

S.I. No. 423 of 2004

European Communities (Pet Passport) Regulations 2004

I, Joe Walsh, Minister for Agriculture and Food, in exercise of the powers conferred on me by section 3 of the European Communities Act 1972 (No. 27 of 1972) for the purposes of giving effect to Regulation No. 998/2003 of the European Parliament and of the Council of 26 May 2003¹ as amended by Commission Regulation (EC) No. 592/2004 of 30 March 2004² hereby make the following Regulations –

1. These Regulations may be cited as the European Communities (Pet Passport) Regulations 2004.
2. (1) In these Regulations –
 - “approved carrier” means a person approved by the Minister under Regulation 6;
 - “approved entry point” means a port or airport in the State designated by the Minister under Regulation 7;
 - “authorised officer” means a person appointed under Regulation 8;
 - “European Regulations” means Regulation No. 998/2003 of the European Parliament and of the Council of 26 May 2003 as amended by Commission Regulation (EC) No. 592/2004 of 30 March 2004; and
 - “Minister” means the Minister for Agriculture and Food;
 - “pet animal” has the same meaning as in the European Regulations with the exception of the species listed in Part C of Annex I to the European Regulations.
- (2) A word or an expression used in these Regulations and is also used in the European Regulations has, unless the contrary intention appears, the same meaning in these Regulations that it has in the European Regulations.
- (3) In these Regulations –
 - (a) a reference to a Regulation is a reference to a Regulation in these Regulations unless it is indicated that reference to some other Regulation is intended, and
 - (b) a reference to a paragraph or subparagraph is a reference to a paragraph or subparagraph in the provision where the reference occurs unless it is indicated that reference to some other provision is intended.

¹ OJ No. L146, 13.6.2003, p.1.

² OJ No. L94, 31.3.2003, p.7.

3. A person shall not bring a pet animal into the State from Sweden or a country mentioned in Part B or Part C of Annex II to the European Regulations unless the pet animal –
 - (a) is over three months old,
 - (b) is identified in accordance with Article 4(1)(b) of the European Regulations,
 - (c) is accompanied by a passport certifying compliance with -
 - (i) Article 5(1)(b) of the European Regulations, and
 - (ii) the pet animal has been treated for echinococcus and ticks not more than 48 hours and not less than 24 hours prior to entry into the State,
 - (d) has been tested in accordance with the second indent of Article 6(1) of the European Regulations six months prior to entry into the State,
 - (e) enters the State at an approved entry point, and
 - (f)
 - (i) is transported by an approved carrier, or
 - (ii) has prior approval from the Minister to enter the State and satisfies the conditions of that approval.

4. A person shall not bring more than 5 pet animals into the State at any one time.

5. The Minister may where a pet animal is introduced into the State in contravention of Regulations 3 and 4 –
 - (i) seize and detain the animal at a place determined by the Minister,
 - (ii) have the animal removed from the State, or
 - (iii) have the animal destroyed

at the expense of the owner or the person accompanying the animal as a simple contract debt in any court of competent jurisdiction.

6.
 - (1) The Minister may approve such and so many persons as he or she considers appropriate to transport pet animals into the State.
 - (2) The Minister may revoke an approval issued under paragraph (1) on notification to the person concerned in writing.

7.
 - (1) The Minister may approve a place where a pet animal may enter the State and shall notify approved carriers of such approval.
 - (2) The Minister may withdraw an approval and shall notify approved carriers of such withdrawal.

8. (1) The Minister may appoint such and so many persons as he or she thinks fit to be authorised officers.

(2) The Minister may revoke an appointment made under paragraph (1) at any time and the appointment shall cease if the authorised officer ceases to be employed by the Minister.

(3) An authorised officer shall be furnished with a warrant of his or her appointment.
9. An authorised officer may –
 - (a) require a person to produce a passport, documentation or information in respect of a pet animal,
 - (b) inspect, take copies of or extracts from any passport or other documentation,
 - (c) inspect any pet animal,
 - (d) detain a pet animal, passport or other documentation for such periods as may be required in such places as he or she may determine,
 - (e) place a pet animal with an approval carrier for the purposes of removal from the State,
 - (f) destroy a pet animal where –
 - (i) the animal poses a health risk, or
 - (ii) it is not possible to detain the animal under subparagraph (d) or remove it from the State under subparagraph (e).
10. (1) A person who contravenes the European Regulations or these Regulations is guilty of an offence.

(2) A person guilty of an offence under these Regulations is liable on summary conviction to a fine not exceeding €3,000.

(3) An offence under these Regulations may be prosecuted by the Minister.
11. These Regulations are in addition to the Diseases of Animals Acts 1966 to 2001 and Orders made under those Acts.

Given under my Official Seal
July 2004

Joe Walsh
Minister for Agriculture and Food