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STATUTORY INSTRUMENTS

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**2011 No. 2883**

**The Non-Commercial Movement of Pet Animals Order 2011**

**PART 3**

**Carriers**

**Approval of carriers**

**11.**—(1) A carrier who moves a pet animal which is subject to Article 5 or 8 of the Pets Regulation into Great Britain must be approved for the purpose by the appropriate authority.

(2) But approval is not required where—

- (a) the movement is from the Republic of Ireland, or
- (b) the carrier is a Community air carrier and the movement is of a recognised assistance dog.

(3) Approval may be granted subject to such terms and conditions as the authority considers necessary or expedient to ensure that pet animals are checked by or on behalf of the carrier for compliance with the Pets Regulation and (if applicable) the supplementary Regulation and Decision [2006/146/EC](#).

(4) Approvals in force immediately before 1st January 2012 under article 7 of the Pet Travel Scheme (Scotland) Order 2003<sup>(1)</sup> and article 8 of the Non Commercial Movement of Pet Animals (England) Regulations 2004<sup>(2)</sup> continue in force as approvals under this Order.

(5) The appropriate authority may amend an approval by giving notice in writing to the carrier.

(6) In this article, “Community air carrier” and “recognised assistance dog” have the same meanings as in Regulation [\(EC\) No 1107/2006](#) of the European Parliament and of the Council concerning the rights of disabled persons and persons with reduced mobility when travelling by air<sup>(3)</sup>.

**Suspension or withdrawal of approvals**

**12.**—(1) Where the appropriate authority is satisfied that a carrier has failed to comply with its approval, the appropriate authority may suspend or withdraw the approval by giving notice in writing to the carrier.

(2) A suspension or withdrawal under paragraph (1) has effect at the end of the period of 21 days beginning with the date of service of the notice.

(3) But if it is necessary for the protection of public or animal health the appropriate authority may specify in the notice that the suspension or withdrawal has immediate effect.

(4) The notice must—

- (a) give reasons,

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<sup>(1)</sup> [S.S.I. 2003/229](#).

<sup>(2)</sup> [S.I. 2004/2363](#).

<sup>(3)</sup> [OJ No L 204, 26.7.2006, p1.](#)

(b) state when it comes into effect and, in the case of suspension, state on what date or event it is to cease to have effect, and

(c) explain the right of the carrier to make written representations in accordance with paragraph (6), and details of the person to whom such representations may be made.

(5) Where the notice does not have immediate effect and representations are made under paragraph (6), a suspension or withdrawal must not have effect until the final determination of the appropriate authority in accordance with paragraph (9), unless the appropriate authority decides that it is necessary for the protection of public or animal health for the suspension or withdrawal to have immediate effect and gives notice to that effect.

(6) A carrier may make written representations against a suspension or withdrawal of its approval to a person appointed for the purpose by the appropriate authority.

(7) Written representations must be made within the period of 21 days beginning with the date on which notice is served on the carrier to suspend or withdraw its approval.

(8) The appointed person must consider the representations and report in writing to the appropriate authority.

(9) The appropriate authority must give to the carrier written notification of its final determination and the reasons for it.