

## SCHEDULE 3

Regulations 8 and 25

### SPECIFIC REQUIREMENTS FOR INDIVIDUAL CASES

#### PART 1

#### ADDITIONAL REQUIREMENTS FOR TRADE BETWEEN MEMBER STATES

##### **Dealers in cattle, sheep, pigs or goats**

1.—(1) The Department may authorise premises to operate as an assembly centre or dealer's premises in accordance with Council Directive [64/432/EEC](#) (in the case of cattle and pigs) or Council Directive [91/68/EEC](#) (in the case of sheep and goats).

(2) The authorisation shall specify the dealer or operator authorised to operate the premises.

(3) The Department must be satisfied that the dealer or operator will operate the premises in accordance with Council Directive [64/432/EEC](#) or Council Directive [91/68/EEC](#).

(4) In this Article dealer means—

- (a) in the case of cattle or pigs, any person who buys and sells animals commercially either directly or indirectly, who has a regular turnover of these animals and who within 30 days of purchasing animals resells or relocates them from the first premises to other premises not within his ownership; and
- (b) in the case of sheep or goats, any person who buys and sells animals commercially either directly or indirectly, who has a regular turnover of these animals and who within 29 days of purchasing animals resells or relocates them from the first premises to other premises not within his ownership

##### **Transport of cattle, pigs, sheep or goats**

2.—(1) Any person transporting cattle, pigs, sheep or goats between member States shall comply with this paragraph.

(2) The transporter shall be approved for the purpose by the Department.

(3) The transporter shall, for each vehicle used for the transport of those animals, keep a register containing the following information,

- (a) places and dates of pick-up, and the name or business name and address of the holding or assembly centre where the animals are picked up;
- (b) places and dates of delivery, and the name or business name and address of the consignee;
- (c) species and number of animals carried;
- (d) date and place of disinfection; and
- (e) the unique identifying number of accompanying health certificates.

(4) The register shall be kept for at least three years.

(5) The transporter shall ensure that the means of transport is constructed in such a way that animal faeces, litter or feed cannot leak or fall out of the vehicle.

(6) The transporter shall give a written undertaking to the Department stating that—

- (a) in the case of cattle or pigs, Council Directive [64/432/EEC](#), and in particular the provisions laid down in Article 12 of that Directive and the provisions of that Directive relating to the appropriate documentation that shall accompany the animals, will be complied with;

- (b) in the case of sheep or goats, Council Directive [91/68/EEC](#), and in particular the provisions laid down in Article 8c of that Directive and the provisions of that Directive relating to the appropriate documentation that shall accompany the animals, will be complied with; and
- (c) the transport of animals will be entrusted to staff who possess the necessary ability, professional competence and knowledge.

## **Horses**

3. Registered equidae and equidae for breeding and production (other than registered horses accompanied by identification documentation provided for by Council Directive [90/427/EEC](#) (on the zootechnical and genealogical conditions governing intra-Community trade in equidae) covered by a bi-lateral agreement made under Article 6 of Council Directive [2009/156/EC](#) on animal health conditions governing the movement and importation from third countries of equidae<sup>(1)</sup> may move between member states without a health attestation or a health certificate.

## **Northern Ireland Poultry Health Assurance Scheme**

4. For the purposes of Article 6 of, and Annex II to, Council Directive [2009/158/EC](#) (which establishes a poultry health scheme relating to trade between member States)—

- (a) the approval of establishments and laboratories shall be granted by the Department under the Northern Ireland Poultry Health Assurance Scheme Order (Northern Ireland) 2011<sup>(2)</sup>;
- (b) an annual inspection of an approved establishment shall be carried out by a veterinary surgeon appointed for the purpose by the Department for the establishment to remain on the register.

## **Approvals for the Balai Directive**

5.—(1) A person shall not trade in apes (*simiae* and *prosimiae*) other than between a centre approved by the Department and a centre approved by the competent authority for the other member State in accordance with Article 5 of Council Directive [92/65/EEC](#) (“the Balai Directive”).

(2) A body seeking approval to use the different health provisions set out in Article 13 of the Balai Directive shall be approved by the Department.

