
STATUTORY INSTRUMENTS

1998 No. 190

**The Animals and Animal Products
(Import And Export) Regulations 1998**

PART I

INTRODUCTION

Title, commencement, interpretation and extent

1.—(1) These Regulations may be cited as the Animals and Animal Products (Import and Export) Regulations 1998 and shall come into force on 1st March 1998.

(2) In these Regulations, unless the context otherwise requires, any expressions used have the meaning they bear in Council Directive [90/425/EEC](#) (concerning veterinary and zootechnical checks applicable in intra-Community trade in certain live animals and products with a view to the completion of the single market⁽¹⁾) and Council Directive [91/496/EEC](#) (laying down the principles governing the organisation of veterinary checks on animals entering the Community from third countries⁽²⁾), both of which have been amended by the legislation listed in Schedule 1;

“border inspection post” means, in relation to a species of animal, a place specified in relation to that species in Schedule 2;

“import” means import into Great Britain;

“inspector” means a person appointed to be an inspector for the purposes of these Regulations by the Minister or a local authority, and when used in relation to a person so appointed by the Minister, includes a veterinary inspector;

“local authority” means—

- (a) in England, as respects each London borough (except in relation to imported live animals), unitary authority, metropolitan district or non-metropolitan county, the council of that borough, unitary authority, district or county;
- (b) as respects the City of London, and for all London boroughs in relation to imported live animals, the Common Council;
- (c) in Wales, the council of each county or county borough;
- (d) in Scotland, each council constituted under section 2 of the Local Government (Scotland) Act 1994⁽³⁾;

“Minister” means, in relation to England, the Minister of Agriculture, Fisheries and Food, and, in relation to Scotland or to Wales, the Secretary of State;

“place of destination” means the address or addresses to which the consignment is consigned by the consignor;

(1) OJNo. L224, 18.8.90, p. 29 as read with the provisions listed in Schedule 1.

(2) OJ No. L268, 24.9.91, p. 56 as read with the provisions listed in Schedule 1.

(3) 1994 c. 39.

“veterinary inspector” means a person appointed as a veterinary inspector by the Minister.

(3) Any reference in these Regulations to a Schedule, unless the context otherwise requires, is a reference to a Schedule to these Regulations.

(4) Any reference in these Regulations to an instrument of the European Community is to that instrument as amended at the time these Regulations come into force.

(5) A notice or approval under these Regulations shall be in writing and may be made subject to conditions and may be amended, suspended or revoked in writing at any time.

(6) These Regulations do not apply to Northern Ireland.

Exception

2. These Regulations shall not apply to veterinary checks on movements of pets (other than equidae) accompanied by and under the responsibility of a natural person, where such movements are not the subject of a commercial transaction.

Enforcement

3.—(1) Except where otherwise expressly provided, these Regulations shall be executed and enforced by the local authority.

(2) The Minister may direct, in relation to cases of a particular description or a particular case, that any duty imposed on a local authority under paragraph (1) above shall be discharged by the Minister and not by the local authority.