Subsidiary Legislation made under s.26.

Animals Rules 2004

LN.2004/097

Commencement **1.10.2004**

Amending enactments	Relevant current provisions	Commencement date
LN. 2006/045	*Corrigenda*	
2006/129	r. 23A	16.11.2006
2015/194	rr. 11(1)(b), 11A, Sch.7	15.10.2015
2016/240	rr. 2. 4A, 11(1)(c), (2), 12, 12A, 13(1)(e)-(i), (2), 15, 21, 23A(1), (3), Sch.1, 2	1.12.2016
2018/123	rr. 12A, 23A	24.5.2018
2018/259	rr. 1-2, 3(2), (2A), 4, 5(2), (ii), 8(1)(a)-(b), 13(1), 14(1), 15, 16(1), (4), 17(1)-(2), 19, 22(a), 23A(1)(a)-(b) Schs. 2-6	15.11.2018
2019/147	rr. 5(2), 6(3), 23A(1)(a)-(b), 5-8, 10	26.7.2019
2019/189	rr. 12B-12C	1.1.2020

Implementing:
Regulation (EC) No 998/2003
Regulation (EC) 576/2013
Regulation (EU) 577/2013

© Government of Gibraltar (www.gibraltarlaws.gov.gi)

ARRANGEMENT OF RULES

Rule

1. Title and Commencement.
2. Interpretation.

PART I

MOVEMENT OF PET ANIMALS

3. Movement of Pet Animals.
4. The EC Regulation.
4A. Pet passports.

PART II

CONTROL OF DOGS, CATS, ETC.

5. Restriction on importation.
6. Import licences.
7. Removal, destruction and quarantine.

PART III

FEES, PENALTIES AND CONTROL

8. Fees.
9. Penalties for contravening Part I or Part II.
10. Powers of seizure.

PART IV

CONTROL, REGISTRATION AND LICENSING OF DOGS

11. Control of dogs.
11A. Dogs need not be held by means of an effective lead when in the dog park ….
12. Fouling of streets etc.
12A. Fixed penalty notice for offence under rule 12.
12B. Dog urination.
12C. Fixed penalty notice for offence under rule 12B.
13. Form of dog register.
14. Particulars to be furnished on registration.

© Government of Gibraltar (www.gibraltarlaws.gov.gi)

15. Registration badge and fee.
16. Application for, form of dog licences.
17. Fees for dog registration and dog licences.
18. Information to be given of death, etc., of dog.
19. Transfer of dog ownership.
20. Re-registration when badge lost.
21. *Deleted*.
22. Information to be provided to the Environmental Agency
23. Penalty for contravening rules.
23A. Fixed Penalty Offences.

PART V

REVOCATION AND SAVING PROVISIONS

24. Revocation and Saving of Animal and Birds Rules

SCHEDULE 1
Deleted.

SCHEDULE 2
Part A - Form of Application to register a dog.
Part B – Form of Registration Certificate

SCHEDULE 3
Form of Licence.

SCHEDULE 4
EC Regulation.

SCHEDULE 5
Pet Passport.

SCHEDULE 6
Model Health Certificate.

SCHEDULE 7

© Government of Gibraltar (www.gibraltarlaws.gov.gi)

In exercise of the powers conferred on him by section 26 of the Animals Act, and all other enabling powers, and in order to further implement Regulation (EC) No 998/2003 of the European Parliament and of the Council of 26 May 2003 on the animal health requirements applicable to the non-commercial movement of pet animals and amending Council Directive 92/65/EC as amended by Commission Regulation (EC) No 592/2004 of 30 March 2004 amending Regulation (EC) No 998/2003 of the European Parliament and of the Council as regards the lists of countries and territories the Minister for the Environment has made the following rules–

Title and Commencement.

1. These rules may be cited as the Animals Rules 2004 and come into operation on 1 October 2004.

Interpretation.

2. In these rules, unless the context otherwise requires–

"authorised officer" means any person listed in the Schedule to the Animals Act, and such other person appointed by the Government for the purposes of these Rules;

"dog register" means the database of dogs registered and licensed under the Animals Act kept by the Licensing Officer;

"the EC Regulation" means Regulation (EC) No 576/2013 of the European Parliament and of the Council of 12 June 2013 on the non-commercial movement of pet animals and repealing Regulation (EC) 998/2003 as amended from time to time;

"effective muzzle" means a muzzle of such size and so constructed of wire or other material as to render it impossible for the dog wearing the same to bite any person or animal, but not so as to prevent such dog from breathing freely or lapping water;

"export" means the taking out of Gibraltar of an animal to any other state or territory whether for a temporary or permanent period;

"import" means the bringing into Gibraltar of an animal from outside Gibraltar whether for a temporary or permanent period;

"licence" means a licence authorising the person named therein to keep a dog;

"Licensing Officer" means the person appointed under section 10(4) of the Animals Act;

© Government of Gibraltar (www.gibraltarlaws.gov.gi)

"Model Documents Regulation" means the Commission Implementing Regulation (EU) No 577/2013 of 28 June 2013 on the model identification documents for the non-commercial movement of dogs, cats and ferrets, the establishment of lists of territories and third countries, and the format, layout and language requirements of the declarations attesting compliance with certain conditions provided for in the EC Regulation;

"movement" means movement as defined in Article 3 of the EC Regulation;

"pet animal" means a pet animal as defined in Article 3 of the EC Regulation;

"pet passport" means the model identification document as defined in Article 21(1) of the EC Regulation, which complies with the model set out in Part 1 of Annex III of the Model Documents Regulation;

(2) In these rules, only rule 10 applies to equine animals.

PART I

MOVEMENT OF PET ANIMALS

Movement of Pet Animals.

3.(1) A person who moves, or attempts to move, a pet animal into Gibraltar otherwise than in accordance with the EC Regulation and this Part is guilty of an offence.

(2) A person who moves, or attempts to move, a pet animal listed in part A of Annex I to the EC Regulation into Gibraltar is guilty of an offence if the animal–

(a) is less than 12 weeks old and has not received an anti-rabies vaccination; or

(b) is between 12 and 16 weeks old and has received an anti-rabies vaccination, but does not yet meet the validity requirements referred to in point 2(e) of Annex III of the EC Regulation.

(2A) By way of derogation from subrule (2) above, no offence is committed if–

(a) the conditions set out in Article 7(2) of the EC Regulation are satisfied; and

(b) the movement of that pet animal into Gibraltar has been authorized, in writing, by the Environmental Agency.

© Government of Gibraltar (www.gibraltarlaws.gov.gi)

(3) The EC Regulation shall apply mutatis mutandis to the movement of pet animals between the United Kingdom and Gibraltar.

The EC Regulation.

4.(1) The EC Regulation set out in Schedule 4 shall have effect.

(2) The pet passport is set out in Schedule 5.

(3) The model health certificate established by Part 1 Annex IV of the Model Documents Regulation establishing a model health certificate for non-commercial movements from third countries of dogs, cats and ferrets in accordance with the EC Regulation is set out in Part 1 of Schedule 6, and must be completed in accordance with the requirements set out in Part 2 of Schedule 6, and supplemented by the declaration set out in Part 3 of Schedule 6.

(4) For the purpose of Article 26 of the EC Regulation–

(a) the competent authority in Gibraltar shall be the Minister; and

(b) any qualified veterinary practitioner who is entitled to practice in Gibraltar may issue a pet passport.

(5) For the purpose of Articles 33 and 34 of the EC Regulation–

(a) the authorities responsible for checks in Gibraltar shall be Customs and the Royal Gibraltar Police;

(b) the competent authority shall be the Environmental Agency and the Environmental Agency may take, or cause to be taken, the actions set out in Article 35 of the EC Regulation; and

(c) the official veterinarian shall be the Government Veterinary Practitioner or any qualified veterinary practitioner acting under his control.

(6) Where a pet animal is being moved into Gibraltar from a Member State, a customs or police officer may require the owner or person in possession of the pet animal to prove that the movement is in compliance with Chapter II of the EC Regulation and the provisions of these rules.

(7) Where a pet animal is being moved into Gibraltar from a state or territory listed in Annex II of the Model Documents Regulation, or any other state or territory not listed in Annex II to the Model Documents Regulation, a customs or police officer shall require the owner or person

© Government of Gibraltar (www.gibraltarlaws.gov.gi)

in possession of the pet animal to prove that the movement is in compliance with Chapter III of the EC Regulation and the provisions of these rules.

(8) Where the owner or person in charge of pet animals seeks to move 6 or more pet animals into Gibraltar, he and the pet animals must comply with Article 5 of the EC Regulation.

Pet passports.

4A. The Government may charge a fee for the provision of the model passport set out in Schedule 5 to a qualified veterinary practitioner who is entitled to practice in Gibraltar.

PART II

CONTROL OF DOGS, CATS, ETC.

Restriction on importation.

5.(1) A person who imports, or attempts to import, an animal, which is not a pet animal, into Gibraltar otherwise than in accordance with a licence granted by the Environmental Agency and any conditions contained in that licence is guilty of an offence.

(2) For the purpose of preventing or controlling any outbreak of a disease occurring among animals, the Minister may by notice in the Gazette–

(i) restrict in such manner as he deems necessary or prohibit the importation into Gibraltar of any animals until he is satisfied that the danger has ceased,

(ii) impose restrictions or conditions of the kind referred to in paragraphs (b), (c), (d), (e) and (h) of section 26 of the Animals Act,

and any breach of an order, condition or rule contained in such notice shall be deemed to be a breach of these rules and subject to the same penalties.

Import licences.

6.(1) The Environmental Agency may refuse to grant an import licence in respect of any animal, which is not a pet animal, including on the ground that it is under the age of 4 months.

(2) The Environmental Agency may insert in any licence granted under these rules authorising the introduction into Gibraltar of an imported animal such conditions as may be considered necessary or desirable for regulating or prescribing–

(a) the mode of introduction and the detention and isolation of the animal;

© Government of Gibraltar (www.gibraltarlaws.gov.gi)

(b) the person by whom, and the premises on which, the animal shall be detained and isolated;

(c) the movement of the animal to the place of detention;

(d) the confinement of the animal in a suitable hamper, crate, box or other receptacle, or the muzzling of the dog, during its movement along a highway or thoroughfare;

(e) the mode of isolation of the animal;

(f) the notice to be given of the death or loss of the animal or of any matter arising in connection with the movement, detention or isolation of the animal and the persons by and to whom the notice is given; and

(g) generally in regard to any matter which the circumstances of the case may reasonably require.

(3) The Environmental Agency shall not grant an import licence under this section in respect of any cat or dog under the age of 4 months, unless that cat or dog has been bred by an approved breeder, as defined in the Pet Animals (Sales) Act 2005.

Removal, destruction and quarantine.

7.(1) Where any animal, other than a pet animal, is imported into Gibraltar otherwise than in accordance with a licence granted by the Environmental Agency, the Environmental Agency may order that such animal –

(a) be destroyed in a humane manner by the Government Veterinary Practitioner; or

(b) be removed from Gibraltar (and to be detained in quarantine pending such removal) within such time, not being less than ten days, as may be stated in the order and if such animal is not so removed within such time the Environmental Agency may cause it to be destroyed in a humane manner by the Government Veterinary Practitioner.

(2) Notwithstanding anything contained in sub-rule (1) the Environmental Agency may, in lieu of ordering such animal to be removed from Gibraltar, in its discretion and if satisfied that the fees incurred will be paid by the owner or person responsible for the animal, order that the animal be detained in quarantine for a period of not less than six months or such other period as is necessary for the purposes of animal health.

PART III

© Government of Gibraltar (www.gibraltarlaws.gov.gi)

FEES, PENALTIES AND CONTROL

Fees for detention, destruction or treatment of animals.

8.(1) The Minister may, by notice in the Gazette, prescribe the fees to be paid by the owner or such other person appearing to be responsible for an animal which is–

(a) detained in quarantine or otherwise under the Animals Act, EC Regulation or these rules;

(b) destroyed under the Animals Act, EC Regulation or these rules.

(2) Any fees received under the provisions of these rules shall be paid to such person or body as is directed by the notice in the Gazette referred to in sub-rule (1).

(3) Fees shall become due and payable at the expiry of each day on which the animal in respect of which they are incurred is detained in quarantine.

(4) If any fees payable under the provisions of these rules are in arrear and remain unpaid for the period of one calendar month after becoming due and payable it shall be lawful for the person or body to whom the fees are payable–

(a) to serve notice on the owner or other person appearing to be responsible for the animal, requiring him to pay all such fees within seven days of the date of service of the notice;

(b) if the fees are not paid within seven days of the date of service of the notice, to cause the animal to be destroyed, sold or otherwise disposed of; or

(c) to recover the fees owed as a civil debt.

(5) Nothing in sub-rule (4) authorises the release from quarantine of any animal prior to the expiration of the prescribed period of quarantine except for the purpose of its export from Gibraltar.

(6) Any money realized by the sale of any animal under this rule shall be applied in the first instance in paying the fees owed in respect of the animal and in defraying all costs in connection with its sale. Any balance remaining thereafter, if not claimed within three months of the date of sale, shall become the property–

© Government of Gibraltar (www.gibraltarlaws.gov.gi)

(a) if the animal so sold was detained in premises owned or occupied by the Government Veterinary Practitioner, of the Government Veterinary Practitioner; or

(b) otherwise of the Environmental Agency.

Penalties.

9.(1) A person who moves a pet animal into Gibraltar or attempts to move a pet animal into Gibraltar other than in accordance with the EC Regulation and these Rules is guilty of an offence and liable on summary conviction to imprisonment for up to six months and to a fine up to level 4 on the standard scale or both.

(2) A person who imports into Gibraltar or attempts to import into Gibraltar any animal, which is not a pet animal, other than in accordance with a licence issued by the Environmental Agency under these Rules is guilty of an offence and liable on summary conviction to imprisonment for up to six months and to a fine up to level 4 on the standard scale or both.

Powers of seizure.

10. An authorised officer may seize any animal which has been or is reasonably suspected of having been exposed to the infection of rabies or which has attacked, bitten or scratched any person or animal.

PART IV

CONTROL, REGISTRATION AND LICENSING OF DOGS

Control of dogs.

11.(1) Every owner and every other person having charge of a dog shall at all times cause the dog while in or on any street or other public place–

(a) to be kept under proper control and effectively restrained from causing annoyance to any person;

(b) to be held by means of an effective lead, subject to rule 11A; and

(c) to have its licence disc and registration badge affixed to its collar.

(2) A person who contravenes or fails to comply with the provisions of sub-rule (1) is guilty of an offence and liable on summary conviction in the case of the first conviction to a fine at level 2 on the standard scale, and in the case of a second or subsequent conviction under this

© Government of Gibraltar (www.gibraltarlaws.gov.gi)

rule to a fine of up to level 3 on the standard scale or to imprisonment for three months, or both.

11A. Dogs need not be held by means of an effective lead when in the dog park that forms part of the Gibraltar Botanic Gardens of the Alameda as delineated in yellow on the plan contained in Schedule 7.

Fouling of streets etc.

12.(1) Every owner or keeper of a dog (other than a blind person) who, without reasonable excuse, fails to remove any faeces deposited by the dog in any street or other public place, is guilty of an offence and is liable on summary conviction in the case of a first conviction under this rule to a fine at level 3 on the standard scale, and in the case of a second or subsequent conviction under this rule to a fine at up to level 4 on the standard scale or to imprisonment for three months, or both.

(2) It shall not be a reasonable excuse–

(a) that, at the time of the offence, the dog was in the charge of some person other than the owner; or

(b) that the person in charge of the dog did not have with him any means with which to remove the faeces.

Fixed penalty notice for offence under rule 12.

12A.(1) Where an authorised officer has reason to believe that an offence under rule 12 has been committed he may issue a notice to the owner or keeper of the dog offering him the opportunity of discharging any liability to conviction for that offence by payment of a fixed penalty of £250.

(2) Where a person has been issued with a notice under this rule in respect of an offence–

(a) no proceedings shall be instituted for that offence before the expiration of fourteen days following the date of the service of that notice; and

(b) he shall not be proceeded further against for that offence if he pays the fixed penalty before the expiration of that period.

(3) In subrules (1) and (2)–

"proceedings" means any criminal proceedings in respect of the Animals Act or omission constituting the offence specified in the notice under sub-rule (1), and

© Government of Gibraltar (www.gibraltarlaws.gov.gi)

"conviction" shall be construed in like manner.

(4) A notice under this rule shall–

(a) give reasonably detailed particulars of the circumstances alleged to constitute the offence;

(b) the period during which, by virtue of subrule (2), proceedings are not to be taken for the offence;

(c) the amount of the fixed penalty; and

(d) the address of the Clerk of the Magistrates' Court to whom the fixed penalty shall be paid.

(5) Without prejudice to payment by any other method, payment of the fixed penalty may be made by pre-paying and posting a letter containing the amount of the penalty (in cash or otherwise) to the Clerk of the Magistrates' Court at the address.

(6) A notice may be issued to a person under this rule by–

(a) handing it to him; or

(b) addressing it to him and leaving it at his last known address; or

(c) sending it by registered post to him at his last known address.

(7) In any proceedings, a certificate which–

(a) purports to be signed by or on behalf of the Clerk of the Magistrates' Court; and

(b) states that payment of a fixed penalty was or was not received by a date specified in the certificate, shall be conclusive evidence of the facts stated.

Dog urination.

12B.(1) Every owner or keeper of a dog (other than a blind person) who, without reasonable excuse fails to wash down any urine deposited by the dog in any street or other public place with at least 250ml of water or any other liquid deemed appropriate by an authorised officer is guilty of an offence and is liable on summary conviction in the case of a first conviction under this rule to a fine at level 3 on the standard scale, and in the case of a second or subsequent

© Government of Gibraltar (www.gibraltarlaws.gov.gi)

conviction under this rule to a fine at up to level 4 on the standard scale or to imprisonment for three months, or both.

(2) It shall not be a reasonable excuse–

(a) that, at the time of the offence, the dog was in the charge of some person other than the owner; or

(b) that the person in charge of the dog did not have with him any means with which to wash down the urine.

Fixed penalty notice for offence under rule 12B.

12C.(1) Where an authorised officer has reason to believe that an offence under rule 12B has been committed he may issue a notice to the owner or keeper of the dog offering him the opportunity of discharging any liability to conviction for that offence by payment of a fixed penalty of £250.

(2) Where a person has been issued with a notice under this rule in respect of an offence–

(a) no proceedings shall be instituted for that offence before the expiration of fourteen days following the date of the service of that notice; and

(b) he shall not be proceeded further against for that offence if he pays the fixed penalty before the expiration of that period.

(3) In subrules (1) and (2)–

"proceedings" means any criminal proceedings in respect of the Animals Act or omission constituting the offence specified in the notice under sub-rule (1); and

"conviction" shall be construed in like manner.

(4) A notice under this rule shall–

(a) give reasonably detailed particulars of the circumstances alleged to constitute the offence;

(b) the period during which, by virtue of subrule (2), proceedings are not to be taken for the offence;

(c) the amount of the fixed penalty; and

© Government of Gibraltar (www.gibraltarlaws.gov.gi)

(d) the address of the Clerk of the Magistrates' Court to whom the fixed penalty shall be paid.

(5) Without prejudice to payment by any other method, payment of the fixed penalty may be made by pre-paying and posting a letter containing the amount of the penalty (in cash or otherwise) to the Clerk of the Magistrates' Court at the address.

(6) A notice may be issued to a person under this rule by–

(a) handing it to him; or

(b) addressing it to him and leaving it at his last known address; or

(c) sending it by registered post to him at his last known address.

(7) In any proceedings, a certificate which–

(a) purports to be signed by or on behalf of the Clerk of the Magistrates' Court; and

(b) states that payment of a fixed penalty was or was not received by a date specified in the certificate, shall be conclusive evidence of the facts stated.

Form of dog register.

