



STATUTORY INSTRUMENTS.

S.I. No. 141 of 2020

PET TRAVEL (CATS, DOGS AND FERRETS) REGULATIONS 2020

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S.I. No. 141 of 2020

PET TRAVEL (CATS, DOGS AND FERRETS) REGULATIONS 2020

I, MICHAEL CREED, Minister for Agriculture, Food and the Marine, in exercise of the powers conferred on me by section 36 of the Animal Health and Welfare Act 2013 (No. 15 of 2013), for the purpose of giving full effect to Regulation (EU) No 576/2013 of the European Parliament and of the Council of 12 June 2013¹, Commission Implementing Regulation (EU) No 577/2013 of 28 June 2013² (as amended by Commission Implementing Regulation (EU) No 1219/2014 of 13 November 2014³, Commission Implementing Regulation (EU) 2016/561 of 11 April 2016⁴ and Commission Implementing Regulation (EU) 2019/1293 of 29 July 2019⁵) and Commission Delegated Regulation (EU) 2018/772 of 21 November 2017⁶, hereby make the following regulations:

Part 1
Preliminary and general

Citation

1. These Regulations may be cited as the Pet Travel (Cats, dogs and ferrets) Regulations 2020.

Interpretation

2. (1) In these Regulations—

“Act” means Animal Health and Welfare Act 2013 (No. 15 of 2013);

“Commission Implementing Regulation” means Commission Implementing Regulation (EU) No 577/2013 of 28 June 2013 as amended by Commission Implementing Regulation (EU) No 1219/2014 of 13 November 2014, Commission Implementing Regulation (EU) 2016/561 of 11 April 2016 and Commission Implementing Regulation (EU) 2019/1293 of 29 July 2019;

“non-commercial movement” means—

- (a) the movement of a cat, dog or ferret between the State and another EU Member State, or
- (b) the movement of a cat, dog or ferret into the State from a non-EU country or territory,

¹ OJ L 178, 28.6.2013, p. 1.

² OJ L 178, 28.6.2013, p. 109

³ OJ L 329, 14.11.2014, p. 23

⁴ OJ L 96, 12.4.2016, p. 26

⁵ OJ L 204, 2.8.2019, p. 3

⁶ OJ L 130, 28.5.2018, p. 1

which does not have as its aim either the sale of or the transfer of ownership of the cat, dog or ferret;

“Part 1 territory” means a country or territory listed in Part 1 of Annex II to the Commission Implementing Regulation;

“Pet Travel Regulation” means Regulation (EU) No 576/2013 of the European Parliament and of the Council of 12 June 2013.

(2) A word or an expression used in these Regulations and also used in the Pet Travel Regulation, the Commission Implementing Regulation, or Commission Delegated Regulation (EU) 2018/772 of 21 November 2017, has, unless the contrary intention appears, the same meaning in these Regulations as it has in the act of the institutions of the European Union in which it occurs.

Application

3. (1) These Regulations apply to the non-commercial movement of a cat, dog or ferret—

- (a) that is accompanied by—
 - (i) the owner of the animal, or
 - (ii) a person authorised in writing by the owner of the animal to accompany the animal (“authorised person”),

and

- (b) in the case of a movement into the State, the owner of the animal arrives into the State no earlier than 5 days before, or no later than 5 days after, the arrival of the animal.

(2) These Regulations do not apply to the movement of a consignment consisting of 6 or more cats, dogs or ferrets unless—

- (a) each animal is being moved solely to participate in a specific competition, exhibition or sporting event, or in training for such an event,
- (b) each animal has attained the age of 6 months, and,
- (c) in the case of a movement into the State, the person having possession or control of the consignment has, in respect of each animal, no later than 24 hours before the scheduled time of arrival in the State, submitted evidence that conforms to Article 5(2)(b) of the Pet Travel Regulation in the manner specified on a website maintained by the Minister.

Part 2

Movement of cats, dogs and ferrets

Movement between the State and another EU Member State

4. A person shall not move a cat, dog or ferret between the State and another EU Member State in contravention of the following provisions of the Pet Travel Regulation—

- (a) Article 6 (a), which requires that the animal is identified by means of a transponder implanted into the animal, or a clearly readable tattoo applied before 3 July 2011,
- (b) Article 6 (b), which requires that the animal has received an anti-rabies vaccination that complies with Annex III, or
- (c) Article 6 (d), which requires that the animal is accompanied by a completed identification document relating to the animal issued in accordance with Article 22.

Movement into the State from a Part 1 territory

5. (1) A person shall not move a cat, dog or ferret into the State from a Part 1 territory in contravention of the following provisions of the Pet Travel Regulation—

- (a) Article 10 (1) (a), which requires that the animal is identified by means of a transponder implanted into the animal, or a clearly readable tattoo applied before 3 July 2011, or
- (b) Article 10 (1) (b), which requires that the animal has received an anti-rabies vaccination that complies with Annex III.