(3) The Department shall suspend, withdraw or restore approvals in sub-paragraph (1) or (2) in the circumstances set out in point 6 of Annex C to that Directive.

(4) The Department shall approve a body authorised to engage in trade between member States in semen, ova and embryos in accordance with Article 11 of the Balai Directive if it meets the conditions applicable to it in respect of approval and the performance of its duties as required by Article 11 of and Annex D to that Directive.

(5) By way of derogation, from sub-paragraph (1), the Department may authorise in writing a body approved under this paragraph to acquire an ape (*simiae* and *prosimiae*) belonging to an individual.

## **Circuses**

6.—(1) The Department is the competent authority for the purposes of [Commission Regulation \(EC\) No. 1739/2005](#) laying down animal health requirements for the movement of circus animals between member States<sup>(3)</sup>.

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(1) O.J. No. L 192, 23.7.2010, p. 1

(2) [S.R. 2011 No. 436](#)

(3) O.J. No. L 279, 22.10.2005, p. 47

(2) A person shall not contravene Article 8 of that Commission Regulation (keeping of records).

(3) Notwithstanding regulation 5(1) of these Regulations, a person shall not contravene Article 10(1) of that Commission Regulation (notification of movement).

### **Animal by-products**

7. Animal by-products to which Article 48 of Regulation (EC) No 1069/2009 apply may only be consigned to another member State, or brought into Northern Ireland from another member State, in accordance with that Article.

## **PART 2**

### **ADDITIONAL PROVISIONS RELATING TO IMPORTS FROM THIRD COUNTRIES**

#### **Arrival at premises of destination**

8.—(1) This paragraph applies to elephants and to cattle, pigs, sheep goats and all other animals of the taxa *Artiodactyla*, and their crossbreeds.

(2) Animals intended for immediate slaughter shall be conveyed without delay from the border inspection post to the slaughterhouse of destination and slaughtered within 3 working days.

(3) In any other case the animals shall be taken without delay from the border inspection post to the holding of destination and kept there for at least 30 days (unless consigned from the holding direct to a slaughterhouse).

#### **Imported birds**

9.—(1) The Department is the competent authority for Commission Regulation (EC) No 318/2007 laying down animal health conditions for imports of certain birds into the Community and the quarantine conditions thereof<sup>(4)</sup>.

(2) An importer shall comply with Article 7 (transport of birds) of that Regulation.

(3) A person shall not release a bird from quarantine except in accordance with Article 16 (release of birds) of that Regulation.

#### **Horses**

10. When a horse is imported from a third country under Commission Decision 92/260/EEC on animal health conditions and veterinary certification for temporary admission of registered horses<sup>(5)</sup>, the official veterinary surgeon shall return the health certificate to the person accompanying the horse, and make a record of the certificate.

#### **Ships stores**

11. A product that does not comply with import requirements and is sent from a border inspection post to a ship shall be accompanied by the certificate referred to in the instrument in Schedule 2 relating to that product, and the master of the vessel shall confirm delivery of the product by signing the certificate specified in Commission Decision 2000/571/EC (laying down the methods of veterinary checks for products from third countries destined for introduction into free zones, free

<sup>(4)</sup> O.J. No. L 84, 24.3.2007, p. 7 as last amended by Commission Regulation (EU) No 239/2010 (O.J. No. L 75, 23.3.2010, p. 18)

<sup>(5)</sup> O.J. No. L 130, 15.5.1992, p. 67 as last amended by Commission Decision 2010/463/EU (O.J. No. L 220, 21.8.2010, p. 74)

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warehouses, customs warehouses or operators supplying cross border means of sea transport<sup>(6)</sup> and returning it as soon as is reasonably practicable to the official veterinary surgeon at the border inspection post.

#### **Charges for veterinary checks from New Zealand**

12. The charge for veterinary checks carried out on a consignment from New Zealand is 1.5 euro for each tonne of the consignment, subject to a minimum of 30 euro and a maximum of 350 euro, save that where the actual cost of the veterinary checks carried out on a consignment exceeds 350 euro, the amount of the charge is the actual cost.

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<sup>(6)</sup> O.J. No. L 240, 23.9.2000, p. 14