

Regulation (EU) 2016/429 of the European Parliament and of the Council of 9 March 2016 on transmissible animal diseases and amending and repealing certain acts in the area of animal health ('Animal Health Law') (Text with EEA relevance)

## PART VI

### **NON-COMMERCIAL MOVEMENTS OF PET ANIMALS INTO A MEMBER STATE FROM ANOTHER MEMBER STATE OR FROM A THIRD COUNTRY OR TERRITORY**

#### *CHAPTER 1*

#### **General provisions**

##### *Article 244*

#### **Scope of Part VI**

- 1 This Part shall apply to the non-commercial movement of pet animals into a Member State from another Member State or from a third country or territory.
- 2 It shall apply without prejudice to:
  - a Council Regulation (EC) No 338/97<sup>(1)</sup>;
  - b any national measures adopted, published and made available to the public by Member States to restrict the movement of certain species or breeds of pet animals on the basis of considerations other than those relating to animal health.

##### *Article 245*

#### **General provisions**

- 1 Non-commercial movements of pet animals that fulfil the animal health requirements laid down in this Part shall not be prohibited, restricted or impeded on animal health grounds other than those resulting from the application of this Part.
- 2 Where the non-commercial movement of a pet animal is carried out by an authorised person, it may only take place within five days from the movement of the pet owner.
- 3 The Commission shall be empowered to adopt delegated acts in accordance with Article 264 concerning requirements supplementing the rules laid down in paragraph 2 of this Article in relation to the following:
  - a documentation of the non-commercial movement of a pet animal carried out by an authorised person;
  - b granting of derogations from the period referred to in paragraph 2 of this Article.
- 4 The Commission may, by means of implementing acts, lay down requirements for the layout, languages and validity of the declaration authorising an authorised person in writing to carry out the non-commercial movement of a pet animal on behalf of the pet owner. Those

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**Changes to legislation:** There are outstanding changes not yet made to Regulation (EU) 2016/429 of the European Parliament and of the Council. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

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implementing acts shall be adopted in accordance with the examination procedure referred to in Article 266(2).

#### *Article 246*

### **Maximum number of pet animals**

1 The number of pet animals of the species listed in Part A of Annex I which may be moved during a single non-commercial movement shall not exceed five.

2 By way of derogation from paragraph 1, the number of pet animals of the species listed in part A of Annex I may exceed five if the following conditions are fulfilled:

- a the non-commercial movement in question is for the purpose of participating in a competition, exhibition or sporting event or training for such an event;
- b the pet owner or the authorised person concerned submits written evidence that the pet animals are registered either to attend an event as referred to in point (a), or with an association organising such events;
- c the pet animals are more than six months old.

3 In order to prevent commercial movements of pet animals of the species listed in Part B of Annex I from being fraudulently disguised as non-commercial movements, the Commission shall be empowered to adopt delegated acts in accordance with Article 264 concerning rules setting the maximum number of pet animals of those species which may be moved during a single non-commercial movement.

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- (1) Council Regulation (EC) No 338/97 of 9 December 1996 on the protection of species of wild fauna and flora by regulating trade therein ([OJ L 61, 3.3.1997, p. 1](#)).

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**Changes and effects yet to be applied to the whole legislation item and associated provisions**

- Art. 17(1A) words substituted by [S.I. 2021/1273 reg. 8Sch. 2 para. \(t\)](#)