

## **EXPLANATORY MEMORANDUM TO**

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

**S.R. 2015 No. 282**

#### **1. Introduction**

- 1.1. This Explanatory Memorandum has been prepared by the Department of Agriculture and Rural Development (“the Department”) to accompany the above-named Statutory Rule (“the Order”) which will be laid under the negative resolution process before the Northern Ireland Assembly.
- 1.2. The Order is made under powers contained within the Diseases of Animals (Northern Ireland) Order 1981, and the European Communities Act 1972, and will come into operation on 23 July 2015.

#### **2. Purpose**

- 2.1. The Order gives effect to changes to the rules for pet travel introduced by Regulation (EU) No 576/2013 on the non-commercial movement of pets, which came into effect on 29 December 2014.
- 2.2. These changes aim to improve the effectiveness of the EU pet travel scheme and to reduce the risk of disease spread through the international movement of pets.

#### **3. Background**

- 3.1. Rules for pet travel, established under Regulation (EC) No 998/2003, have been in operation across much of the EU since 2004. Following the expiry of a transitional regime, the UK harmonised with the EU pet travel scheme on 1 January 2012, creating a single set of pet travel conditions across the EU. The Non-Commercial Movement of Pet Animals Order (Northern Ireland) 2011 was introduced to enforce the requirements of Regulation (EC) No 998/2003.
- 3.2. It was indicated at harmonisation that the EU intended to review and consolidate the existing pet travel regime. The UK was fully involved in the subsequent negotiations of Regulation (EU) No 576/2013 which was published in June 2013, came into effect on 29 December 2014, and repealed and replaced Regulation (EC) No 998/2003.
- 3.3. Under Regulation (EU) No 576/2013, the fundamental conditions for pet travel remain unchanged, but the new Regulation includes a number of

provisions intended to clarify the animal health requirements that apply to the non-commercial movement of pet animals. A number of new controls, designed to strengthen enforcement and compliance, are also introduced (including improvements to the security and traceability of the pet passport). An amendment to the Non-Commercial Movement of Pet Animals (Northern Ireland) Order 2011 was required to give effect to the changes introduced by Regulation (EU) No 576/2013 and to update enforcement provisions.

#### **4. Consultation**

- 4.1. The Department undertook a process of targeted stakeholder engagement prior to the EU implementation deadline of 29 December 2014 to ensure that the new rules for pet travel were communicated effectively to key stakeholders and pet owners. This involved meeting stakeholders, the dissemination of guidance and supplementary advice and placing information on the DARD website.

#### **5. Equality Impact**

- 5.1. In accordance with DARD's obligations under Section 75 of the Northern Ireland Act 1998, the equality implications of the Order have been assessed. A screening exercise was carried out on the proposed legislation. The outcome was that an Equality Impact Assessment was not considered necessary and the Department considers that the Order will not result in any equality differentials amongst Section 75 groups.

#### **6. Regulatory Impact**

- 6.1. A partial Regulatory Impact Assessment (RIA) carried out by the Department established that the Order will have little, if any, impact on businesses, charities, social economy enterprises or the voluntary sector.
- 6.2. The Department is content that the legislation meets its commitment to Better Regulation. "Gold plating" is not applicable, particularly as a number of changes to the EU pet travel rules are being delivered through guidance and operational procedures.

#### **7. Financial Implications**

- 7.1. As the fundamental conditions for pet travel have remained the same, and many of the new requirements have been easily incorporated into existing processes, the financial implications of introducing the new rules for pet travel are negligible.

## **8. Section 24 of the Northern Ireland Act 1998**

- 8.1. The Order is deemed to comply with the requirements of section 24 of the Northern Ireland Act 1998.

## **9. EU Implications**

- 9.1. The Order enacts the provisions of Regulation (EU) No 576/2013 and under EU law the Department is legally required to implement the requirements of the Regulation.

## **10. Parity or Replicatory Measure**

- 10.1. The Non-Commercial Movement of Pet Animals (Amendment) Order 2014 has been introduced in Great Britain to implement the requirements of Regulation (EU) No 576/2013, and came into force on 29 December 2014.
- 10.2. The Department of Agriculture Food and Marine (DAFM) in the Republic of Ireland has also introduced new legislation to implement the requirements of the Regulation.

## **11. Additional Information**

- 11.1. Not applicable.

## **12. Contact**

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