13.(1) The Licensing Officer shall maintain the dog register which shall record, in relation to any dog to which section 10 of the Animals Act applies–

(a) the name and address of its owner or keeper;

(b) the dog register number and licence number;

(c) the date of issue of registration;

(d) the expiry date of the dog's current rabies vaccination certificate;

(e) *Deleted*.

(f) if the dog has a pet passport, the pet passport number;

(g) a photo of the dog;

(h) its microchip number; and

© Government of Gibraltar (www.gibraltarlaws.gov.gi)

(i) its DNA profile.

(2) *Deleted*.

Particulars to be furnished on registration.

14.(1) Application shall be made to the Licensing Officer for registration of any dog to which section 10 of the Animals Act applies in such form and including such particulars as the Licensing Officer may require from time to time, which form shall contain at least those matters set out in Schedule 2.

(2) The Licensing Officer may require the facts stated in such application, or any other necessary information, to be verified to his satisfaction and may require the applicant to produce for inspection the dog in respect of which such application is made.

Registration certificate.

15. Upon registering a dog to which section 10 of the Animals Act applies the Licensing Officer shall assign to it an identification number and shall issue to the person by whom the dog is kept–

(a) a registration badge; and

(b) a certificate of registration bearing the name of the person by whom the dog is kept, the identification number, the date of issue and any other information which the Licencing Officer considers necessary.

Application for, form of dog licences.

16.(1) An application for a licence in respect of any dog to which section 10 of the Animals Act applies shall be made by the keeper of that dog–

(a) at the date of registration of the dog in accordance with rule 14;

(b) on the 1st day of January immediately following the date in paragraph (a); and

(c) on each subsequent 1st day of January.

(2) A licence shall be valid from the date of issue until the 31st day of December following, save that the licence shall cease to be valid before that day if the rabies vaccination certificate in respect of that dog expires on a date earlier than the 31st of December and no further vaccination certificate in respect of the dog valid until the 31st of December has been produced to the Licensing Officer.

© Government of Gibraltar (www.gibraltarlaws.gov.gi)

(3) A fee shall be paid in respect of the issue of a licence.

(4) Upon issuing a licence the Licensing Officer shall issue to the person by whom the dog is kept a licence disc in accordance with particulars specified by notice in the Gazette by the Minister.

(5) A separate licence shall be issued in respect of every dog entered in the dog register and required to be licensed.

(6) If the Licensing Officer is satisfied that a licence or licence disc valid at the date on which an application is made to him under this sub-rule issued in respect of a dog has been lost, destroyed or defaced, he shall, upon application being made to him in writing by the person entitled to hold the licence and on payment of such fee as is prescribed under Rule 17, issue to such person a duplicate of the licence or licence disc which has been lost, destroyed or defaced as the case may be.

Fees for dog registration and dog licences.

17.(1) The fees payable in respect of dog registration and dog licences shall be such fees as may be prescribed by the Minister by notice in the Gazette.

(2) The fees prescribed under subrule (1) shall be payable to the Licensing Officer or such other person as the Minister shall prescribe by notice in the Gazette.

Information to be given of death, etc., of dog.

18.(1) The owner/keeper of any dog entered in the dog register shall, if the dog dies, ceases to be kept in Gibraltar or is transferred to the keeping of any other person, within seven days of the happening of any of those events inform the Licensing Officer accordingly and in the case of the dog having died or ceased to be kept in Gibraltar, deliver to the Licensing Officer the certificate of registration and licence disc issued in respect of the dog.

(2) The Licensing Officer may cancel the registration and licence of any dog if he is satisfied that the dog has died or ceased to be kept in Gibraltar.

Transfer of dog ownership.

19. When any dog ceases to be kept by the person who is recorded in the dog register as its keeper and is transferred to the keeping of any other person ("the transferee"), the transferee shall within seven days of the transfer re-register the dog in accordance with rule 15 and shall apply for a dog licence.

© Government of Gibraltar (www.gibraltarlaws.gov.gi)

Re-registration when badge lost.

20.(1) If the Licensing Officer is satisfied that the registration badge of any dog has been lost or destroyed, he shall, upon payment of such fee as is prescribed under Rule 17 and delivery to him of the licence issued in relation to that dog–

(a) cancel the registration of the dog;

(b) register the dog again with a new identification number;

(c) issue a registration badge bearing that number;

(d) after recording that number in the licence, return the licence to the person entitled thereto.

(2) If the Licensing Officer is satisfied that the licence disc of any dog has been lost or destroyed, he shall, upon payment of such fee as is prescribed under Rule 17 and delivery to him of the licence issued in relation to that dog, issue a duplicate licence disc.

21. *Deleted*.

Information to be provided to the Environmental Agency.

22. The Licensing Officer shall inform the Environmental Agency and shall provide it with details of–

(a) any application for a licence to which section 10(1) of the Animals Act applies where such application is not accompanied by a vaccination certificate in respect of the dog;

(b) any licence which expires before the 31st day of December in any year and where no new vaccination certificate in respect of the dog so licenced is produced;

(c) any licence which expires on the 31st day of December in any year and is not renewed unless the Licensing Officer has cancelled the registration and licence of the dog under rule 18 (2).

Penalty for contravening rules.

23. The following persons are guilty of an offence and are liable on summary conviction to a fine up to level 1 on the standard scale–

© Government of Gibraltar (www.gibraltarlaws.gov.gi)

(a) a person who refuses or neglects to furnish to the Licensing Officer within the time prescribed by these rules any particulars, information or notification required by these rules to be so furnished, or knowingly furnishes any such particulars, information or notification, which are false; or

(b) a person who refuses or neglects to deliver to the Licensing Officer within the time prescribed by these rules any licence or registration badge required by these rules to be so delivered.

Fixed Penalty Offences.

23A.(1) Where an authorised officer has reason to believe that an offence has been committed under–

(a) section 10(2) of the Animals Act, for keeping a dog in contravention of section 10(1)(a) or (b) of the Animals Act;

(b) section 10(9) of the Animals Act; or

(c) rule 11(2) for contravening or failing to comply with rule 11(1)(c) of these Rules,

he may issue a notice to the person in control of the dog offering him or the owner of the dog the opportunity of discharging any liability to conviction for that offence by payment of a fixed penalty of £250.

(2) Where a person has been issued with a notice under this rule in respect of an offence–

(a) no proceedings shall be instituted for that offence before the expiration of fourteen days following the date of the service of that notice; and

(b) he shall not be proceeded further against for that offence if he pays the fixed penalty before the expiration of that period.

(3) In sub-rules (1) and (2)–

"proceedings" means any criminal proceedings in respect of the act or omission constituting the offence specified in the notice under sub-rule (1), and

"conviction" shall be construed in like manner.

(4) A notice under this rule shall give–

© Government of Gibraltar (www.gibraltarlaws.gov.gi)

(a) reasonably detailed particulars of the circumstances alleged to constitute the offence;

(b) the period during which, by virtue of sub-rule (2), proceedings are not to be taken for the offence;

(c) the amount of the fixed penalty; and

(d) the address of the Clerk of the Magistrates' Court to whom the fixed penalty shall be paid.

(5) Without prejudice to payment by any other method, payment of the fixed penalty may be made by pre-paying and posting a letter containing the amount of the penalty (in cash or otherwise) to the Clerk of the Magistrates' Court at the address.

(6) A notice may be issued to a person under this rule by–

(a) handing it to him; or

(b) addressing it to him and leaving it at his last known address; or

(c) sending it by registered post to him at his last known address.

(7) In any proceedings, a certificate which–

(a) purports to be signed by or on behalf of the Clerk of the Magistrates' Court; and

(b) states that payment of a fixed penalty was or was not received by a date specified in the certificate, shall be conclusive evidence of the facts stated.

PART V

REVOCATION AND SAVINGS PROVISIONS

Revocation and Saving of Animal and Birds Rules

24. The Animals and Birds Rules are revoked save that proceedings in respect of any offence committed under the Animals and Birds Rules may continue to be prosecuted as if it were still in force.

SCHEDULE 1

Deleted.

© Government of Gibraltar (www.gibraltarlaws.gov.gi)

SCHEDULE 2

Rule 14

Part A

FORM OF APPLICATION TO REGISTER A DOG

To the Licensing Officer,

Please register the dog of which the particulars are given hereunder.

Name of Owner and/or Keeper.

Address.

Description of Dog: Breed Sex
Colour Age

Origin of dog:
(State whether born in or outside of Gibraltar.)

Import Licence Number:
(If imported under an licence state import licence number and date of issue.)

Pet Passport:
(If moved into Gibraltar with a pet passport state "pet passport" [and country of origin])

Microchip Number:

IMPORTANT

As the registered owner/keeper of a dog your obligations include –

- to obtain a dog licence every year & ensure your dog wears its licence disc
- to keep your dog under control when in a public place
- to ensure faeces of your dog is removed from any public place
- to notify the Licensing Officer if your dog dies, is no longer kept in Gibraltar or is given or sold to another owner/keeper.

Signature of Applicant: _____

Dated this day of 2 .

© Government of Gibraltar (www.gibraltarlaws.gov.gi)

PART B

Rule 15

FORM OF REGISTRATION CERTIFICATE

DOG REGISTRATION CERTIFICATE ISSUED UNDER THE ANIMALS ACT

This registration certificate is hereby granted to . . . . . .

residing at . . . . . .

to keep the dog described hereunder . . . . . .

Dog registration number . . . . . .

Description of Dog: Breed Sex
Colour Age

Origin of Dog:
(state whether born in or outside of Gibraltar)

Import Licence Number:
(If imported under an import licence state import licence number and date of issue)

Pet Passport Number and Country of Issue:
(Insert the above if the dog has a pet passport)

Microchip Number:

IMPORTANT

As the registered owner/keeper of a dog your obligations include–

- to obtain a dog licence every year & ensure your dog wears its licence disc
- to keep your dog under control when in a public place
- to ensure faeces of your dog is removed from any public place
- to notify the Licensing Officer if your dog dies, is no longer kept in Gibraltar or is given or sold to another owner/keeper.

Signature of Licensing Officer _____

fee paid £_____ .

Dated this day of 2 .

© Government of Gibraltar (www.gibraltarlaws.gov.gi)

SCHEDULE 3

Rule 16

FORM OF LICENCE

DOG LICENCE ISSUED UNDER THE ANIMALS ACT

Licence is hereby granted to . . . . . .

residing at . . . . . .

to keep the dog described hereunder . . . . . .

Dog registration number . . . . . .

Description. . . . . .

Rabies Vaccination Certificate number. . . . . .

Expiry date of rabies vaccination Certificate. . . . . .

This licence expires on the 31st December, 2 or on the expiry date of the rabies vaccination certificate, whichever is the earlier.

Dated this day of , 2

Licensing Officer.

fee paid £_____ .

© Government of Gibraltar (www.gibraltarlaws.gov.gi)

SCHEDULE 4

Rule 4

REGULATION (EU) No 576/2013 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

of 12 June 2013

on the non-commercial movement of pet animals and repealing Regulation (EC) No 998/2003

(Text with EEA relevance)

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 43(2) and point (b) of Article 168(4) thereof,

Having regard to the proposal from the European Commission,
After transmission of the draft legislative act to the national parliaments,

Having regard to the opinion of the European Economic and Social Committee (1),

After consulting the Committee of the Regions,

Acting in accordance with the ordinary legislative procedure (2),

Whereas:

(1)Regulation (EC) No 998/2003 of the European Parliament and of the Council (3) lays down the animal health requirements applicable to the non-commercial movement of pet animals into a Member State from another Member State or from third countries and the checks applicable to such movement. It aims to ensure a sufficient level of safety with regard to the public and animal health risks involved in such non-commercial movement and to remove any unjustified obstacles to such movement.

(2)In a statement annexed to Regulation (EU) No 438/2010 of the European Parliament and of the Council of 19 May 2010 amending Regulation (EC) No 998/2003 on the animal health requirements applicable to the non-commercial movement of pet animals (4), the Commission undertook to propose a revision of Regulation (EC) No 998/2003 in its entirety, in particular the aspects of delegated and implementing acts. Therefore, due to the entry into force of the Treaty on the Functioning of the European Union (TFEU), the powers conferred on the Commission under Regulation (EC) No 998/2003 need to be aligned with

© Government of Gibraltar (www.gibraltarlaws.gov.gi)

Articles 290 and 291 TFEU. Taking into account the number of amendments that need to be made to the animal health requirements laid down in Regulation (EC) No 998/2003 and in order to ensure that those requirements are sufficiently clear and accessible to the ordinary citizen, that Regulation should be repealed and replaced by this Regulation.

(3)This Regulation should establish a list of animal species to which harmonised animal health requirements should apply when animals of those species are kept as pet animals and are subject to non-commercial movement. When drawing up that list, account should be taken of their susceptibility to or role in the epidemiology of rabies.

(4)Council Directive 92/65/EEC of 13 July 1992 laying down animal health requirements governing trade in and imports into the Community of animals, semen, ova and embryos not subject to animal health requirements laid down in specific Community rules referred to in Annex A (I) to Directive 90/425/EEC (5) establishes, inter alia, the animal health requirements applicable to trade in and imports of dogs, cats and ferrets, which are animals of species susceptible to rabies. Since those species are also kept as pet animals that frequently accompany their owner or an authorised person during non-commercial movement within and into the Union, this Regulation should lay down the animal health requirements applicable to the non-commercial movement of those species into Member States. Those species should be listed in Part A of Annex I to this Regulation.

(5)Similarly, a legal framework should be established for the animal health requirements applicable to the non-commercial movement of animals of species not affected by rabies or of no epidemiological significance as regards rabies, to which, if they were not kept as pet animals, other legal acts of the Union would apply, including legislation on food-producing animals. Those species should be listed in Part B of Annex I.

(6)The list in Part B of Annex I should include invertebrates, with the exception of bees and bumble bees covered by Directive 92/65/EEC, and molluscs and crustaceans covered by Council Directive 2006/88/EC of 24 October 2006 on animal health requirements for aquaculture animals and products thereof, and on the prevention and control of certain diseases in aquatic animals (6). It should also include ornamental aquatic animals reared in non-commercial aquaria excluded from the scope of Directive 2006/88/EC, and amphibians and reptiles.

(7)The list in Part B of Annex I should further include all species of birds, other than those covered by Council Directive 2009/158/EC of 30 November 2009 on animal health conditions governing intra-Community trade in, and imports from third countries of, poultry and hatching eggs (7), and rodents and rabbits other than those intended for the production of food and defined in Annex I to Regulation (EC) No 853/2004 of the European Parliament and of the Council of 29 April 2004 laying down specific hygiene rules for food of animal origin (8).

© Government of Gibraltar (www.gibraltarlaws.gov.gi)

(8)However, in the interest of consistency of Union law, pending the establishment of Union rules governing the non-commercial movement into a Member State from another Member State or from a territory or a third country of pet animals of the species listed in Part B of Annex I, it should be possible for national rules to apply to such movement provided that they are not stricter than those applied to movement for commercial purposes.

(9)Since animals of the species listed in Part B of Annex I to this Regulation may belong to species that require particular protection, this Regulation should apply without prejudice to Council Regulation (EC) No 338/97 of 9 December 1996 on the protection of species of wild fauna and flora by regulating trade therein (9).

(10)In order to make a clear distinction between the rules that apply to non-commercial movement and to trade in and imports into the Union from third countries of dogs, cats and ferrets covered by the animal health requirements of Directive 92/65/EEC, this Regulation should not only define a pet animal, but also the non-commercial movement of a pet animal, during which such a pet animal accompanies its owner or an authorised person. Experience has shown that it is not always possible for the pet animal to be in the immediate vicinity of the owner or authorised person at all times during non-commercial movement. On duly justified and documented grounds, the pet animal should be considered as accompanying its owner or the authorised person even if the non-commercial movement of the pet animal takes place up to five days earlier or later than the movement of the owner or of the authorised person, or takes place in a different physical location than that occupied by the owner or by the authorised person.

(11)Experience with the application of the existing rules shows that trade in and imports into the Union from third countries of pet animals of the species listed in Part A of Annex I can be fraudulently disguised as non-commercial movement. In order to prevent such practices, since they might pose animal health risks, this Regulation should fix a maximum number of pet animals of the species listed in Part A of Annex I that may accompany their owner or an authorised person. However, it should be possible to exceed that maximum number under certain specified conditions. Further, it should be clarified that when the specified conditions are not fulfilled and the number of pet animals of the species listed in Part A of Annex I to this Regulation exceeds the established maximum number, the relevant provisions of Directive 92/65/EEC and of Directive 90/425/EEC (10) or Directive 91/496/EEC (11) apply to those pet animals.

(12)Regulation (EC) No 998/2003 provides that, for a transitional period, pet animals of the species listed in Parts A and B of Annex I thereto are to be regarded as identified when they bear either a clear readable tattoo or an electronic identification system (‘transponder’). This Regulation should therefore lay down rules for the marking of pet animals of the species listed in Part A of Annex I to this Regulation after expiry of the transitional period on 3 July 2011.

© Government of Gibraltar (www.gibraltarlaws.gov.gi)

(13)The implantation of a transponder is an invasive intervention and certain qualifications are required to carry it out. Transponders should therefore be implanted only by a suitably qualified person. If a Member State allows a person other than veterinarians to implant transponders, it should lay down rules on the minimum qualifications required for such a person.

(14)Annex Ia to Regulation (EC) No 998/2003 sets out technical requirements for the identification of pet animals by transponders. Those technical requirements correspond to internationally accepted standards and should be set out, without any substantial amendments being made to them, in Annex II to this Regulation.

(15)In order to protect public health and the health of pet animals of the species listed in Annex I, this Regulation should provide for the possibility to adopt preventive health measures for diseases and infections other than rabies. Those measures should be based on validated scientific information and applied proportionately to the risk to public or animal health associated with the non-commercial movement of those pet animals likely to be affected by those diseases or infections. The measures should include rules for the categorisation of Member States or parts thereof, procedures under which Member States that require the application of preventive health measures should substantiate the rationale for such measures on a continuous basis, conditions for applying and documenting the preventive health measures and, where appropriate, conditions for derogating from the application of those measures. A list of Member States or parts thereof categorised pursuant to the relevant rules should therefore be set out in an implementing act to be adopted pursuant to this Regulation.

(16)It is possible that rabies vaccines administered to pet animals of the species listed in Part A of Annex I before the age of three months do not induce protective immunity due to competition with maternal antibodies. Consequently, vaccine manufacturers recommend not to vaccinate young pet animals before that age. Therefore, in order to authorise the non-commercial movement of young pet animals of the species listed in Part A of Annex I that have not been vaccinated, or that have been vaccinated, but have not yet acquired protective immunity against rabies, this Regulation should establish certain precautionary measures to be taken and give the Member States the possibility to authorise such movement into their territory when young pet animals comply with those measures.

(17)In order to simplify the conditions for the non-commercial movement of pet animals of the species listed in Part A of Annex I between Member States of equivalent favourable status with regard to rabies, this Regulation should also provide for the possibility to derogate from the anti-rabies vaccination requirement. Such a possibility should be available upon submission of a joint application by the Member States interested. Such a derogation should be based on validated scientific information and be applied proportionately to the risk to public or animal health associated with the non-commercial movement of those animals likely to be affected by rabies. Member States or parts thereof

© Government of Gibraltar (www.gibraltarlaws.gov.gi)

benefiting from such a derogation should be listed in an implementing act to be adopted pursuant to this Regulation.

(18)Countries and territories listed in Section 2 of Part B of Annex II to Regulation (EC) No 998/2003 apply rules equivalent to those applied by Member States while those listed in Part C of Annex II to that Regulation comply with the criteria laid down in Article 10 of that Regulation. Those lists should be set out, without any substantial amendments being made to them, in an implementing act to be adopted pursuant to this Regulation.

