
STATUTORY RULES OF NORTHERN IRELAND

2005 No. 78

Animals and Animal Products (Import and Export) Regulations (Northern Ireland) 2005

PART III

TRADE IN THIRD COUNTRY ANIMALS

Application of Part III

14. This Part shall apply in relation to –

- (a) any animals imported into Northern Ireland from any place outside the European Communities; and
- (b) any animals originating outside the European Communities and imported into Northern Ireland from any place inside those Communities.

Importation

15.—(1) Subject to paragraph (2), a person shall not import any animal directly from a place outside the European Communities.

(2) Nothing in paragraph (1) shall prevent the import of any animals specified in Schedule 1 to the Rabies (Importation of Dogs, Cats and Other Mammals) Order (Northern Ireland) 1977⁽¹⁾ at a place permitted under that Order.

(3) A person shall not import any animal which originated outside the European Communities from a member State, Great Britain, any of the Channel Islands or the Isle of Man either for transport to a place in the United Kingdom or for re-export to another member State unless –

- (a) all the checks required under Council Directive [91/496/EEC](#) have been carried out in relation to those animals at a border inspection post and they are accompanied by the certificate of examination and the authenticated copy of the original health certificate issued at the border inspection post under Article 7(1) of that Directive; or
- (b) in the case of animals specified in Schedule 1 to the Rabies (Importation of Dogs, Cats and Other Mammals) Order (Northern Ireland) 1977, the conditions of that Order have been complied with.

(4) A person shall not import any animal which originated outside the European Communities from a member State, Great Britain, any of the Channel Islands or the Isle of Man for re-export outside the European Community either directly or indirectly unless such transit has been previously authorised in writing by the Department and the conditions in Article 9 of Council Directive [91/496/EEC](#) have been complied with.

(5) A person shall not import from a member State, Great Britain, any of the Channel Islands or the Isle of Man any animal to which –

(1) [S.R. 1977 No. 113](#) as amended by [S.R. 1977 No. 256](#), [S.R. 1994 No. 402](#) and [S.R. 2000 No. 10](#)

- (a) an instrument in Part II of Schedule 4 applies unless it complies with the relevant provisions of that instrument and any additional requirements specified in that part; and
- (b) in accordance with the provisions of any additional animal health requirements of legislation regulating imports into Northern Ireland.

(6) If an animal is imported for slaughter, it must be taken directly to a slaughterhouse and slaughtered without delay. If it is not so slaughtered, an inspector may by notice served on the importer, his representative or person in charge of the animal require the animal to be slaughtered within such period and at such place as may be specified in the notice.

(7) In the event of a notice under paragraph (6) not being complied with an inspector may seize or may cause to be seized any animal to which it relates and arrange for the requirements of the notice to be complied with.

(8) A person in charge of an animal that has been imported for immediate re-export, either directly or indirectly, outside the European Community shall comply with Article 4, second indent, of Commission Regulation (EC) No. 282/2004(2).

Illegal imports

16.—(1) If any animal is imported from outside the European Communities in contravention of regulation 15(1), the Department may, by notice in writing, require the person appearing to it to be in charge of the animal to detain and isolate that animal in accordance with the notice and in that case the following provisions shall have effect.

(2) The Department shall cause to be carried out an examination by a veterinary inspector of the animal to which a notice under paragraph (1) relates and, following that examination, shall by means of a further notice served on the person appearing to it to be in charge of the animal, the consignor or his representative –

- (a) require the animal to be brought to the place specified in the notice;
- (b) require the animal to be slaughtered or slaughtered and destroyed;
- (c) require the animal to be re-despatched outside the territory of the European Communities, where animal health or welfare considerations so permit, within such period as may be specified in the notice; or
- (d) revoke the notice given under paragraph (1).

(3) In the event of a notice under paragraphs (1) and (2) not being complied with, an inspector may seize the animal to which it relates or cause it to be seized and arrange for the requirements of the notice to be complied with.

Application of regulations 7 to 13

17. Regulations 7 to 13 shall apply in relation to animals imported into Northern Ireland from any place inside the European Communities, which originated outside those Communities and in respect of which all the checks provided for in Council Directive 91/496/EEC have first been carried out in accordance with that Directive as those regulations apply to animals to which Part II applies.

Arrival at the place of destination

18.—(1) On arrival at their place of destination, elephants and animals of the order Artiodactyla (and their crossbreeds) that are for breeding, production or fattening, or that are intended for zoos, amusement parks or hunting or wildlife reserves, shall be detained at the premises by the person

(2) O.J. No. L49, 19.2.2004, p. 11

having control of those premises for at least 30 days and he shall not release them until authorised in writing by an authorised officer of the Department.

(2) Paragraph (1) does not apply in the case of animals being dispatched directly to a slaughterhouse.

(3) Animals of species to which paragraph (1) does not apply that are for breeding or production shall be detained at the place of destination by the person having control of those premises, and he shall not release them unless authorised in writing by an authorised officer of the Department.

Post-import controls

19.—(1) Where a veterinary inspector knows or suspects that –

- (a) in the case of any animal, the import conditions of any instrument listed in Schedule 4, any additional requirements specified in relation thereto in that Schedule or any additional animal health legislation regulating the import of such animals into Northern Ireland have not been complied with; or
- (b) in the case of any animal there is doubt as to its identity,

he may carry out any veterinary checks on that animal which he deems appropriate.

(2) If the checks carried out under paragraph (1) confirm that import conditions referred to in that paragraph were not complied with in the case of any animal then the provisions of regulation 16 shall apply and, in the case of the exercise of a power to isolate the animal, a veterinary inspector may additionally require the placing in isolation of other animals which have been in contact with the imported animal.