

## SCHEDULE 3

### SPECIFIC REQUIREMENTS FOR INDIVIDUAL CASES

#### PART 1

#### ADDITIONAL REQUIREMENTS FOR TRADE <sup>[F1]</sup>WITH] MEMBER STATES

##### Textual Amendments

- F1** Words in Sch. 3 Pt. 1 heading substituted (14.12.2019) by The Official Controls (Animals, Feed and Food) Regulations (Northern Ireland) 2019 (S.R. 2019/227), regs. 1, **20(33)(a)**

##### 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

##### Commencement Information

- II** Sch. 3 para. 1 in operation at 1.1.2012, see [reg. 1](#)

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

2.—<sup>F2</sup>(1) .....

<sup>F3</sup>(2) No person may transport cattle, pigs, sheep or goats to a member State unless authorised by the Department in accordance with Article 11 of Council Regulation (EC) No 1/2005 on the protection of animals during transport and related operations.]

(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;

**Changes to legislation:** There are currently no known outstanding effects for the The Trade in Animals and Related Products Regulations (Northern Ireland) 2011, PART 1. (See end of Document for details)

- (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.

#### Textual Amendments

- F2** Sch. 3 para. 2(1) omitted (14.12.2019) by virtue of [The Official Controls \(Animals, Feed and Food\) Regulations \(Northern Ireland\) 2019 \(S.R. 2019/227\)](#), regs. 1, **20(33)(b)(i)**
- F3** Sch. 3 para. 2(2) substituted (14.12.2019) by [The Official Controls \(Animals, Feed and Food\) Regulations \(Northern Ireland\) 2019 \(S.R. 2019/227\)](#), regs. 1, **20(33)(b)(ii)**

#### Commencement Information

- I2** Sch. 3 para. 2 in operation at 1.1.2012, see [reg. 1](#)

## 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 [<sup>F4</sup>to or from] member states without a health attestation or a health certificate [<sup>F5</sup>and are exempt from the requirement in regulation 7(2) to provide one working days' notice to the Department in advance of the intended arrival of the consignment].

#### Textual Amendments

- F4** Words in Sch. 3 para. 3 substituted (14.12.2019) by [The Official Controls \(Animals, Feed and Food\) Regulations \(Northern Ireland\) 2019 \(S.R. 2019/227\)](#), regs. 1, **20(33)(c)**
- F5** Words in Sch. 3 para. 3 inserted (14.12.2019) by [The Official Controls \(Animals, Feed and Food\) Regulations \(Northern Ireland\) 2019 \(S.R. 2019/227\)](#), regs. 1, **20(33)(d)**

#### Commencement Information

- I3** Sch. 3 para. 3 in operation at 1.1.2012, see [reg. 1](#)

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

## 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 [<sup>F6</sup>with] 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(2);
- (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.

### Textual Amendments

**F6** Word in Sch. 3 para. 4 substituted (14.12.2019) by [The Official Controls \(Animals, Feed and Food\) Regulations \(Northern Ireland\) 2019 \(S.R. 2019/227\)](#), regs. 1, **20(33)(e)**

### Commencement Information

**I4** Sch. 3 para. 4 in operation at 1.1.2012, see [reg. 1](#)

## 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 [<sup>F7</sup>with] 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.

### Textual Amendments

**F7** Word in Sch. 3 para. 5(4) substituted (14.12.2019) by [The Official Controls \(Animals, Feed and Food\) Regulations \(Northern Ireland\) 2019 \(S.R. 2019/227\)](#), regs. 1, **20(33)(e)**

### Commencement Information

**I5** Sch. 3 para. 5 in operation at 1.1.2012, see [reg. 1](#)

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

**Changes to legislation:** There are currently no known outstanding effects for the The Trade in Animals and Related Products Regulations (Northern Ireland) 2011, PART 1. (See end of Document for details)

## 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>.

[<sup>F8</sup>(2) A person shall not contravene Article 8 of that Commission Regulation (obligations of the circus operator).]

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

### Textual Amendments

**F8** Sch. 3 para. 6(2) substituted (31.7.2014) by [The Trade in Animals and Related Products \(Amendment\) Regulations \(Northern Ireland\) 2014 \(S.R. 2014/196\)](#), regs. 1, **3(12)(a)**

### Commencement Information

**I6** Sch. 3 para. 6 in operation at 1.1.2012, see [reg. 1](#)

## Animal by-products

7. Animal by-products to which Article 48 of Regulation (EC) No 1069/2009 apply may only be consigned to [<sup>F9</sup>a member State, or brought into Northern Ireland from a] member State, in accordance with that Article.

### Textual Amendments

**F9** Words in [Sch. 3 para. 7](#) substituted (14.12.2019) by [The Official Controls \(Animals, Feed and Food\) Regulations \(Northern Ireland\) 2019 \(S.R. 2019/227\)](#), regs. 1, **20(33)(f)**

### Commencement Information

**I7** Sch. 3 para. 7 in operation at 1.1.2012, see [reg. 1](#)

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

**Changes to legislation:**

There are currently no known outstanding effects for the The Trade in Animals and Related Products Regulations (Northern Ireland) 2011, PART 1.