(19)Furthermore, a list of territories or third countries that apply rules the content and effect of which are the same as those laid down in this Regulation for pet animals of the species listed in Part B of Annex I should be set out in an implementing act to be adopted pursuant to this Regulation.

(20)Regulation (EC) No 998/2003 lays down certain requirements for the non-commercial movement of pet animals into Member States from other Member States and from countries or territories listed in Section 2 of Part B and in Part C of Annex II thereto. Those requirements include a valid anti-rabies vaccination carried out on the pet animals in question with vaccines complying with the minimum standards laid down in the relevant Chapter of the Manual of Diagnostic Tests and Vaccines for Terrestrial Animals of the World Organisation for Animal Health (OIE), or for which a marketing authorisation has been granted in accordance with either Directive 2001/82/EC (12) or Regulation (EC) No 726/2004 (13).Those vaccines have proven to be effective in protecting animals against rabies and form part of the validity requirements for the anti-rabies vaccination set out in Annex Ib to Regulation (EC) No 998/2003. Those requirements should be set out, without any substantial amendments being made to them, in Annex III to this Regulation.

(21)Regulation (EC) No 998/2003 lays down more stringent animal health requirements for pet animals moved into Member States from countries or territories other than those listed in Part C of Annex II thereto. Those requirements include checks on the effectiveness in individual animals of the anti-rabies vaccination by titration of antibodies in a laboratory approved in accordance with Council Decision 2000/258/EC of 20 March 2000 designating a specific institute responsible for establishing the criteria necessary for standardising the serological tests to monitor the effectiveness of rabies vaccines (14). That requirement should therefore be maintained in Annex IV to this Regulation and a condition should be included that the test should be performed in accordance with the methods laid down in the relevant Chapter of the Manual of Diagnostic Tests and Vaccines for Terrestrial Animals of the World Organisation for Animal Health (OIE).

(22)Identification documents accompanying pet animals of the species listed in Part A of Annex I which are subject to non-commercial movement into Member States are necessary to attest compliance with this Regulation. This Regulation should therefore establish the

© Government of Gibraltar (www.gibraltarlaws.gov.gi)

conditions for issuing identification documents and the requirements for their content, validity, security features, format and layout.

(23) This Regulation should allow Member States to authorise the non-commercial movement into their territory of pet animals of the species listed in Part A of Annex I accompanied by an identification document issued in a territory or a third country which applies rules the content and effect of which are the same as those applied by Member States. It should also allow Member States to authorise the non-commercial movement into their territory after a movement to a territory or a third country of those pet animals accompanied by an identification document issued in a Member State provided that the conditions to return from those territories or third countries are met before the pet animal left the Union.

(24) This Regulation should also give Member States the possibility to authorise, where the need for the urgent departure of the owner arises, for example, in the event of a sudden natural disaster, political unrest or other force majeure relating to the owner, the direct entry into their territory of pet animals of the species listed in Annex I which do not comply with this Regulation provided that a permit is applied for in advance and granted by the Member State of destination, and a time-limited period of isolation under official supervision is carried out to fulfil the conditions of this Regulation. Despite the need for such urgent departure, such permits are indispensable due to the animal health risks arising from the introduction into the Union of a pet animal that does not comply with this Regulation.

(25) Directive 90/425/EEC and Directive 91/496/EEC do not apply to veterinary checks on pet animals accompanying travellers during non-commercial movement.

(26) Therefore, in order for the Member States to verify compliance with this Regulation and to take the necessary action, this Regulation should require the person accompanying the pet animal to present the required identification document at the time of any non-commercial movement into a Member State and should provide for appropriate documentary and identity checks on pet animals accompanying their owner during non-commercial movement into a Member State from another Member State or from certain territories or third countries.

(27) It should also require Member States to carry out systematic documentary and identity checks at designated entry points on pet animals accompanying their owner during non-commercial movement into a Member State from certain territories or third countries. Those checks should take account of the relevant principles of Regulation (EC) No 882/2004 of the European Parliament and of the Council of 29 April 2004 on official controls performed to ensure the verification of compliance with feed and food law, animal health and welfare rules (15). Where necessary for the purpose of further movement into other Member States, Member States should be required to document the checks in the

© Government of Gibraltar (www.gibraltarlaws.gov.gi)

identification document in order to be able to use the date of these checks to determine the period of validity of the identification document.

(28) In addition, this Regulation should provide for safeguard measures for the purpose of dealing with risks to public or animal health arising from the non-commercial movement of pet animals.

(29) With a view to providing the citizen with clear and accessible information concerning the rules that apply to the non-commercial movement into the Union of pet animals of the species listed in Annex I, Member States should be required to make that information, in particular the relevant provisions of national law, available to the public.

(30) In order to ensure the proper application of this Regulation, the power to adopt acts in accordance with Article 290 TFEU should be delegated to the Commission in respect of species-specific requirements for the marking of pet animals of the species listed in Part B of Annex I and species-specific preventive health measures against diseases or infections other than rabies affecting the species listed in Annex I, as well as to adopt rules for limiting the number of pet animals of the species listed in Part B of Annex I accompanying their owner during non-commercial movement and to amend Annexes II to IV. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level. The Commission, when preparing and drawing up delegated acts, should ensure simultaneous, timely and appropriate transmission of relevant documents to the European Parliament and Council.

(31) In addition, the power to adopt acts in accordance with the urgency procedure should be delegated to the Commission in duly justified cases of risks to public or animal health in respect of preventive health measures against diseases or infections other than rabies likely to affect pet animals of the species listed in Annex I.

(32) In order to ensure uniform conditions for the implementation of this Regulation, implementing powers should be conferred on the Commission with respect to the list of Member States or parts thereof that have equivalent favourable status with regard to rabies and that are authorised to conclude mutual agreements to derogate from certain conditions applicable to the non-commercial movement of pet animals, the list of Member States categorised in accordance with the rules concerning preventive health measures against diseases and infections other than rabies, the lists of territories and third countries established for the purpose of derogating from certain conditions applicable to non-commercial movement, the model for the identification documents that are to accompany pet animals of the species listed in Annex I during non-commercial movement into a Member State from another Member State or from a territory or a third country, the rules on the format, layout and languages of the declarations to be signed, and the safeguard measures in the event of the occurrence or spread of rabies or of a disease or infection other than rabies. Those powers should be exercised in accordance with Regulation (EU)

© Government of Gibraltar (www.gibraltarlaws.gov.gi)

No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers (16).

(33) The Commission should adopt immediately applicable implementing acts updating the list of Member States or parts thereof, with equivalent favourable status with regard to rabies, that are authorised to conclude mutual agreements to derogate from certain conditions applicable to the non-commercial movement of pet animals and the list of territories or third countries established for the purpose of derogating from certain conditions applicable to non-commercial movement, and regarding safeguard measures in the event of the occurrence or spread of rabies or of a disease or infection other than rabies, where, in duly justified cases, related to animal and public health, imperative grounds of urgency so require.

(34) Certain failures to comply with the rules laid down in Regulation (EC) No 998/2003 have been revealed in a number of Member States. Accordingly, Member States should lay down rules on penalties applicable to infringements of this Regulation.

(35) Commission Decision 2003/803/EC of 26 November 2003 establishing a model passport for the intra-Community movement of dogs, cats and ferrets (17) establishes the model passport for the movement of pet animals of the species dogs, cats and ferrets between Member States under Regulation (EC) No 998/2003. Identification documents issued in accordance with that model passport should, subject to certain conditions, remain valid for the lifespan of a pet animal in order to limit the administrative and financial burden on owners.

(36) Commission Implementing Decision 2011/874/EU of 15 December 2011 laying down the list of third countries and territories authorised for imports of dogs, cats and ferrets and for non-commercial movements of more than five dogs, cats and ferrets into the Union and the model certificates for imports and non-commercial movement of those animals into the Union (18) establishes the model health certificate attesting compliance with the requirements of Regulation (EC) No 998/2003 for the non-commercial movement of five or fewer dogs, cats or ferrets into the Union. For the purpose of ensuring a smooth transition to the new rules laid down in this Regulation, that model certificate should remain valid subject to certain conditions.

(37) Since the objective of this Regulation, namely to lay down animal health requirements for the non-commercial movement of pet animals of the species listed in Annex I in order to prevent or minimise risks to public or animal health arising from such movement, cannot be sufficiently achieved by the Member States and can therefore be better achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity set out in Article 5 of the Treaty on European Union. In accordance with the

© Government of Gibraltar (www.gibraltarlaws.gov.gi)

principle of proportionality set out in that Article, this Regulation does not go beyond what is necessary in order to achieve that objective.

(38) In order to ensure the simultaneous publication of this Regulation and of the implementing acts regarding the lists of territories and third countries established for the purpose of derogating from certain conditions applicable to non-commercial movement, regarding the model for the identification documents that are to accompany pet animals of the species listed in Part A of Annex I during non-commercial movement into a Member State from another Member State or from a territory or a third country, and regarding the rules on the format, layout and languages of the declarations to be signed, this Regulation should enter into force on the day of its publication in the Official Journal of the European Union,

HAVE ADOPTED THIS REGULATION:

CHAPTER I

GENERAL PROVISIONS

Article 1
Subject matter

This Regulation lays down the animal health requirements applicable to the non-commercial movement of pet animals and the rules for compliance checks on such movement.

Article 2
Scope

1. This Regulation shall apply to the non-commercial movement of pet animals into a Member State from another Member State or from a territory or a third country.

2. This Regulation shall apply without prejudice to:

(a) Regulation (EC) No 338/97;

(b) any national measures adopted, published and made available to the public by Member States to restrict the movement of certain species or breeds of pet animals on the basis of considerations other than those relating to animal health.

Article 3
Definitions

For the purposes of this Regulation, the following definitions shall apply:

© Government of Gibraltar (www.gibraltarlaws.gov.gi)

(a)‘non-commercial movement’ means any movement which does not have as its aim either the sale of or the transfer of ownership of a pet animal;

(b)‘pet animal’ means an animal of a species listed in Annex I accompanying its owner or an authorised person during non-commercial movement, and which remains for the duration of such non-commercial movement under the responsibility of the owner or the authorised person;

(c)‘owner’ means a natural person indicated as the owner in the identification document;

(d)‘authorised person’ means any natural person who has authorisation in writing from the owner to carry out the non-commercial movement of the pet animal on behalf of the owner;

(e) ‘transponder’ means a read-only passive radio frequency identification device;

(f)‘identification document’ means a document drawn up in accordance with the model set out in implementing acts to be adopted pursuant to this Regulation, that enables the pet animal to be clearly identified and its health status to be checked for compliance with this Regulation;

(g)‘authorised veterinarian’ means any veterinarian who has been authorised by the competent authority to carry out specific tasks in accordance with this Regulation or with acts adopted pursuant to this Regulation;

(h) ‘official veterinarian’ means any veterinarian appointed by the competent authority;

(i)‘documentary check’ means verification of the identification document accompanying the pet animal;

(j)‘identity check’ means verification for consistency between the identification document and the pet animal and where appropriate, for the presence and conformity of the marking;

(k)‘travellers’ point of entry’ means any area designated by Member States for the purposes of the checks referred to in Article 34(1).

Article 4
General obligation

Non-commercial movement of pet animals that complies with the animal health requirements laid down in this Regulation shall not be prohibited, restricted or impeded on animal health grounds other than those resulting from the application of this Regulation.

Article 5

© Government of Gibraltar (www.gibraltarlaws.gov.gi)

Maximum number of pet animals

1. The maximum number of pet animals of the species listed in Part A of Annex I which may accompany the owner or an authorised person during a single non-commercial movement shall not exceed five.

2. By way of derogation from paragraph 1, the maximum number of pet animals of the species listed in Part A of Annex I may exceed five if the following conditions are fulfilled:

(a)the non-commercial movement of pet animals is for the purpose of participating in competitions, exhibitions or sporting events or in training for such events;

(b)the owner or the authorised person submits written evidence that the pet animals are registered either to attend an event referred to in point (a), or with an association organising such events;

(c) the pet animals are more than six months old.

3. Member States may undertake standard spot checks to verify that the information submitted under point (b) of paragraph 2 is correct.

4. Where the maximum number of pet animals referred to in paragraph 1 is exceeded and the conditions referred to in paragraph 2 are not fulfilled, those pet animals shall comply with the animal health requirements laid down in Directive 92/65/EEC for the species concerned and Member States shall ensure that those animals are subject to the veterinary checks provided for in Directives 90/425/EEC or 91/496/EEC, as appropriate.

5. In order to prevent commercial movement of pet animals of the species listed in Part B of Annex I from being fraudulently disguised as non-commercial movement, the Commission shall be empowered to adopt delegated acts in accordance with Article 39 laying down rules setting the maximum number of pet animals of those species that may accompany the owner or an authorised person during a single non-commercial movement.

6. The Commission shall submit a report to the European Parliament and the Council on the implementation of this Article not later than 29 June 2018. The Commission shall, where necessary, propose amendments to this Regulation on the basis of its report.

CHAPTER II

CONDITIONS APPLICABLE TO THE NON-COMMERCIAL MOVEMENT OF PET ANIMALS INTO A MEMBER STATE FROM ANOTHER MEMBER STATE

SECTION 1

© Government of Gibraltar (www.gibraltarlaws.gov.gi)

Pet animals of the species listed in Part A of Annex I

Article 6
Conditions applicable to the non-commercial movement of pet animals of the species listed in Part A of Annex I

Pet animals of the species listed in Part A of Annex I shall not be moved into a Member State from another Member State unless they fulfil the following conditions:

(a) they are marked in accordance with Article 17(1);

(b) they have received an anti-rabies vaccination that complies with the validity requirements set out in Annex III;

(c) they comply with any preventive health measures for diseases or infections other than rabies adopted pursuant to Article 19(1);

(d) they are accompanied by an identification document duly completed and issued in accordance with Article 22.

Article 7
Derogation from the anti-rabies vaccination condition for young pet animals of the species listed in Part A of Annex I

1. Subject to paragraph 2, Member States may, by way of derogation from point (b) of Article 6, authorise the non-commercial movement into their territory from another Member State of pet animals of the species listed in Part A of Annex I, which are:

(a) either less than 12 weeks old and have not received an anti-rabies vaccination; or

(b) between 12 and 16 weeks old and have received an anti-rabies vaccination, but do not yet meet the validity requirements referred to in point 2(e) of Annex III.

2. The authorisation referred to in paragraph 1 may be granted only if:

(a) either the owner or the authorised person provides a signed declaration that from birth until the time of the non-commercial movement the pet animals have had no contact with wild animals of species susceptible to rabies; or

(b) the pet animals are accompanied by their mother, on whom they still depend, and from the identification document accompanying their mother it can be established that, before their

© Government of Gibraltar (www.gibraltarlaws.gov.gi)

birth, the mother received an anti-rabies vaccination which complied with the validity requirements set out in Annex III.

3. The Commission may, by means of an implementing act, adopt rules on the format, layout and languages of the declarations referred to in point (a) of paragraph 2 of this Article. That implementing act shall be adopted in accordance with the examination procedure referred to in Article 41(2).

Article 8
Derogation from the anti-rabies vaccination condition for pet animals of the species listed in Part A of Annex I

1. By way of derogation from point (b) of Article 6, the direct non-commercial movement between Member States or parts thereof, of pet animals of the species listed in Part A of Annex I that have not been vaccinated against rabies, may be authorised in accordance with the procedure referred to in paragraph 2 upon a joint application by the Member States concerned.

2. The Commission shall, by means of an implementing act, adopt a list of Member States that are authorised to conclude mutual agreements to derogate from point (b) of Article 6 in accordance with paragraph 1 of this Article. That list shall set out the parts of those Member States for which the derogation may apply.

3. In order to be included in the list referred to in paragraph 2, the Member States interested in such a mutual agreement shall submit a joint application to the Commission, including details of the draft agreement, by which they can demonstrate, taking into account the procedures in the Terrestrial Animal Health Code of the World Organisation for Animal Health (OIE) for self-declaration as to the freedom of a country or zone from rabies, that they fulfil at least the following conditions:

(a)the applicant Member States shall have in operation ongoing surveillance and reporting systems with regard to rabies;

(b)the applicant Member States, or the parts of their territory for which the application is made, shall have been free of rabies and rabies shall not be known to have been established in wild animals in the territory of the Member States concerned, or parts thereof, for at least the two years prior to the joint application on the basis of the systems referred to in point (a);

(c)the applicant Member States shall have in place efficient and effective control measures to prevent the introduction into and spread within their territory of rabies;

(d)the application of the derogation from point (b) of Article 6 shall be justified and proportionate to the risks to public or animal health associated with the direct non-

© Government of Gibraltar (www.gibraltarlaws.gov.gi)

commercial movement from one of the applicant Member States to the other or part of its territory of non-vaccinated pet animals of the species listed in Part A of Annex I.

The joint application shall contain adequate, reliable and scientifically validated information.

4. The Commission shall, by means of an implementing act, remove Member States from the list referred to in paragraph 2 for the whole or part of their territories should any change in the particulars specified in paragraph 3 no longer support the application of the derogation.

5. The implementing acts referred to in paragraphs 2 and 4 shall be adopted in accordance with the examination procedure referred to in Article 41(2).

6. On duly justified imperative grounds of urgency relating to risks to public or animal health, the Commission shall adopt immediately applicable implementing acts updating the list of Member States or parts thereof referred to in paragraph 2 of this Article in accordance with the procedure referred to in Article 41(3).

SECTION 2

Pet animals of the species listed in Part B of Annex I

Article 9
Conditions applicable to the non-commercial movement of pet animals of the species listed in Part B of Annex I

1. Insofar as the Commission has adopted a delegated act pursuant to Article 19(1) with regard to pet animals of one of the species listed in Part B of Annex I, the non-commercial movement of pet animals of that species into a Member State from another Member State shall be subject to compliance with the conditions laid down in paragraph 2 of this Article.

2. Pet animals of the species referred to in paragraph 1 may be moved into a Member State from another Member State only if they fulfil the following conditions:

(a)they are marked or described according to the requirements adopted pursuant to Article 17(2);

(b)they comply with any preventive health measures for diseases or infections other than rabies adopted pursuant to Article 19(1);

(c)they are accompanied by an identification document duly completed and issued in accordance with Article 29.

© Government of Gibraltar (www.gibraltarlaws.gov.gi)

3. Pending the adoption of the relevant delegated acts referred to in paragraph 1, Member States may apply national rules to the non-commercial movement of pet animals of the species listed in Part B of Annex I into their territory from another Member State, provided that such rules are:

(a)applied proportionately to the risk to public or animal health associated with the non-commercial movement of the pet animals of those species; and

(b)not stricter than those applied to trade in animals of those species in accordance with Directives 92/65/EEC or 2006/88/EC.

CHAPTER III

CONDITIONS APPLICABLE TO THE NON-COMMERCIAL MOVEMENT OF PET ANIMALS INTO A MEMBER STATE FROM A TERRITORY OR A THIRD COUNTRY

SECTION 1

Pet animals of the species listed in Part A of Annex I

Article 10
Conditions applicable to the non-commercial movement of pet animals of the species listed in Part A of Annex I

1. Pet animals of the species listed in Part A of Annex I shall not be moved into a Member State from a territory or a third country unless they fulfil the following conditions:

(a) they are marked in accordance with Article 17(1);

(b)they have received an anti-rabies vaccination that complies with the validity requirements set out in Annex III;

(c)they have undergone a rabies antibody titration test that complies with the validity requirements set out in Annex IV;

(d)they comply with any preventive health measures for diseases or infections other than rabies adopted pursuant to Article 19(1);

(e)they are accompanied by an identification document duly completed and issued in accordance with Article 26.

© Government of Gibraltar (www.gibraltarlaws.gov.gi)

2. Pet animals of the species listed in Part A of Annex I may be moved into a Member State from a territory or a third country other than those listed pursuant to Article 13(1) only through a travellers' point of entry listed as required pursuant to Article 34(3).