(2) A person shall not move a cat, dog or ferret into the State from a Part 1 territory, unless the animal is accompanied by an identification document issued in accordance with Article 22 of the Pet Travel Regulation.

Movement into the State from a third country other than a Part 1 territory

6. (1) A person shall not move a cat, dog or ferret into the State from a third country other than a Part 1 territory in contravention of the following provisions of the Pet Travel Regulation—

- (a) Article 10 (1) (a), which requires that the animal is identified by means of a transponder implanted into the animal, or a clearly readable tattoo applied before 3 July 2011,
- (b) Article 10 (1) (b), which requires that the animal has received an anti-rabies vaccination that complies with Annex III,
- (c) Article 10 (1) (c) which requires that the animal has undergone a rabies antibody titration test that complies with Annex IV, or

- (d) Article 10 (1) (e), which requires that the animal is accompanied by an identification document relating to the animal issued in accordance with Article 26.
- (2) Paragraph (1) (c) does not apply to the movement into the State of a cat, dog or ferret from a country or territory listed at Part 2 of Annex II to the Commission Implementing Regulation.

Echinococcus multilocularis treatment

- 7. (1) A person shall not move a dog into the State—
 - (a) if the dog has not undergone treatment in accordance with Article 6 of Commission Delegated Regulation (EU) 2018/772 of 21 November 2017, which relates to treatment against *Echinococcus multilocularis*, and
 - (b) unless such treatment is certified in accordance with Article 6 (4) of Commission Delegated Regulation (EU) 2018/772 of 21 November 2017.
- (2) This Regulation does not apply to a dog moved directly into the State from Finland, Malta or the United Kingdom.

Travellers' points of entry

- 8. (1) A person shall not move a cat, dog or ferret into the State from a third country, other than a Part 1 territory, in contravention of Article 10(2) of the Pet Travel Regulation, except through a travellers' point of entry.
- (2) The travellers' points of entry for the purposes of paragraph (1) and Article 34 (3) of the Pet Travel Regulation are Cork Airport, Dublin Airport, the Port of Cork at Ringaskiddy, Rosslare Europort, and Shannon Airport.

Presentation of animal for inspection

- 9. (1) A person shall not remove a cat, dog or ferret, that is moved into the State from a third country other than a Part 1 territory, from the confines of the port of arrival of the animal unless—
 - (a) the animal and the identification document relating to the animal have been presented for inspection to an authorised officer, and
 - (b) the person obtains a written statement issued by such officer stating that the animal and identification document have been presented for inspection in accordance with this Regulation.
- (2) A person to whom a written statement is given under paragraph (1) (b) shall retain such statement while the animal to which it relates is in the State, and make the statement available for inspection on request to an authorised officer.

Reading a transponder

10. A person shall provide an authorised officer with the means of reading a transponder, if required to do so in accordance with Article 17 (1) of the Pet Travel Regulation.

Advance notice

11. (1) A person who is—

- (a) the owner of a cat, dog or ferret, or
- (b) the authorised person accompanying a cat, dog or ferret,

shall not move a cat, dog or ferret into the State from a third country, other than a Part 1 territory, unless he or she has notified the Minister in writing of the proposed movement no less than 24 hours in advance of the animal's scheduled time of arrival in the State.

(2) The operator of an aircraft, or the operator of a vessel shall not cause or permit a cat, dog or ferret to be moved into the State from a third country other than a Part 1 country, on the aircraft or vessel, or on any vehicle on board the aircraft or vessel, unless he or she has notified the Minister in writing of the proposed movement in advance of the animal's scheduled time of arrival in the State—

- (a) in the case of an operator of an aircraft, no less than 24 hours in advance of the animal's scheduled time of arrival in the State, and
- (b) in the case of an operator of a vessel, no less than 3 hours in advance of the animal's scheduled time of arrival in the State.

Quarantine, etc.

12. (1) The functions conferred on the competent authority by Article 35 of the Pet Travel Regulation may be exercised by an authorised officer.

(2) An authorised officer may—

- (a) isolate, under official control, a cat, dog or ferret, or
- (b) direct a person in possession or control of a cat, dog or ferret to keep the animal isolated from contact with other animals,

until outstanding matters are resolved for the purposes of Article 35 (1) (b) of the Pet Travel Regulation.

(3) An authorised officer may direct the person in possession or control of a cat, dog or ferret to return the animal to the country of dispatch in accordance with Article 35 (1) (a) of the Pet Travel Regulation.

(4) A direction under paragraph (2) or (3) may contain such measures as appear to the officer giving the direction to be necessary for the purposes of the direction having full effect.

(5) A person shall comply with a direction issued under this Regulation.

(6) Where an authorised officer has reasonable grounds to believe that it is not practicable to isolate an animal or return it to the country of dispatch, the authorised officer may act in accordance with Article 35 (1) (c) of the Pet Travel Regulation.

