
STATUTORY RULES OF NORTHERN IRELAND

2014 No. 196

**The Trade in Animals and Related Products
(Amendment) Regulations (Northern Ireland) 2014**

Amendment of the Trade in Animals and Related Products Regulations (Northern Ireland) 2011

3.—(1) The Trade in Animals and Related Products Regulations (Northern Ireland) 2011(1) are amended in accordance with paragraphs (2) to (13).

(2) Regulation 10 (Importation) is revoked.

(3) In regulation 12(2)(a) for “it’s” substitute “its”.

(4) In regulation 17 (Channelling) after “Department” insert “and district council”.

(5) In regulation 19(2)(a) (Unchecked consignments) after “may” insert “detain or,” and after “be” insert “detained or”.

(6) For regulation 27(3)(b) (Re-importation of products) substitute—

“(b) dispose of any product comprising the consignment in accordance with Council Regulation (EC) No. 1069/2009 of the European Parliament and of the Council on laying down health rules as regards animal by-products and derived products not intended for human consumption and repealing (EC) No. 1774/2002 (Animal by-products Regulation)”(2).

(7) For regulation 32(7) (Enforcement) substitute—

“(7) Where an authorised officer, when exercising any statutory function, discovers at any place other than a border inspection post a consignment or product that the officer considers may have been brought in breach of regulation 13, the officer shall detain or seize the consignment or product, or cause the consignment or product to be detained or seized, pending investigation, and any costs incurred shall be at the expense of the person responsible for the consignment or product.”.

(8) In regulation 32(8) (Enforcement)—

(a) after “than a” omit “point of entry or a”; and

(b) after “takes charge of it”, at the end of that paragraph, insert “and any costs incurred shall be at the expense of the person responsible for the consignment or product.”.

(9) After regulation 34 (Powers of authorised officers) insert—

“Protection of officials acting in good faith

34A.—(1) An authorised officer shall not be personally liable in respect of any act done by that person in the performance or purported performance of the functions within the scope of that person’s employment, if the person did that act in the honest and reasonable belief that his duties under these Regulations required or entitled the person to do so.

(1) S.R. 2011 No. 438

(2) O.J. No. L 300, 14.11.2009, p. 1

(2) Paragraph (1) does not relieve an enforcement authority from any liability in respect of acts of its officers.”

(10) In Regulation 35(1) and (2) (Consignments from another member State constituting a risk to health) after “officer” omit “of the Department”.

(11) In Schedule 1 (Offences) for the words “Keeping records” substitute “Obligations of the circus operator”.

(12) In Schedule 3 (Specific requirements for individual cases)—

(a) For paragraph 6(2) (Circuses) substitute—

“(2) A person shall not contravene Article 8 of that Commission Regulation (obligations of the circus operator).”; and

(b) For paragraph 9(1) (Imported Birds) substitute—

“(1) The Department is the competent authority for Commission Implementing Regulation (EU) No 139/2013 laying down animal health conditions for imports of certain birds into the Union and the quarantine conditions thereof (3), as amended from time to time.”.

(13) In Schedule 5 (Consequential amendment) after paragraph 2 insert—

“Amendment to the Official Feed and Food Controls Regulations (Northern Ireland) 2009

3. In Schedule 3 to The Official Feed and Food Controls Regulations (Northern Ireland) 2009(4) in the definition of “relevant food law” delete sub-paragraph (a)(vii)”.

(3) O.J. No. L 47, 20.2.2013, p. 1-17

(4) [S.R. 2009 No. 427](#) (as amended)