3. By way of derogation from paragraph 2, Member States may authorise registered military or search-and-rescue dogs to move through a point of entry other than a travellers' point of entry provided that:

(a) the owner or the authorised person has applied in advance for a permit and the Member State has granted such a permit; and

(b) the dogs undergo compliance checks in accordance with Article 34(2) at a place designated by the competent authority for that purpose and in accordance with the arrangements set out in the permit referred to in point (a) of this paragraph.

Article 11
Derogation from the anti-rabies vaccination condition for young pet animals of the species listed in Part A of Annex I

1. Subject to paragraph 2, by way of derogation from point (b) of Article 10(1), Member States may authorise the non-commercial movement into their territory from territories or third countries listed pursuant to Article 13(1) or (2) of pet animals of the species listed in Part A of Annex I, which are:

(a) either less than 12 weeks old and have not received an anti-rabies vaccination; or

(b) between 12 and 16 weeks old and have received an anti-rabies vaccination, but do not yet meet the validity requirements referred to in point 2(e) of Annex III.

2. The authorisation referred to in paragraph 1 may be granted only if:

(a) either the owner or the authorised person provides a signed declaration that from birth until the time of the non-commercial movement the pet animals have had no contact with wild animals of species susceptible to rabies; or

(b) the pet animals are accompanied by their mother, on whom they still depend, and from the identification document accompanying their mother it can be established that, before their birth, the mother received an anti-rabies vaccination which complied with the validity requirements set out in Annex III.

3. The subsequent non-commercial movement into another Member State of pet animals referred to in paragraph 1 of this Article shall be prohibited, except where they are moved in accordance with the conditions laid down in Article 6 or where they have been authorised to

© Government of Gibraltar (www.gibraltarlaws.gov.gi)

be moved in accordance with Article 7 and the Member State of destination has also authorised the movement into its territory from territories or third countries in accordance with paragraph 1 of this Article.

4. The Commission may, by means of an implementing act, adopt rules on the format, layout and languages of the declarations referred to in point (a) of paragraph 2 of this Article. That implementing act shall be adopted in accordance with the examination procedure referred to in Article 41(2).

Article 12
Derogation from the antibody titration test condition for pet animals of the species listed in Part A of Annex I

1. By way of derogation from point (c) of Article 10(1), the antibody titration test shall not be required for pet animals of the species listed in Part A of Annex I that are being moved into a Member State from a territory or a third country listed pursuant to Article 13(1) or (2):

(a) either directly;

(b) following residency exclusively in one or more of those territories or third countries; or

(c) after transit through a territory or a third country other than those listed pursuant to Article 13(1) or (2), provided that the owner or authorised person provides a signed declaration that during such transit the pet animals have had no contact with animals of species susceptible to rabies and remain secured within a means of transport or within the perimeter of an international airport.

2. The Commission may, by means of an implementing act, adopt rules on the format, layout and languages of the declarations referred to in point (c) of paragraph 1 of this Article. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 41(2).

Article 13
Establishment of a list of territories and third countries

1. The Commission shall, by means of an implementing act, adopt a list of territories and third countries which have made an application for entry on the list in which they demonstrate that for pet animals of the species listed in Part A of Annex I, they apply rules, the content and effect of which are the same as those laid down in Section 1 of Chapter II, this Section and Section 2 of Chapter VI and where applicable the rules adopted pursuant to those rules.

2. The Commission shall, by means of an implementing act, adopt a list of territories and third countries which have made an application for entry on the list in which they demonstrate

© Government of Gibraltar (www.gibraltarlaws.gov.gi)

that for pet animals of the species listed in Part A of Annex I, they fulfil at least the following criteria:

(a) the notification of cases of rabies to the competent authorities is obligatory;

(b)an effective surveillance system for rabies has been in place for at least two years prior to the application, a minimum requirement of which is an on-going early detection programme to ensure investigation and reporting of animals suspected of having rabies;

(c)the structure and organisation of their veterinary and control services, and the powers of such services, the supervision to which they are subject and the means at their disposal, including staff and laboratory capacity, are sufficient to:

(i)apply and enforce national legislation on the non-commercial movement of pet animals effectively; and

(ii)guarantee the validity of the identification documents in the format provided for in Article 25 and issued in accordance with Article 26;

(d)rules on the prevention and control of rabies are in force and implemented effectively to minimise the risk of infection of pet animals, including rules on imports of pet animals from other countries or territories, and where appropriate, on:

(i) the control of the stray dog and cat population;

(ii)the vaccination of domestic animals against rabies, in particular where rabies is present in vampire bats; and

(iii) the control and eradication of rabies in wildlife;

(e) rules are in force on the licensing and marketing of anti-rabies vaccines.

3. The implementing acts referred to in paragraphs 1 and 2 of this Article shall be adopted in accordance with the examination procedure referred to in Article 41(2).

On duly justified imperative grounds of urgency relating to risks to public or animal health, the Commission shall adopt immediately applicable implementing acts updating the list of territories or third countries referred to in paragraphs 1 and 2 of this Article in accordance with the procedure referred to in Article 41(3).

SECTION 2

Pet animals of the species listed in Part B of Annex I

© Government of Gibraltar (www.gibraltarlaws.gov.gi)

Article 14
Conditions applicable to the non-commercial movement of pet animals of the species listed in Part B of Annex I

1. Insofar as the Commission has adopted a delegated act pursuant to Article 19(1) with regard to pet animals of one of the species listed in Part B of Annex I, the non-commercial movement of pet animals of that species into a Member State from a territory or a third country shall be subject to compliance with the conditions laid down in paragraph 2 of this Article.

2. Pet animals referred to in paragraph 1 may be moved into a Member State from a territory or a third country only if they fulfil the following conditions:

(a)they are marked or described according to the requirements adopted pursuant to Article 17(2);

(b)they comply with any preventive health measures for diseases or infections other than rabies adopted pursuant to Article 19(1);

(c)they are accompanied by an identification document duly completed and issued in accordance with Article 31;

(d)they enter through a travellers' point of entry when coming from a territory or a third country other than those listed pursuant to Article 15.

3. Pending the adoption of the relevant delegated acts referred to in paragraph 1, Member States may apply national rules to the non-commercial movement of pet animals of the species listed in Part B of Annex I into their territory from a territory or a third country, provided that such rules are:

(a)applied proportionately to the risk to public or animal health associated with the non-commercial movement of the pet animals of those species; and

(b)not stricter than those applied to imports of animals of those species in accordance with Directives 92/65/EEC or 2006/88/EC.

Article 15
Establishment of a list of territories and third countries

The Commission may, by means of an implementing act, adopt a list of territories and third countries which have demonstrated that for pet animals of the species listed in Part B of Annex I, they apply rules the content and effect of which are the same as those laid down in Section

© Government of Gibraltar (www.gibraltarlaws.gov.gi)

2 of Chapter II, this Section and Section 2 of Chapter VI and where applicable the rules adopted pursuant to those rules.

SECTION 3

Derogation from the conditions on the non-commercial movement of pet animals

Article 16
Derogation from the conditions applicable to the non-commercial movement of pet animals between certain countries and territories

By way of derogation from Articles 10 and 14, the non-commercial movement of pet animals between the following countries and territories may continue under the conditions laid down by the national rules of those countries and territories:

(a) San Marino and Italy;

(b) the Vatican and Italy;

(c) Monaco and France;

(d) Andorra and France;

(e) Andorra and Spain;

(f) Norway and Sweden;

(g) Faeroe Islands and Denmark;

(h) Greenland and Denmark.

CHAPTER IV

MARKING AND PREVENTIVE HEALTH MEASURES

SECTION 1

Marking

Article 17
Marking of pet animals

© Government of Gibraltar (www.gibraltarlaws.gov.gi)

1. Pet animals of the species listed in Part A of Annex I shall be marked by the implantation of a transponder or by a clearly readable tattoo applied before 3 July 2011.

Where the transponder referred to in the first subparagraph does not comply with the technical requirements set out in Annex II, the owner or the authorised person shall provide the means necessary for reading that transponder at the time of any verification of the marking provided for in Article 22(1) and (2), and Article 26, and the identity checks provided for in Article 33 and Article 34(1).

2. Pet animals of the species listed in Part B of Annex I shall be marked or described taking into account the specificities of each species, in such a manner that a link between the pet animal and its corresponding identification document is ensured.

In view of the diversity of species listed in Part B of Annex I, the Commission shall be empowered to adopt delegated acts in accordance with Article 39 concerning such species-specific requirements for marking or describing pet animals of those species, taking into account any relevant national requirements.

Article 18
Qualifications required for implanting transponders in pet animals

Where a Member State intends to allow the implantation of transponders by a person other than a veterinarian, it shall lay down rules on the minimum qualifications that such persons are required to have.

SECTION 2

Preventive health measures for diseases or infections other than rabies

Article 19
Preventive health measures and conditions for their application

1. Where preventive health measures are necessary for the protection of public health or the health of pet animals for controlling diseases or infections other than rabies that are likely to be spread due to the movement of those pet animals, the Commission shall be empowered to adopt delegated acts in accordance with Article 39 concerning species-specific preventive health measures for such diseases or infections.

Where, in the event of risks to public or animal health, imperative grounds of urgency so require, the procedure provided for in Article 40 shall apply to delegated acts adopted pursuant to this paragraph.

© Government of Gibraltar (www.gibraltarlaws.gov.gi)

2. The species-specific preventive health measures authorised by a delegated act adopted pursuant to paragraph 1 shall be based on adequate, reliable and validated scientific information and applied proportionately to the risk to public or animal health associated with the non-commercial movement of pet animals likely to be affected by diseases or infections other than rabies.

3. The delegated acts provided for in paragraph 1 may also include:

(a)rules for the categorisation of Member States or parts thereof according to their animal health status and their surveillance and reporting systems with regard to certain diseases or infections other than rabies;

(b)the conditions that Member States are to fulfil in order to remain eligible for the application of the preventive health measures referred to in paragraph 2;

(c)the conditions for applying and documenting the preventive health measures referred to in paragraph 2 prior to the non-commercial movement of pet animals;

(d)the conditions for granting derogations in certain specified circumstances from the application of the preventive health measures referred to in paragraph 2.

Article 20
List of Member States or parts thereof referred to in point (a) of Article 19(3)

The Commission may, by means of an implementing act, adopt lists of Member States or parts of the territory of Member States that comply with the rules for the categorisation of Member States or parts thereof referred to in point (a) of Article 19(3). That implementing act shall be adopted in accordance with the examination procedure referred to in Article 41(2).

CHAPTER V

IDENTIFICATION DOCUMENTS

SECTION 1

Identification documents for the non-commercial movement into a Member State from another Member State of pet animals of the species listed in Part A of Annex I

Article 21
Format and content of the identification document referred to in point (d) of Article 6

© Government of Gibraltar (www.gibraltarlaws.gov.gi)

1. The identification document referred to in point (d) of Article 6 shall be in the format of a passport in accordance with the model to be adopted pursuant to paragraph 2 of this Article and shall contain entries for the insertion of the following information:

(a)the location of the transponder or the tattoo and either the date of application or the date of reading of the transponder or the tattoo, as well as the alphanumeric code displayed by the transponder or the tattoo;

(b)the name, species, breed, sex, colour, date of birth as stated by the owner and any notable or discernable features or characteristics of the pet animal;

(c) the name and contact information of the owner;

(d)the name, contact information and signature of the authorised veterinarian issuing or completing the identification document;

(e) the signature of the owner;

(f) details of the anti-rabies vaccination;

(g) the date of blood sampling for the rabies antibody titration test;

(h)compliance with any preventive health measures for diseases or infections other than rabies;

(i) other relevant information regarding the health status of the pet animal.

2. The Commission shall adopt an implementing act laying down the model referred to in paragraph 1 of this Article as well as requirements concerning the languages, layout and security features of the passport referred to in that paragraph, and the rules necessary for the transition to the model of that passport. That implementing act shall be adopted in accordance with the examination procedure referred to in Article 41(2).

3. The passport referred to in paragraph 1 shall bear a number consisting of the ISO code of the Member State of issue, followed by a unique alphanumeric code.

Article 22
Issuing and completing the identification document referred to in point (d) of Article 6

1. The identification document referred to in point (d) of Article 6 shall be issued by an authorised veterinarian after:

(a) he has verified that the pet animal is marked in accordance with Article 17(1);

© Government of Gibraltar (www.gibraltarlaws.gov.gi)

(b)he has duly completed the relevant entries in the identification document with the information mentioned in points (a) to (d) of Article 21(1); and

(c) the owner has signed the identification document.

2. After verifying that the pet animal is marked in accordance with Article 17(1), an authorised veterinarian shall complete the relevant entries of the identification document with the information referred to in points (d), (f), (g) and (h) of Article 21(1), thus certifying compliance with the conditions set out in points (b) and (c) of Article 6 and, where applicable, in point (b)(ii) of Article 27.

Notwithstanding the first subparagraph, the entry on the information referred to in point (h) of Article 21(1) may be completed by a veterinarian other than an authorised veterinarian if so permitted by the delegated act adopted pursuant to Article 19(1).

3. The authorised veterinarian issuing the identification document shall keep records of the information referred to in points (a) to (c) of Article 21(1) and in Article 21(3) for a minimum period to be determined by the competent authority, but which shall not be less than three years.

4. Where necessary, compliance with the conditions referred to in paragraph 2 of this Article may be documented in more than one identification document in the format provided for in Article 21(1).

Article 23
Distribution of blank identification documents

1. Competent authorities shall ensure that blank identification documents are distributed only to authorised veterinarians and that their name and contact information are recorded with reference to the number referred to in Article 21(3).

2. The records referred to in paragraph 1 shall be kept for a minimum period to be determined by the competent authority, but which shall not be less than three years.

Article 24
Derogation from the format of the identification document provided for in Article 21(1)

1. By way of derogation from Article 21(1), Member States shall authorise the non-commercial movement into a Member State from another Member State of pet animals of the species listed in part A of Annex I accompanied by the identification document issued in accordance with Article 26.

© Government of Gibraltar (www.gibraltarlaws.gov.gi)

2. Where necessary, compliance with the requirements referred to in point (c) of Article 6 shall be documented in the identification document referred to in paragraph 1, after completion of the checks provided for in Article 34(1).

SECTION 2

Identification documents for the non-commercial movement into a Member State from a territory or a third country of pet animals of the species listed in Part A of Annex I

Article 25
Format and content of the identification document referred to in point (e) of Article 10(1)

1. The identification document referred to in point (e) of Article 10(1) shall be in the format of an animal health certificate in accordance with the model to be adopted pursuant to paragraph 2 of this Article and shall contain entries for the insertion of the following information:

(a)the location of the transponder or the tattoo and either the date of application or the date of reading of the transponder or the tattoo, as well as the alphanumeric code displayed by the transponder or the tattoo;

(b)the species, breed, date of birth as stated by the owner, sex and colour of the pet animal;

(c) a unique certificate reference number;

(d) the name and contact information of the owner or the authorised person;

(e)the name, contact information and signature of the official or authorised veterinarian issuing the identification document;

(f) details of the anti-rabies vaccination;

(g) the date of blood sampling for the rabies antibody titration test;

(h)compliance with any preventive health measures for diseases or infections other than rabies;

(i)the name and the signature of the representative of the endorsing competent authority;

(j)the name, signature and contact information of the representative of the competent authority carrying out the checks referred to in Article 34 and the date of these checks;

(k) other relevant information regarding the health status of the pet animal.

© Government of Gibraltar (www.gibraltarlaws.gov.gi)

2. The Commission shall adopt an implementing act laying down the model referred to in paragraph 1 of this Article as well as requirements concerning the languages, the layout and the validity of the animal health certificate referred to in that paragraph. That implementing act shall be adopted in accordance with the examination procedure referred to in Article 41(2).

3. A written declaration signed by the owner or the authorised person confirming that the movement of the pet animal into the Union is a non-commercial movement shall be part of the identification document referred to in point (e) of Article 10(1).

Article 26
Issuing and completing the identification document referred to in point (e) of Article 10(1)

The identification document referred to in point (e) of Article 10(1) shall be issued either by an official veterinarian of the territory or third country of dispatch on the basis of supporting documentation, or by an authorised veterinarian and subsequently endorsed by the competent authority of the territory or third country of dispatch, after the issuing veterinarian:

(a) has verified that the pet animal is marked in accordance with Article 17(1); and

(b) has duly completed the relevant entries of the identification document with the information referred to in points (a) to (h) of Article 25(1), thus certifying compliance with the conditions set out in point (a) of Article 10(1), and where applicable points (b), (c) and (d) of Article 10(1).

Article 27
Derogation from the format of the identification document provided for in Article 25(1)

By way of derogation from Article 25(1), Member States shall authorise the non-commercial movement into their territory of pet animals of the species listed in Part A of Annex I accompanied by the identification document issued in accordance with Article 22 where:

(a) the identification document has been issued in one of the territories or third countries listed pursuant to Article 13(1); or

(b) such pet animals enter a Member State, after movement to or transit through a territory or a third country from a Member State, and the identification document was completed and issued by an authorised veterinarian certifying that, before leaving the Union, the pet animals:

(i) received the anti-rabies vaccination provided for in point (b) of Article 10(1); and

(ii) underwent the rabies antibody titration test provided for in point (c) of Article 10(1), except in the case of the derogation provided for in Article 12.

© Government of Gibraltar (www.gibraltarlaws.gov.gi)

SECTION 3

Identification documents for the non-commercial movement into a Member State from another Member State of pet animals of the species listed in Part B of Annex I

Article 28
Format and content of the identification document referred to in point (c) of Article 9(2)

1. The Commission may, by means of an implementing act, adopt a model of the identification document referred to in point (c) of Article 9(2) which shall contain entries for the insertion of the following information:

(a) the characteristics of the mark or the description of the pet animal as provided for in Article 17(2);

(b) the species and, where relevant, the breed, the date of birth as stated by the owner, sex and colour of the pet animal;

(c) the name and contact information of the owner;

(d) the name, contact information and signature of the authorised veterinarian issuing or completing the identification document;

(e) the signature of the owner;

(f) details of any preventive health measures for diseases or infections other than rabies;

(g) other relevant information regarding the health status of the pet animal.

2. The implementing act referred to in paragraph 1 of this Article shall also lay down requirements concerning the languages, layout, validity or security features of the identification document referred to in that paragraph. That implementing act shall be adopted in accordance with the examination procedure referred to in Article 41(2).

Article 29
Issuing and completing the identification document referred to in point (c) of Article 9(2)

1. The identification document referred to in point (c) of Article 9(2) shall be issued by an authorised veterinarian after:

(a) he has verified that the pet animal is marked or described in accordance with Article 17(2);

© Government of Gibraltar (www.gibraltarlaws.gov.gi)

(b)he has duly completed the relevant entries with the information referred to in points (a) to (d) of Article 28(1); and

(c) the owner has signed the identification document.

2. After verifying that the pet animal is marked or described in accordance with Article 17(2), an authorised veterinarian shall complete the relevant entries of the identification document referred to in point (c) of Article 9(2) with the information referred to in points (d) and (f) of Article 28(1), thus certifying compliance with the conditions set out in point (b) of Article 9(2), where applicable.

SECTION 4

Identification documents for the non-commercial movement into a Member State from a territory or a third country of pet animals of the species listed in Part B of Annex I

Article 30
Format and content of the identification document referred to in point (c) of Article 14(2)

1. The Commission may, by means of an implementing act, adopt a model of the identification document referred to in point (c) of Article 14(2) which shall contain entries for the insertion of the following information:

(a)the characteristics of the mark or the description of the pet animal as provided for in Article 17(2);

(b)the species and, where relevant, the breed, date of birth as stated by the owner, sex and colour of the pet animal;

(c) the name and contact information of the owner or the authorised person;

(d)the name, contact information and signature of the issuing official or authorised veterinarian;

(e) a unique certificate reference number;

(f)details of any preventive health measures for diseases or infections other than rabies;

(g)the name and the signature of the representative of the endorsing competent authority;

(h)the name, signature and contact information of the representative of the competent authority carrying out the checks referred to in Article 34 and the date of these checks;

© Government of Gibraltar (www.gibraltarlaws.gov.gi)

(i) other relevant information regarding the health status of the pet animal.