(7) All costs incurred in relation to an action carried out under this Regulation shall be payable by the person who has possession or control of the animal concerned.

Fees

13. (1) The Minister may set and charge a fee in respect of the performance of an inspection by an authorised officer under Regulation 9 (1).

(2) A fee payable pursuant to this Regulation may be recovered by the Minister from the person by whom it is payable as a simple contract debt in a court of competent jurisdiction.

Part 3

Identification Document

Issue of identification document (passport)

14. (1) A veterinary practitioner may issue an identification document (in this Part referred to as a passport) in respect of a cat, dog or ferret.

(2) A veterinary practitioner shall not issue a passport other than in accordance with Article 22 of the Pet Travel Regulation.

(3) A person other than a veterinary practitioner shall not issue a passport.

(4) A veterinary practitioner may obtain a reasonable supply, anticipating future use, of blank passports from the Minister on payment of the fee set under section 73 of the Animal Health and Welfare Act 2013.

(5) A passport issued or supplied under this Regulation continues to be the property of the Minister and shall be produced for inspection or surrendered on request to an authorised officer by the holder of the passport.

(6) The Minister may, for good cause, refuse to permit a veterinary practitioner to have passports in his or her possession or under his or her control, or to issue passports, for such period as the Minister considers appropriate.

(7) If the Minister proposes to refuse to permit a veterinary practitioner to have passports in his or her possession or under his or her control, or to issue passports, the Minister shall—

- (a) notify the veterinary practitioner, in writing, of the proposal and the reasons for the proposal, and that the veterinary practitioner may make representations in relation to the proposal to the Minister no later than 14 days after the date of notification,

- (b) consider a representation duly made before deciding whether to proceed with, modify or annul the proposal, and
 - (c) notify the veterinary practitioner, in writing, of the decision and the reasons for the decision.
- (8) Any time after the expiration of 3 months after the date of a decision mentioned in paragraph (7) (c), the veterinary practitioner to whom the decision relates may apply to the Minister to discharge or vary the original decision, and the Minister may affirm, discharge or vary the decision.
- (9) If an application under paragraph (8) is refused, a further application shall not be made within 3 months of the date of refusal.

Security and records

15. (1) A veterinary practitioner shall—
- (a) store blank passports in a secure manner that prevents loss or theft and in accordance with the directions (if any) of an authorised officer,
 - (b) maintain a record of the information mentioned in Article 21 (1) and (3) of the Pet Travel Regulation in respect of passports issued by him or her, in a form (if any) as the Minister may determine, and
 - (c) make such returns to the Minister as the Minister may require.
- (2) A veterinary practitioner shall not sell or supply a blank or incomplete passport.
- (3) A record maintained under paragraph (1)(b) shall be kept for a period of 3 years and be made available for inspection on request to an authorised officer.

Altered or forged Passport

16. A veterinary practitioner who has reasonable cause to believe that an entry on a passport is false or misleading or that a document purporting to be a passport is forged shall retain the document, report the facts to, and surrender the document, at the earliest opportunity, to an authorised officer.

Part 4
Final provisions

Penal provisions

17. (1) Regulations 4, 5, 6(1), 7(1), 8(1), 9, 10, 12(5), 14(2), (3) and (5), and 15(2) are penal provisions to which section 36 (4) (b) of the Act applies.

(2) Regulation 11, paragraphs (1) and (3) of Regulation 15, and Regulation 16 are penal provisions to which section 36 (4) (a) of the Act applies.

Saver

18. (1) A passport issued under the Pet Passport (No. 2) Regulations 2014 (S.I. No. 602 of 2014), that is in force immediately before the commencement of these Regulations, remains in force and may be dealt with as if it is an identification document issued under the corresponding provision of these Regulations.

(2) A record maintained in accordance with the Pet Passport (No. 2) Regulations 2014 shall be maintained in accordance with Regulation 15 (1) (b) and kept in accordance with Regulation 15 (3).

Revocation

19. Regulations 3, 4, 5, 6, 7 and 8 of the Pet Passport (No. 2) Regulations 2014 (S.I. No. 602 of 2014) are revoked.

GIVEN under my Official Seal,
15 April, 2020.

MICHAEL CREED,
Minister for Agriculture, Food and the Marine.

L.S.

EXPLANATORY NOTE

(This note is not part of the Instrument and does not purport to be a legal interpretation)

This Statutory Instrument gives full effect to Regulation (EU) No 576/2013 of the European Parliament and of the Council of 12 June 2013, Commission Implementing Regulation (EU) No 577/2013 of 28 June 2013, and Commission Delegated Regulation (EU) 2018/772 of 21 November 2017. Regulation (EU) No 576/2013 and Commission Implementing Regulation (EU) No 577/2013 legislate for the movement of pet dogs, cats and ferrets between EU Member States and from third countries into the EU. Commission Delegated Regulation (EU) 2018/772 is concerned with treatment against *Echinococcus multilocularis*.

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