as amended from time to time.

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

Exceptions for pet animals

3.—(1) These Regulations shall not apply in relation to pets accompanied by and under the responsibility of a natural person, where—

- (a) the movement is not the subject of a commercial transaction; and
- (b) (in the case of cats, dogs and ferrets) not more than five animals are travelling with the person.

(2) In this regulation “pet” means any animal of a species listed in Annex I to Regulation (EC) No. [998/2003](#) (on the animal health requirements applicable to the non-commercial movement of pet animals(6)).

International agreements

4. Trade with Iceland, Liechtenstein, Norway and Switzerland under any agreement between those countries and the European Union is treated as trade between member States for the purposes of these Regulations.

(4) O.J. No. L 116, 4.5.2007, p. 9

(5) [1954 c.33 \(N.I.\)](#)

(6) O.J. No. L 146, 13.6.2003, p. 1 as last amended by Regulation (EU) No 438/2010 (O.J. No. L 132, 29.5.2010, p. 3)