2. The implementing act referred to in paragraph 1 of this Article shall also lay down requirements concerning the languages, layout and validity of the identification document referred to in that paragraph. That implementing act shall be adopted in accordance with the examination procedure referred to in Article 41(2).

3. A written declaration signed by the owner or the authorised person confirming that the movement of the pet animal into the Union is a non-commercial movement shall be part of the identification document referred to in point (c) of Article 14(2).

Article 31
Issuing and completing the identification document referred to in point (c) of Article 14(2)

The identification document referred to in point (c) of Article 14(2) shall be issued either by an official veterinarian of the territory or third country of dispatch on the basis of supporting documentation, or by an authorised veterinarian and subsequently endorsed by the competent authority of the territory or third country of dispatch after the issuing veterinarian:

(a)has verified that the pet animal is marked or described in accordance with Article 17(2); and

(b)has duly completed the relevant entries of the identification document with the information referred to in points (a) to (f) of Article 30(1), thus certifying compliance with the conditions set out in points (a) and (b) of Article 14(2) where applicable.

CHAPTER VI

COMMON PROVISIONS

SECTION 1

Derogation for the non-commercial movement of pet animals into Member States

Article 32
Derogation from the conditions of Articles 6, 9, 10 and 14

1. By way of derogation from the conditions provided for in Articles 6, 9, 10 and 14, Member States may, in exceptional situations, authorise the non-commercial movement into their territory of pet animals which do not comply with the conditions laid down in those Articles provided that:

© Government of Gibraltar (www.gibraltarlaws.gov.gi)

(a)a prior application for a permit has been made by the owner and the Member State of destination has granted such a permit;

(b)the pet animals are isolated under official supervision for the time necessary for them to fulfil those conditions and not exceeding six months:

(i) at a place approved by the competent authority; and

(ii) in accordance with the arrangements set out in the permit.

2. The permit referred to in point (a) of paragraph 1 may include an authorisation for transiting through another Member State provided that the Member State of transit has given its prior agreement to the Member State of destination.

SECTION 2

General conditions regarding compliance

Article 33
Documentary and identity checks to be carried out in respect of non-commercial movement of pet animals into a Member State from another Member State or a territory or a third country listed pursuant to Article 13(1) and Article 15

1. Without prejudice to Article 16 and in order to verify compliance with Chapter II, Member States shall carry out documentary and identity checks in a non-discriminatory way on pet animals that are subject to non-commercial movement into their territory from another Member State or from a territory or a third country listed pursuant to Article 13(1) and, where applicable, Article 15.

2. At the time of any non-commercial movement into a Member State from another Member State or a territory or a third country listed pursuant to Article 13(1) and, where applicable, Article 15, the owner or the authorised person shall, at the request of the competent authority responsible for the checks provided for in paragraph 1 of this Article:

(a)present the identification document of the pet animal required under this Regulation which demonstrates compliance with the requirements for such movement; and

(b) make the pet animal available for those checks.

Article 34
Documentary and identity checks to be carried out in respect of non-commercial movement from a territory or a third country other than those listed pursuant to Article 13(1) or Article 15

© Government of Gibraltar (www.gibraltarlaws.gov.gi)

1. In order to verify compliance with Chapter III, the competent authority of a Member State shall carry out documentary and identity checks at the travellers' point of entry on pet animals that are subject to non-commercial movement into that Member State from a territory or a third country other than those listed pursuant to Article 13(1) and, where applicable, Article 15.

2. The owner or the authorised person shall, at the time of entry into a Member State from a territory or a third country other than those listed pursuant to Article 13(1) and, where applicable, Article 15, contact the competent authority present at the point of entry for the purpose of the checks referred to in paragraph 1 and shall:

(a)present the identification document of the pet animal required under this Regulation which demonstrates compliance with the requirements for such movement; and

(b) make the pet animal available for those checks.

3. Member States shall draw up and keep up to date a list of travellers' points of entry.

4. Member States shall ensure that the competent authority that they have designated to carry out the checks provided for in paragraph 1:

(a)is fully informed of the rules laid down in Chapter III and the officials of the competent authority have the necessary training to implement them;

(b)keeps records of the total number of checks that have been carried out and of instances of non-compliance revealed during those checks; and

(c)documents the checks that have been carried out in the relevant entry of the identification document where such documentation is necessary for the purposes of non-commercial movement into other Member States as provided for in Article 24(1).

Article 35
Actions in case of non-compliance revealed during the checks provided for in Articles 33 and 34

1. Where the checks provided for in Articles 33 and 34 reveal that a pet animal does not comply with the conditions laid down in Chapters II or III, the competent authority shall decide, after consultation with the official veterinarian and, where necessary, with the owner or the authorised person, to:

(a) return the pet animal to its country or territory of dispatch;

© Government of Gibraltar (www.gibraltarlaws.gov.gi)

(b)isolate the pet animal under official control for the time necessary for it to comply with the conditions laid down in Chapter II or III; or

(c)as a last resort where its return is not possible or isolation is not practical, put the pet animal down in accordance with applicable national rules relating to the protection of pet animals at the time of killing.

2. Where the non-commercial movement of pet animals into the Union is refused by the competent authority, the pet animals shall be isolated under official control pending:

(a) either their return to their country or territory of dispatch; or

(b) the adoption of any other administrative decision concerning those pet animals.

3. The measures referred to in paragraphs 1 and 2 shall be applied at the expense of the owner and without the possibility of any financial compensation for the owner or the authorised person.

Article 36
Safeguard measures

1. Where rabies or a disease or an infection other than rabies occurs or spreads in a Member State, a territory or a third country, and is liable to represent a serious threat to public or animal health, the Commission may, acting on its own initiative or at the request of a Member State, adopt one of the following measures, by means of an implementing act, without delay and depending on the gravity of the situation:

(a)suspend the non-commercial movement or transit of pet animals from all or part of the territory of the Member State or territory or third country concerned;

(b)lay down special conditions in respect of the non-commercial movement of pet animals from all or part of the Member State or territory or third country concerned.

Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 41(2).

2. On duly justified imperative grounds of urgency to contain or address a serious risk to public or animal health, the Commission shall adopt immediately applicable implementing acts in accordance with the procedure referred to in Article 41(3).

Article 37
Information obligations

© Government of Gibraltar (www.gibraltarlaws.gov.gi)

1. Member States shall provide the public with clear and easily accessible information concerning the animal health requirements applicable to the non-commercial movement of pet animals and the rules for compliance checks on such movement laid down in this Regulation.

2. The information referred to in paragraph 1 shall in particular include the following:

(a) the qualifications required for the persons carrying out the implantation of the transponder provided for in Article 18;

(b) the authorisation to derogate from the anti-rabies vaccination condition for young pet animals of the species listed in Part A of Annex I as provided for in Articles 7 and 11;

(c) the conditions applicable to the non-commercial movement into the Member States' territory of pet animals:

(i) which do not comply with Articles 6, 9, 10 or 14;

(ii) which come from certain countries and territories under conditions laid down by their national rules as provided for in Article 16;

(d) the list of travellers' points of entry drawn up pursuant to Article 34(3), including the competent authority designated to carry out the checks provided for in Article 34(4);

(e) the conditions applicable to the non-commercial movement into the Member States' territory of pet animals of the species listed in Part B of Annex I, laid down by their national rules as provided for in Article 9(3) and Article 14(3);

(f) information on anti-rabies vaccines for which the competent authority of the Member States has granted a marketing authorisation as provided for in point 1(b) of Annex III, and in particular on the corresponding vaccination protocol.

3. Member States shall establish internet-based pages providing the information referred to in paragraph 1 and communicate the internet address of those pages to the Commission.

4. The Commission shall assist the Member States in making that information available to the public by providing on its internet page:

a) the links to the internet-based information pages of the Member States; and

b) the information referred to in points (b), (d) and (e) of paragraph (2) of this Article, and the information made available to the public as referred to in point (b) of Article 2(2) in additional languages, as appropriate.

© Government of Gibraltar (www.gibraltarlaws.gov.gi)

SECTION 3

Procedural provisions

Article 38
Amendments to Annexes

In order to take into account technical progress, scientific developments and the protection of public health or the health of pet animals, the Commission shall be empowered to adopt delegated acts in accordance with Article 39 to amend Annexes II to IV.

Article 39
Exercise of the delegation

1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.

2. The power to adopt delegated acts referred to in Article 5(5), the second subparagraph of Article 17(2), the first subparagraph of Article 19(1) and Article 38 shall be conferred on the Commission for a period of five years from 28 June 2013. The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.

3. The delegation of power referred to in Article 5(5), the second subparagraph of Article 17(2), the first subparagraph of Article 19(1) and Article 38 may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.

4. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.

5. A delegated act adopted pursuant to Article 5(5), the second subparagraph of Article 17(2), the first subparagraph of Article 19(1) and Article 38 shall enter into force only if no objection has been expressed either by the European Parliament or by the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or the Council.

© Government of Gibraltar (www.gibraltarlaws.gov.gi)

Article 40
Urgency procedure

1. Delegated acts adopted under this Article shall enter into force without delay and shall apply as long as no objection is expressed in accordance with paragraph 2. The notification of a delegated act to the European Parliament and to the Council shall state the reasons for the use of the urgency procedure.

2. Either the European Parliament or the Council may object to a delegated act in accordance with the procedure referred to in Article 39(5). In such a case, the Commission shall repeal the act without delay following the notification of the decision to object by the European Parliament or by the Council.

Article 41
Committee procedure

1. The Commission shall be assisted by the Standing Committee on the Food Chain and Animal Health established by Article 58 of Regulation (EC) No 178/2002 of the European Parliament and of the Council of 28 January 2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety (19). That committee shall be a committee within the meaning of Regulation (EU) No 182/2011.

2. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply. Where the opinion of the committee is to be obtained by written procedure, that procedure shall be terminated without result when, within the time-limit for delivery of the opinion, the chair of the committee so decides or a simple majority of committee members so requests.

3. Where reference is made to this paragraph, Article 8 of Regulation (EU) No 182/2011, in conjunction with Article 5 thereof, shall apply.

Article 42
Penalties

The Member States shall lay down the rules on penalties applicable to infringements of this Regulation and shall take all measures necessary to ensure that they are implemented. The penalties provided for shall be effective, proportionate and dissuasive.

The Member States shall notify those provisions and any subsequent amendments affecting them to the Commission without delay.

CHAPTER VII

© Government of Gibraltar (www.gibraltarlaws.gov.gi)

TRANSITIONAL AND FINAL PROVISIONS

Article 43
Repeal

1. Regulation (EC) No 998/2003 is hereby repealed, with the exception of Section 2 of Part B and Part C of Annex II, which remain in force until the entry into force of the implementing acts adopted pursuant to Article 13(1) and (2) of this Regulation respectively.

References in this Regulation to the list in the implementing acts adopted pursuant to Article 13(1) or (2) shall be construed as references to the list of third countries and territories set out in Section 2 of Part B and in Part C of Annex II to Regulation (EC) No 998/2003 respectively until the entry into force of those implementing acts.

2. References to the repealed Regulation shall be construed as references to this Regulation and shall be read in accordance with the correlation table in Annex V.

3. The repeal of Regulation (EC) No 998/2003 shall be without prejudice to the maintenance in force of Commission Delegated Regulation (EU) No 1152/2011 of 14 July 2011 supplementing Regulation (EC) No 998/2003 of the European Parliament and of the Council as regards preventive health measures for the control of Echinococcus multilocularis infection in dogs (20), which was adopted pursuant to the second subparagraph of Article 5(1) of that Regulation.

Article 44
Transitional measures regarding identification documents

1. By way of derogation from Article 21(1), the identification document referred to in point (d) of Article 6 shall be deemed to comply with this Regulation where it was:

(a)drawn up in accordance with the model passport established by Decision 2003/803/EC; and

(b) issued before 29 December 2014.

2. By way of derogation from Article 25(1) and Article 27(a), the identification document referred to in point (e) of Article 10(1) shall be deemed to comply with this Regulation where it was:

(a)drawn up in accordance with the model certificate set out in Annex II to Decision 2011/874/EU, or where relevant, the model passport established by Decision 2003/803/EC; and

© Government of Gibraltar (www.gibraltarlaws.gov.gi)

(b) issued before 29 December 2014.

Article 45
Entry into force and applicability

This Regulation shall enter into force on the day of its publication in the Official Journal of the European Union.

It shall apply from 29 December 2014.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Strasbourg, 12 June 2013.

For the European Parliament
The President
M. SCHULZ
For the Council
The President
L. CREIGHTON

(1) OJ C 229, 31.7.2012, p. 119.
(2) Position of the European Parliament of 23 May 2013 (not yet published in the Official Journal) and decision of the Council of 10 June 2013.
(3) OJ L 146, 13.6.2003, p. 1.
(4) OJ L 132, 29.5.2010, p. 3.
(5) OJ L 268, 14.9.1992, p. 54.
(6) OJ L 328, 24.11.2006, p. 14.
(7) OJ L 343, 22.12.2009, p. 74.
(8) OJ L 139, 30.4.2004, p. 55.
(9) OJ L 61, 3.3.1997, p. 1.
(10) Council Directive 90/425/EEC of 26 June 1990 concerning veterinary and zootechnical checks applicable in intra-Community trade in certain live animals and products with a view to the completion of the internal market (OJ L 224, 18.8.1990, p. 29).
(11) Council Directive 91/496/EEC of 15 July 1991 laying down the principles governing the organization of veterinary checks on animals entering the Community from third countries (OJ L 268, 24.9.1991, p. 56).
(12) Directive 2001/82/EC of the European Parliament and of the Council of 6 November 2001 on the Community code relating to veterinary medicinal products (OJ L 311, 28.11.2001, p. 1).
(13) Regulation (EC) No 726/2004 of the European Parliament and of the Council of 31 March 2004 laying down Community procedures for the authorisation and supervision of

© Government of Gibraltar (www.gibraltarlaws.gov.gi)

medicinal products for human and veterinary use and establishing a European Medicines Agency (OJ L 136, 30.4.2004, p. 1).
(14) OJ L 79, 30.3.2000, p. 40.
(15) OJ L 165, 30.4.2004, p. 1.
(16) OJ L 55, 28.2.2011, p. 13.
(17) OJ L 312, 27.11.2003, p. 1.
(18) OJ L 343, 23.12.2011, p. 65.
(19) OJ L 31, 1.2.2002, p. 1.
(20) OJ L 296, 15.11.2011, p. 6.

ANNEX I

Species of pet animals

PART A

Dogs (Canis lupus familiaris)

Cats (Felis silvestris catus)

Ferrets (Mustela putorius furo)

PART B

Invertebrates (except bees and bumble bees covered by Article 8 of Directive 92/65/EEC and molluscs and crustaceans referred to respectively in points (e)(ii) and (e)(iii) of Article 3(1) of Directive 2006/88/EC).

Ornamental aquatic animals as defined in point (k) of Article 3 of Directive 2006/88/EC and excluded from the scope of that Directive by point (a) of Article 2(1) thereof.

Amphibia

Reptiles

Birds: specimens of avian species other than those referred to in Article 2 of Directive 2009/158/EC.

Mammals: rodents and rabbits other than those intended for food production and defined under ‘lagomorphs’ in Annex I to Regulation (EC) No 853/2004.

ANNEX II

Technical requirements for transponders

© Government of Gibraltar (www.gibraltarlaws.gov.gi)

The transponders must:

(a) comply with ISO Standard 11784 and apply HDX or FDX-B technology; and

(b) be capable of being read by a reading device compatible with ISO Standard 11785.

ANNEX III

Validity requirements for anti-rabies vaccinations

1. The anti-rabies vaccine must:

(a) be a vaccine other than a live modified vaccine and fall within one of the following categories:

(i) an inactivated vaccine of at least one antigenic unit per dose (recommendation from the World Health Organisation); or

(ii) a recombinant vaccine expressing the immunising glycoprotein of the rabies virus in a live virus vector;

(b) where it is administered in a Member State, it must have been granted a marketing authorisation in accordance with:

(i) Article 5 of Directive 2001/82/EC; or

(ii) Article 3 of Regulation (EC) No 726/2004;

(c) where it is administered in a territory or a third country, have been granted an approval or a licence by the competent authority and meet at least the requirements laid down in the relevant part of the Chapter concerning rabies in the Manual of Diagnostic Tests and Vaccines for Terrestrial Animals of the World Organisation for Animal Health.

2. An anti-rabies vaccination must fulfil the following conditions:

(a) the vaccine was administered by an authorised veterinarian;

(b) the pet animal was at least 12 weeks old at the date on which the vaccine was administered;

(c) the date of administration of the vaccine is indicated by an authorised veterinarian or an official veterinarian in the appropriate section of the identification document;

© Government of Gibraltar (www.gibraltarlaws.gov.gi)

(d)the date of administration referred to in point (c) does not precede the date of application of the transponder or tattoo or the date of reading of the transponder or the tattoo indicated in the appropriate section of the identification document;

(e)the period of validity of the vaccination starts from the establishment of protective immunity, which shall not be less than 21 days from the completion of the vaccination protocol required by the manufacturer for the primary vaccination, and continues until the end of the period of protective immunity, as prescribed in the technical specification of the marketing authorisation referred to in point 1(b) or the approval or licence referred to in point 1(c) for the anti-rabies vaccine in the Member State or territory or third country where the vaccine is administered.
The period of validity of the vaccination is indicated by an authorised veterinarian or an official veterinarian in the appropriate section of the identification document;

(f)a revaccination must be considered a primary vaccination if it was not carried out within the period of validity referred to in point (e) of the previous vaccination.

ANNEX IV

Validity requirements for the rabies antibody titration test

1.The collection of the sample of blood necessary to carry out the rabies antibody titration test must be carried out and documented by an authorised veterinarian in the appropriate section of the identification document;

2. The rabies antibody titration test:

(a)must be carried out on a sample collected at least 30 days after the date of vaccination and:

(i)not less than three months before the date of:

—the non-commercial movement from a territory or a third country other than those listed in the implementing acts adopted pursuant to Article 13(1) or (2), or

—the transit through such a territory or third country, where the conditions laid down in point (c) of Article 12 are not fulfilled, or

(ii)before the pet animal left the Union for movement to or transit through a territory or a third country other than those listed pursuant to Article 13(1) or (2); the identification document in the format provided for in Article 21(1) must confirm that a rabies antibody titration test was carried out with a favourable result before the date of movement;

© Government of Gibraltar (www.gibraltarlaws.gov.gi)

(b)must measure a level of neutralising antibody to rabies virus in serum equal to or greater than 0,5 IU/ml and using a method prescribed in the relevant part of the Chapter concerning rabies in the Manual of Diagnostic Tests and Vaccines for Terrestrial Animals of the World Organisation for Animal Health;

(c)must be performed in a laboratory approved in accordance with Article 3 of Decision 2000/258/EC;

(d)does not have to be renewed following a satisfactory result described in point (b), provided that the pet animal is revaccinated within the period of validity referred to in point 2(e) of Annex III of the previous vaccination.

ANNEX V

Correlation table referred to in Article 43(2)

Regulation (EC) No 998/2003	This Regulation
Article 1	Article 1
First paragraph of Article 2	Article 2(1)
Second paragraph of Article 2	Point (a) of Article 2(2)
Third paragraph of Article 2	Point (b) of Article 2(2)
Point (a) of Article 3	Points (a) and (b) of Article 3
Point (b) of Article 3	Point (f) of Article 3
Point (c) of Article 3	Article 2(1)
First subparagraph of Article 4(1)	
	First subparagraph of Article 17(1)
Second subparagraph of Article 4(1)	Second subparagraph of Article 17(1)
Article 4(2)	—
Article 4(3)	—
Article 4(4)	—
Point (a) of Article 5(1)	Point (a) of Article 6
Point (b) of Article 5(1)	Point (d) of Article 6
Point (b)(i)Article 5(1)	Point (b) of Article 6
Point (b)(ii) of Article 5(1)	Point (c) of Article 6
Second subparagraph of Article 5(1)	Article 19
Article 5(2)	Article 7
Article 6	—

© Government of Gibraltar (www.gibraltarlaws.gov.gi)

Article 7	Article 5(5), Articles 9, 14 and 28
Article 8(1)	Articles 10 and 12
Article 8(2)	Article 10(1)(e) and Article 27
Point (a) of Article 8(3)	Article 13(1)
Point (b) of Article 8(3)	Article 16
Point (c) of Article 8(3)	Article 11
Article 8(4)	Article 25(1) and (2)
Article 9	Article 14 and Article 30(1) and (2)
First subparagraph of Article 10	Article 13(2)
Second subparagraph of Article 10	Article 13(3)
First sentence of Article 11	Article 37(1)
Second sentence of Article 11	Point (a) of Article 34(4)
Introductory phrase and point (a) of the first subparagraph of Article 12	Article 10(2) and Article 34(1)
Introductory phrase and point (b) of the first subparagraph of Article 12	Article 5(4)
Second subparagraph of Article 12	Article 34(3) and Article 37(2)(d)
Article 13	Article 34(3) and Article 37(2)(d)
First paragraph of Article 14	Point (a) of Article 34(2)
Second paragraph of Article 14	Second subparagraph of Article 17(1)
Third paragraph of Article 14	Article 35(1) and (3)
Fourth paragraph of Article 14	Article 35(2)
Article 15	Points 1 and 2(c) of Annex IV
Article 16	—
First paragraph of Article 17	—
Second paragraph of Article 17	Article 21(1)
First paragraph of Article 18	—
Second paragraph of Article 18	Article 36
Article 19	Article 13(3) and Article 5(5)
Article 19a(1) and (2)	Article 38
Article 19a(3)	—
Article 19b(1)	Article 39(2)
Article 19b(2)	Article 39(4)
Article 19b(3)	Article 39(1)

© Government of Gibraltar (www.gibraltarlaws.gov.gi)

Article 19c(1) and (3)	Article 39(3)
Article 19c(2)	—
Article 19d(1) and Article 19d(2)	Article 39(5)
Article 19d(3)	—
Articles 20 to 23	—
Article 24(1), (2) and (3)	Article 41(1), (2) and (3)
Article 24(4) and (5)	—
Article 25	Article 45
Annex I	Annex I
Annex Ia	Annex II
Annex Ib	Annex III
Part A and Section 1 of Part B of Annex II	—
Section 2 of Part B of Annex II	Article 13(1)
Part C of Annex II	Article 13(2)

COMMISSION STATEMENT

Within the framework of the European Union Strategy for the Protection and Welfare of Animals (1), the Commission will study the welfare of dogs and cats involved in commercial practices.

If the outcome of that study indicates health risks arising from those commercial practices, the Commission will consider appropriate options for the protection of human and animal health, including proposing to the European Parliament and to the Council appropriate adaptations to current Union legislation on trade in dogs and cats, including the introduction of compatible systems for their registration accessible across Member States.

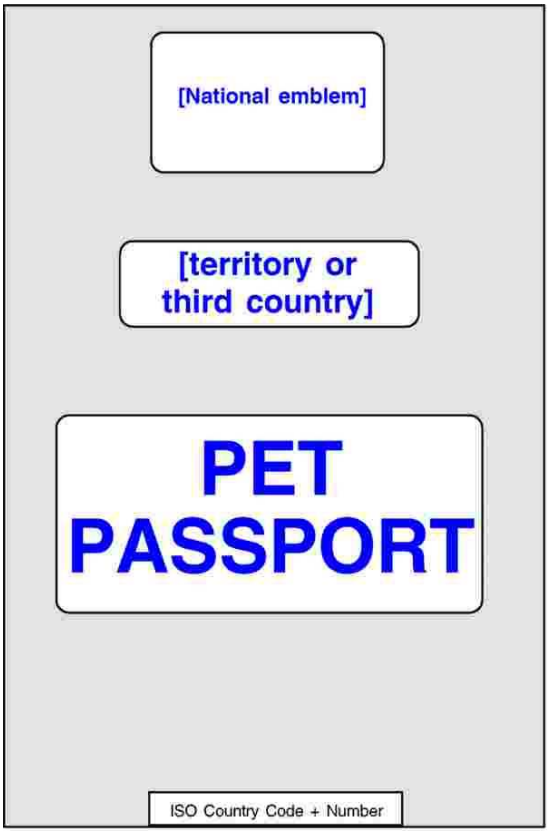
In light of the above, the Commission will assess the feasibility and appropriateness of an extension of such registration systems to dogs and cats marked and identified in accordance with Union legislation on non-commercial movements of pet animals.

© Government of Gibraltar (www.gibraltarlaws.gov.gi)

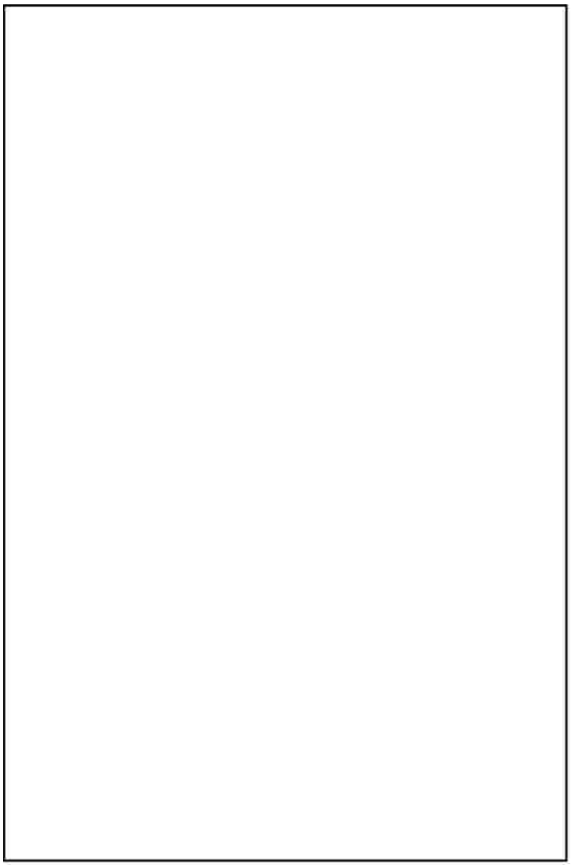
SCHEDULE 5

Models of passports for the non-commercial movement of dogs, cats or ferrets

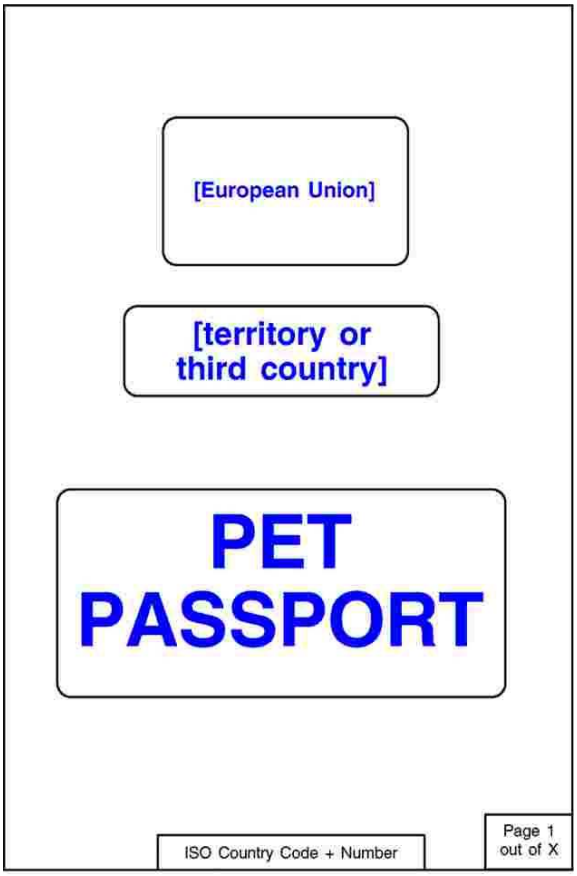
Model of passport issued in one of the territories or third countries listed in Part 1 of Annex II to this Regulation



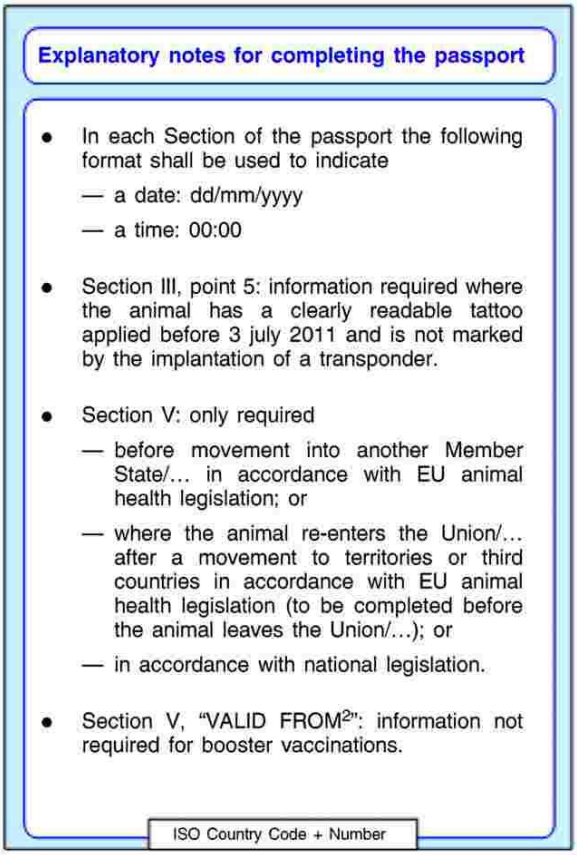
© Government of Gibraltar (www.gibraltarlaws.gov.gi)



© Government of Gibraltar (www.gibraltarlaws.gov.gi)



© Government of Gibraltar (www.gibraltarlaws.gov.gi)

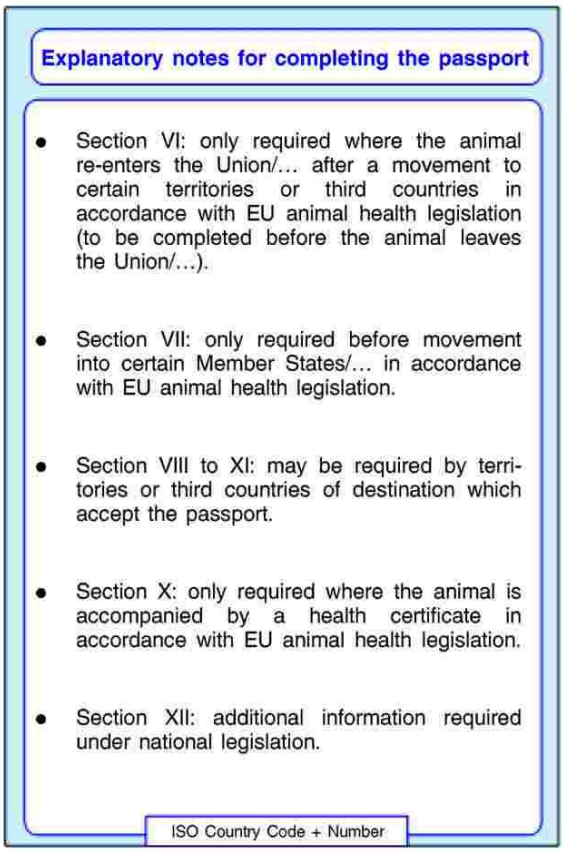


Explanatory notes for completing the passport

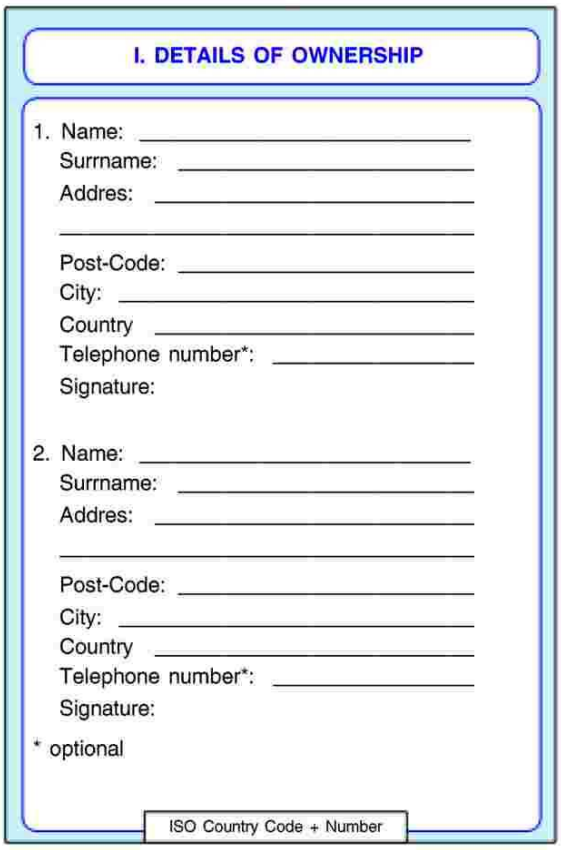
- In each Section of the passport the following format shall be used to indicate
  - — a date: dd/mm/yyyy
  - — a time: 00:00
- Section III, point 5: information required where the animal has a clearly readable tattoo applied before 3 july 2011 and is not marked by the implantation of a transponder.
- Section V: only required
  - — before movement into another Member State/… in accordance with EU animal health legislation; or
  - — where the animal re-enters the Union/… after a movement to territories or third countries in accordance with EU animal health legislation (to be completed before the animal leaves the Union/…); or
  - — in accordance with national legislation.
- Section V, "VALID FROM[2]": information not required for booster vaccinations.

ISO Country Code + Number

© Government of Gibraltar (www.gibraltarlaws.gov.gi)



© Government of Gibraltar (www.gibraltarlaws.gov.gi)



I. DETAILS OF OWNERSHIP

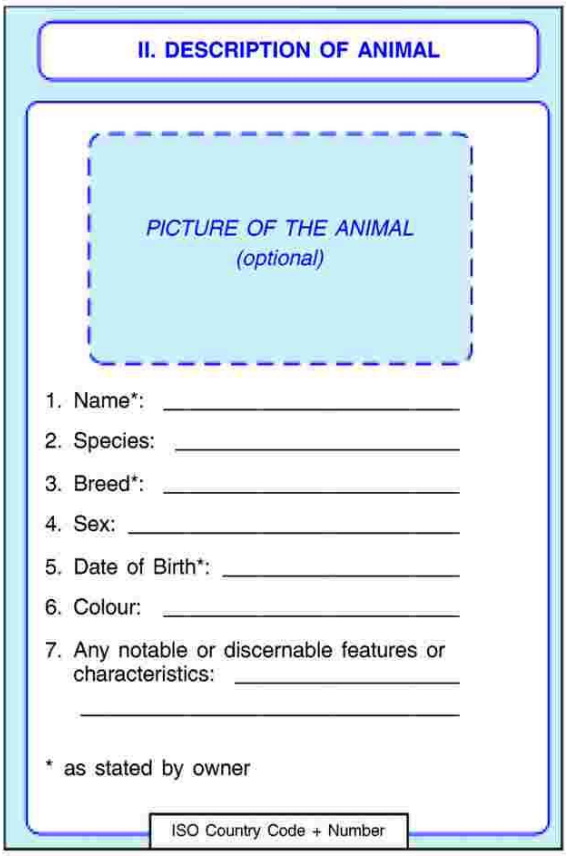
1. Name: _____
Surrname: _____
Addres: _____
_____
Post-Code: _____
City: _____
Country _____
Telephone number*: _____
Signature:

2. Name: _____
Surrname: _____
Addres: _____
_____
Post-Code: _____
City: _____
Country _____
Telephone number*: _____
Signature:

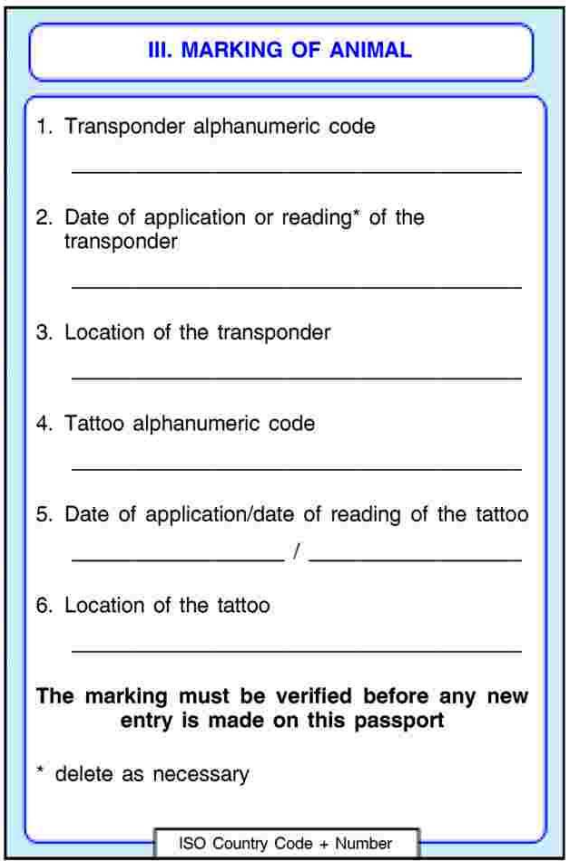
* optional

ISO Country Code + Number

© Government of Gibraltar (www.gibraltarlaws.gov.gi)



© Government of Gibraltar (www.gibraltarlaws.gov.gi)



III. MARKING OF ANIMAL

1. Transponder alphanumeric code

_____

2. Date of application or reading* of the transponder

_____

3. Location of the transponder

_____

4. Tattoo alphanumeric code

_____

5. Date of application/date of reading of the tattoo

_____ / _____

6. Location of the tattoo

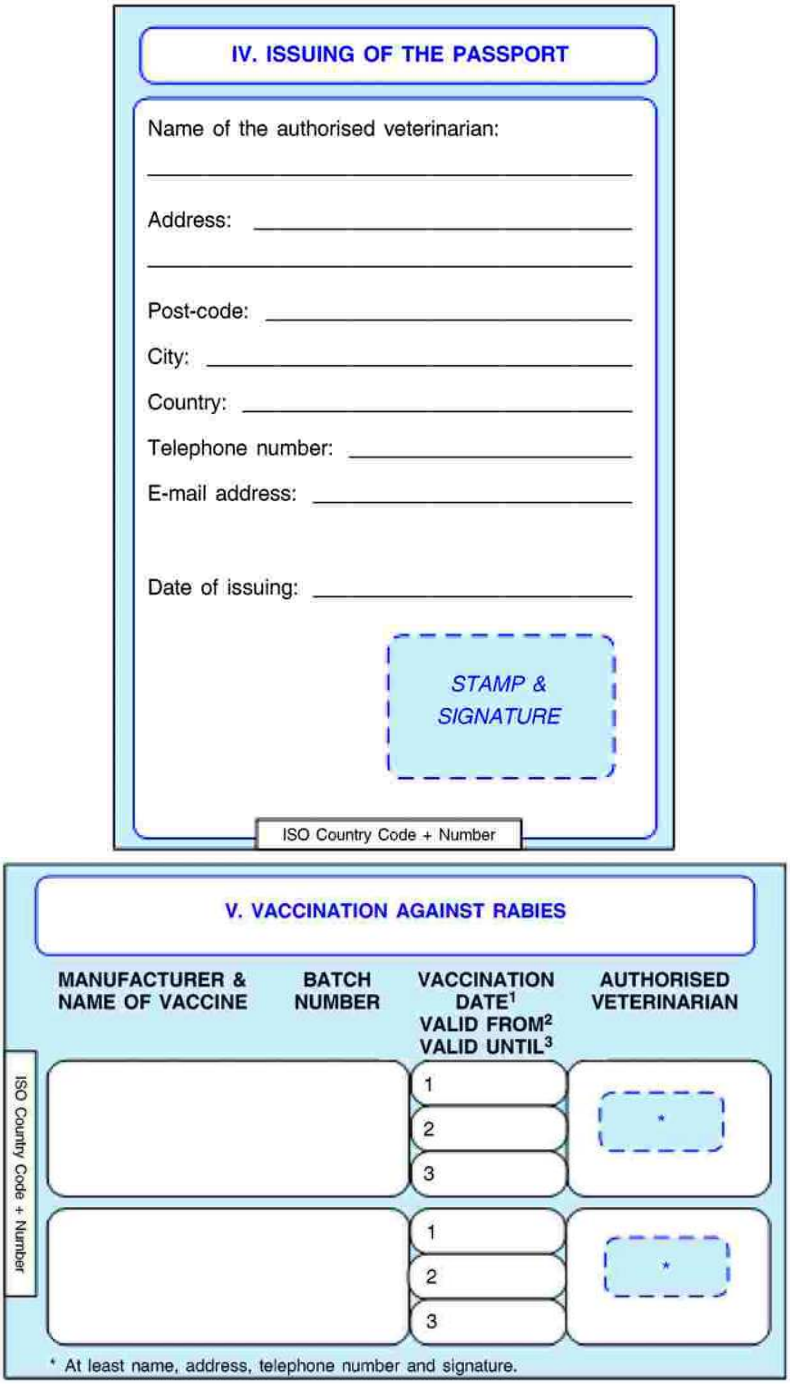
_____

The marking must be verified before any new entry is made on this passport

* delete as necessary

ISO Country Code + Number

© Government of Gibraltar (www.gibraltarlaws.gov.gi)



IV. ISSUING OF THE PASSPORT

Name of the authorised veterinarian: _____

Address: _____

_____

Post-code: _____

City: _____

Country: _____

Telephone number: _____

E-mail address: _____

Date of issuing: _____

STAMP & SIGNATURE

ISO Country Code + Number

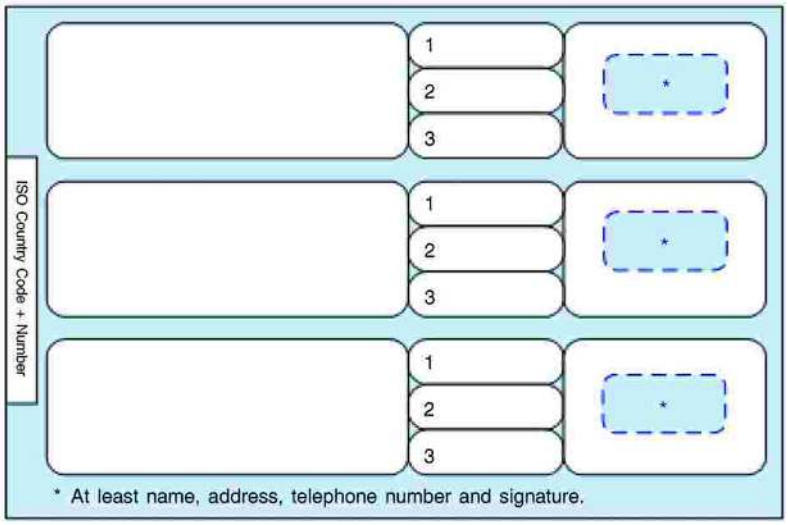
V. VACCINATION AGAINST RABIES

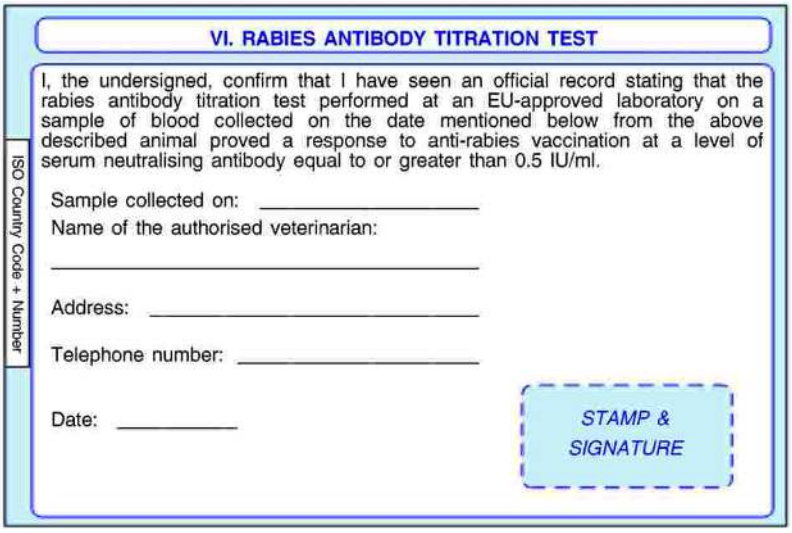
MANUFACTURER & NAME OF VACCINE	BATCH NUMBER	VACCINATION DATE[1] VALID FROM[2] VALID UNTIL[3]	AUTHORISED VETERINARIAN
		1 2 3	*
		1 2 3	*

ISO Country Code + Number

* At least name, address, telephone number and signature.

© Government of Gibraltar (www.gibraltarlaws.gov.gi)





© Government of Gibraltar (www.gibraltarlaws.gov.gi)



IN CASE OF A FURTHER TEST

ISO Country Code + Number

I, the undersigned, confirm that I have seen an official record stating that the rabies antibody titration test performed at an EU-approved laboratory on a sample of blood collected on the date mentioned below from the above described animal proved a response to anti-rabies vaccination at a level of serum neutralising antibody equal to or greater than 0.5 IU/ml.

Sample collected on: _____

Name of the authorised veterinarian:

_____

Address: _____

Telephone number: _____

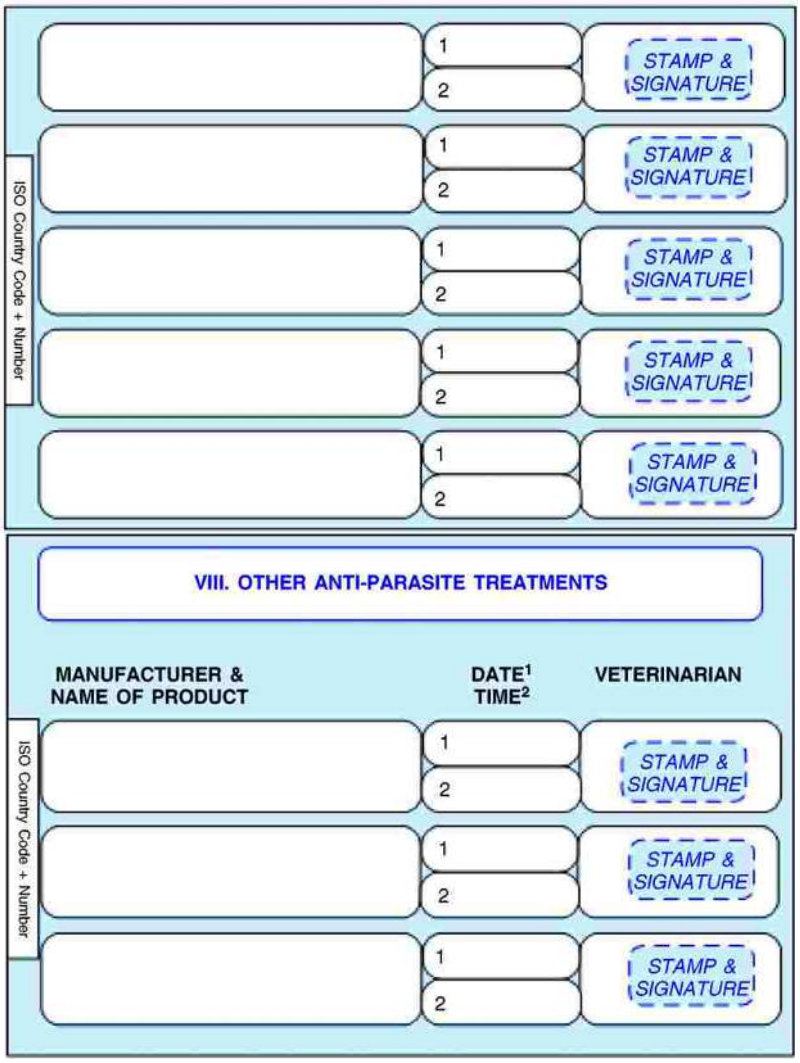
Date: _____

STAMP & SIGNATURE

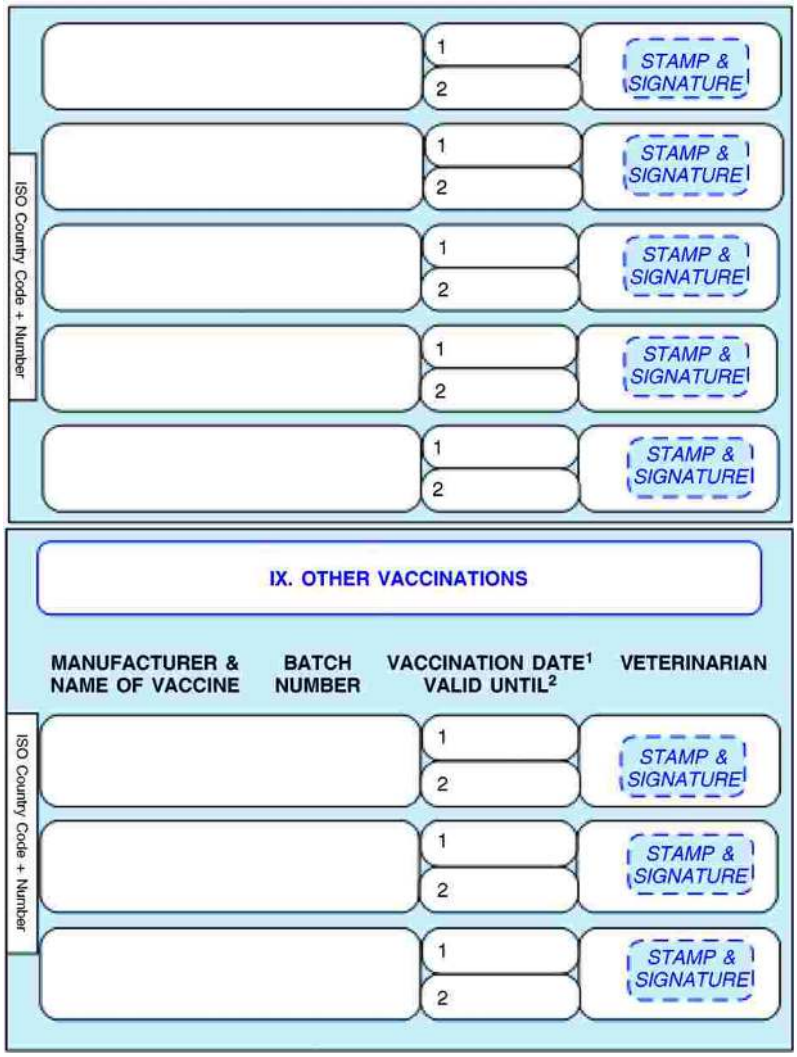
VII. ANTI-ECHINOCOCCUS TREATMENT

MANUFACTURER & NAME OF PRODUCT	DATE[1] TIME[2]	VETERINARIAN
ISO Country Code + Number	1 2	STAMP & SIGNATURE
	1 2	STAMP & SIGNATURE
	1 2	STAMP & SIGNATURE

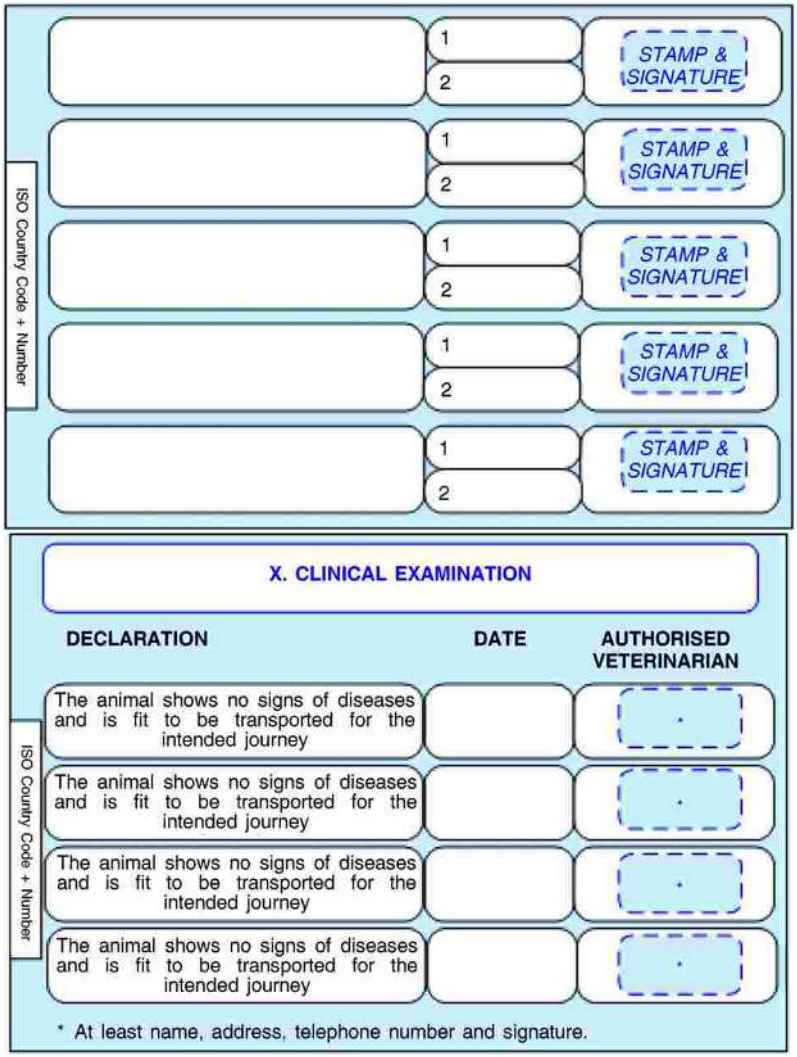
© Government of Gibraltar (www.gibraltarlaws.gov.gi)



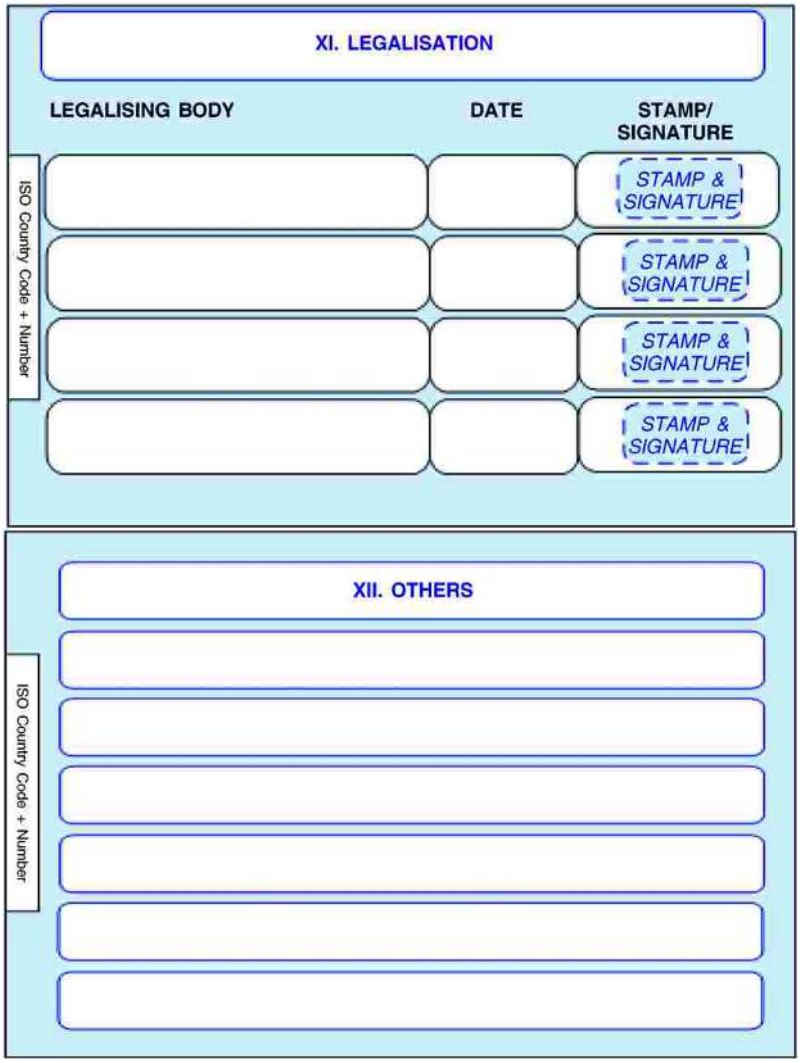
© Government of Gibraltar (www.gibraltarlaws.gov.gi)



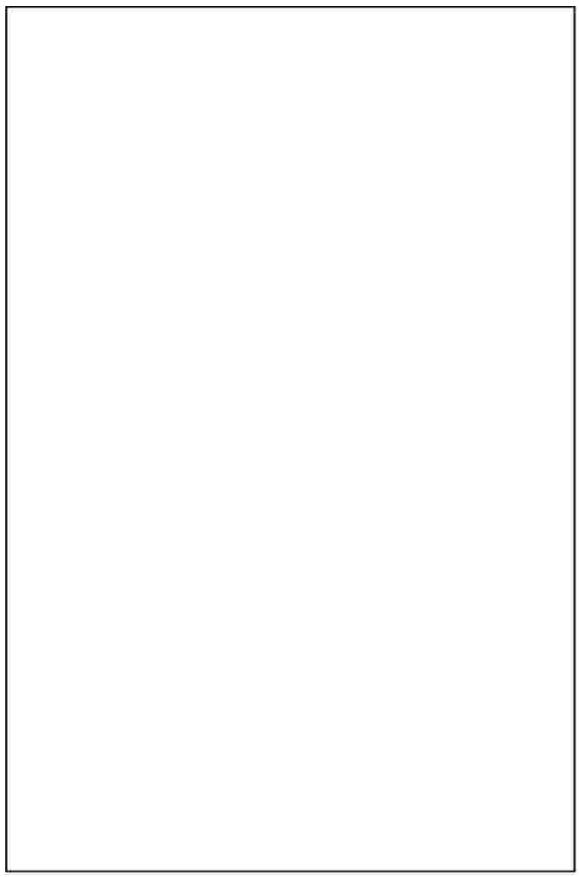
© Government of Gibraltar (www.gibraltarlaws.gov.gi)



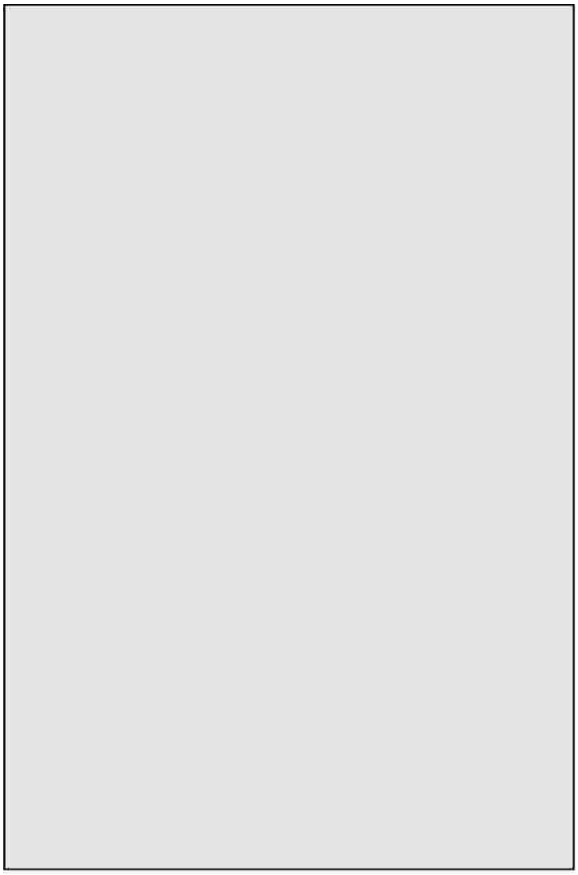
© Government of Gibraltar (www.gibraltarlaws.gov.gi)



© Government of Gibraltar (www.gibraltarlaws.gov.gi)



© Government of Gibraltar (www.gibraltarlaws.gov.gi)



Additional requirements concerning the passport issued in one of the territories or third countries listed in Part 1 of Annex II

1. Format of the passport:

The dimension of the passport shall be 100 × 152 mm.

2.Cover of the passport:

(a)	front cover:	
	(i)	colour: PANTONE® monochrome and national emblem in the upper quarter;
	(ii)	the ISO country code of the territory or third country of issue followed by a unique alphanumeric code (indicated as 'number' in the model of passport set out in Part 3), shall be printed on the bottom;

© Government of Gibraltar (www.gibraltarlaws.gov.gi)

(b) inside front cover and inside back cover: colour white;
(c) back cover: colour PANTONE® monochrome.

3.Sequences of the headings and numbering of pages of the passport:

(a) the sequence of the headings (with the roman numbers) must be strictly respected;
(b) the pages of the passport shall be numbered at the bottom of each page in the following format: 'x out of n', where x is the current page and n is the total number of pages of the passport;
(c) the ISO country code of the territory or third country of issue followed by a unique alphanumeric code shall be printed on each page of the passport;
(d) the number of pages and the size and shape of the boxes in the model of passport set out in Part 3 are indicative.

4.Languages:

All printed text shall be in the official language(s) of the territory or third country of issue and in English.

5.Security features:

(a) after the required information has been entered in Section III of the passport, a transparent adhesive laminate shall seal the page;
(b) where the information on one of the pages of the passport takes the form of a sticker, a transparent adhesive laminate shall seal that sticker in the case where the latter is not self-destructed when it is removed.

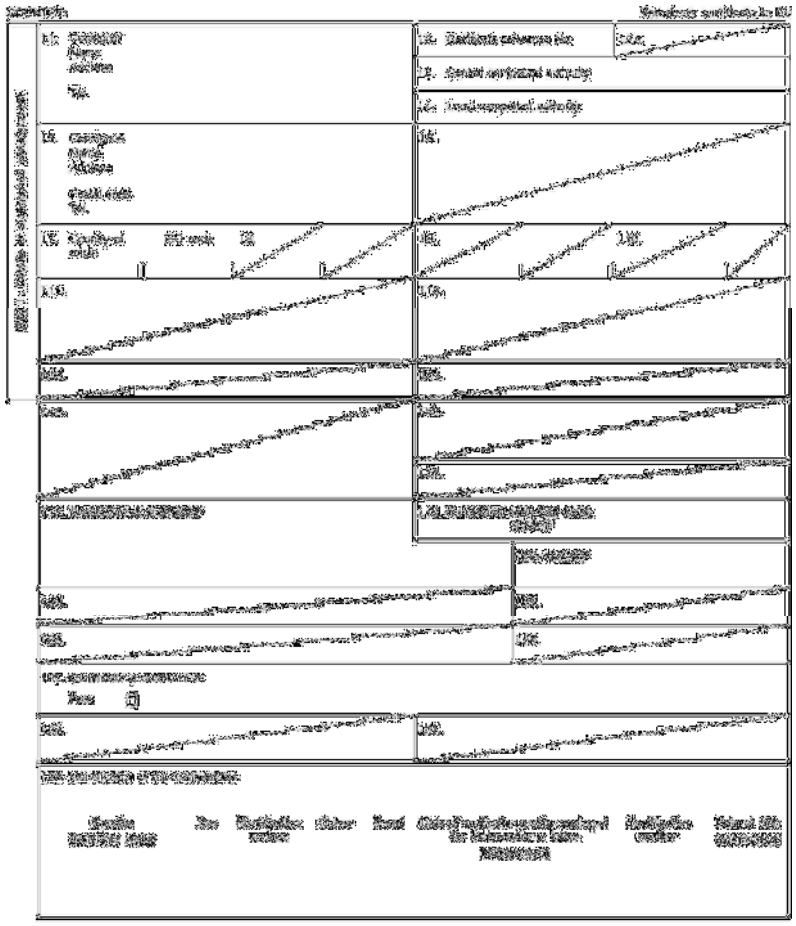
© Government of Gibraltar (www.gibraltarlaws.gov.gi)

SCHEDULE 6

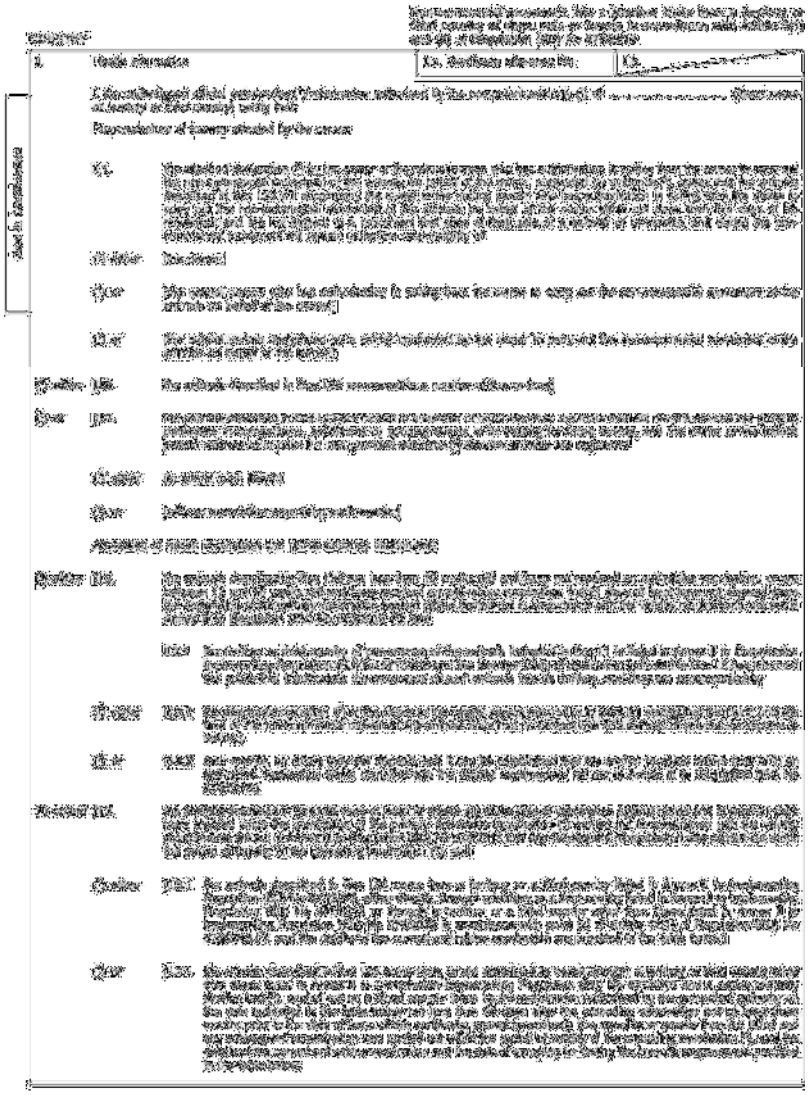
Rule 4(3)

Model animal health certificate for the non-commercial movement into a Member State from a territory or third country of dogs, cats or ferrets in accordance with Article 5(1) and (2) of Regulation (EU) No 576/2013

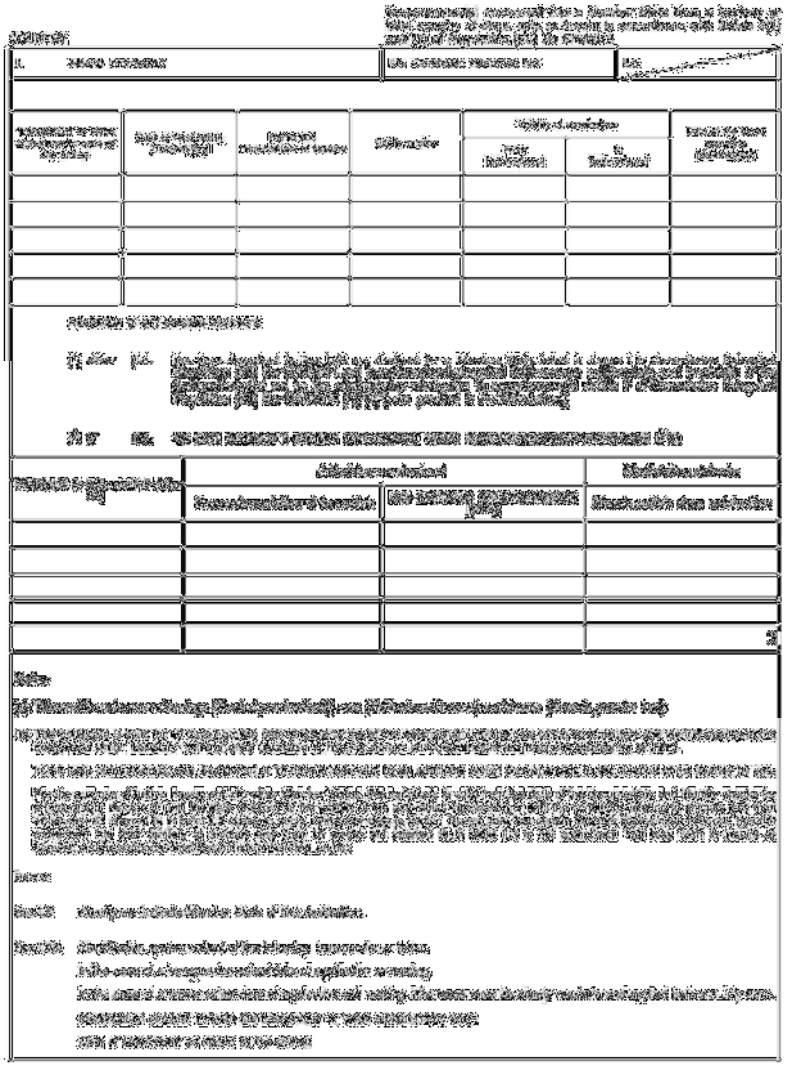
PART ONE



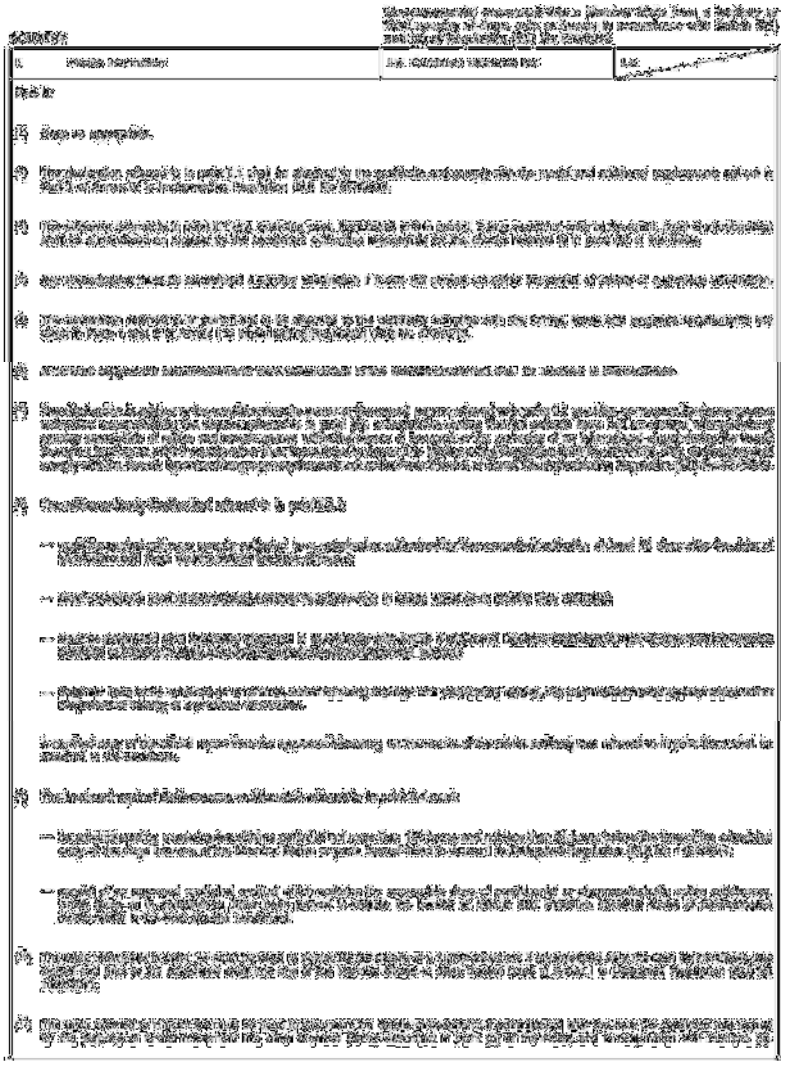
© Government of Gibraltar (www.gibraltarlaws.gov.gi)



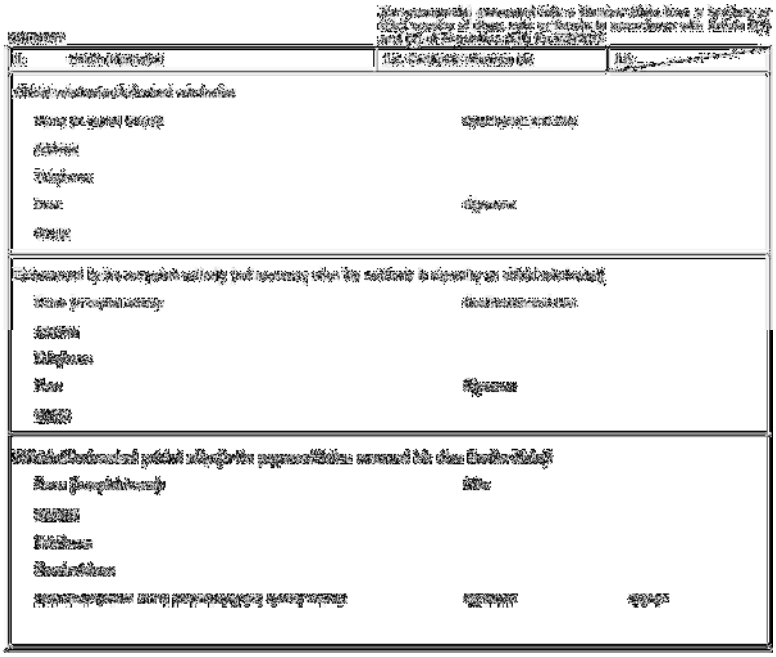
© Government of Gibraltar (www.gibraltarlaws.gov.gi)



© Government of Gibraltar (www.gibraltarlaws.gov.gi)



© Government of Gibraltar (www.gibraltarlaws.gov.gi)



PART 2

Explanatory notes for completing the animal health certificates

(a)Where the certificate states that certain statements shall be kept as appropriate, statements which are not relevant may be crossed out and initialled and stamped by the official veterinarian, or completely deleted from the certificate.

(b)The original of each certificate shall consist of a single sheet of paper, or, where more text is required it must be in such a form that all sheets of paper required are part of an integrated whole and indivisible.

(c)The certificate shall be drawn up in at least one of the official languages of the Member State of entry and in English. It shall be completed in block letters in at least one of the official languages of the Member State of entry or in English.

(d)If additional sheets of paper or supporting documents are attached to the certificate, those sheets of paper or document shall also be considered as forming part of the original of the certificate by the application of the signature and stamp of the official veterinarian, on each of the pages.

(e)When the certificate, including additional sheets referred to in point (d), comprises more than one page, each page shall be numbered (page number of total number of pages) at the end of the page and shall bear at the top of each page the certificate reference number that has been designated by the competent authority.

(f)The original of the certificate shall be issued by an official veterinarian of the territory or third country of dispatch or by an authorised veterinarian and subsequently endorsed by the

© Government of Gibraltar (www.gibraltarlaws.gov.gi)

competent authority of the territory or third country of dispatch. The competent authority of the territory or third country of dispatch shall ensure that rules and principles of certification equivalent to those laid down in Directive 96/93/EC are followed.

The colour of the signature shall be different from that of the printing. This requirement also applies to stamps other than those embossed or watermarked.

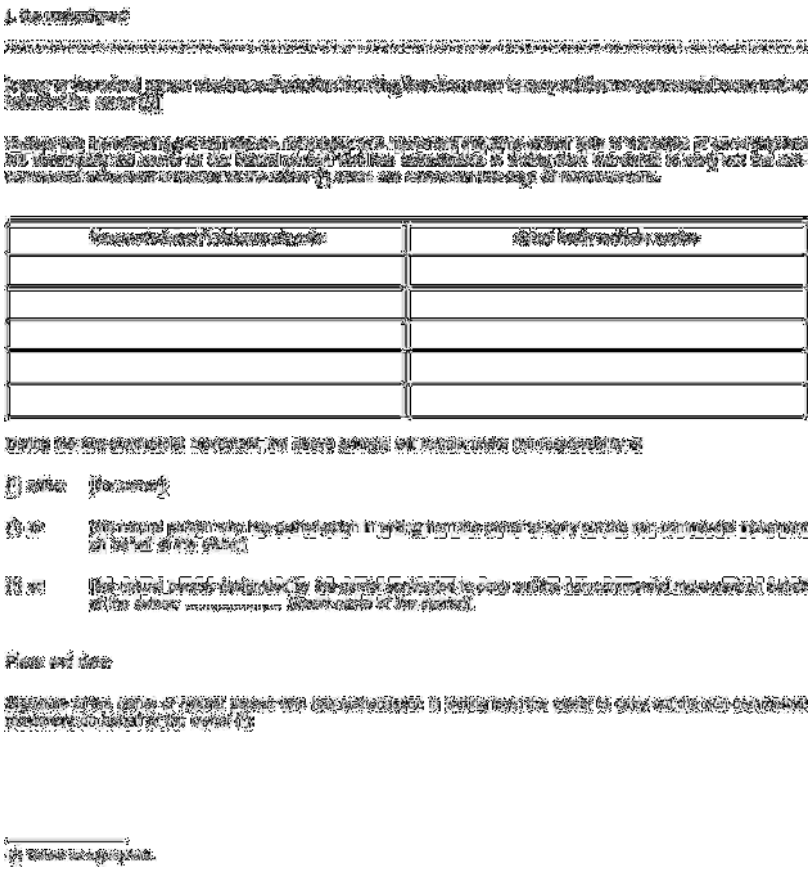
(g)The certificate reference number referred to in Boxes I.2 and II.a shall be issued by the competent authority of the territory or third country of dispatch.

PART 3

Written declaration referred to in Article 25(3) of of Regulation (EU) No 576/2013

Section A

Model of declaration



© Government of Gibraltar (www.gibraltarlaws.gov.gi)

Section B

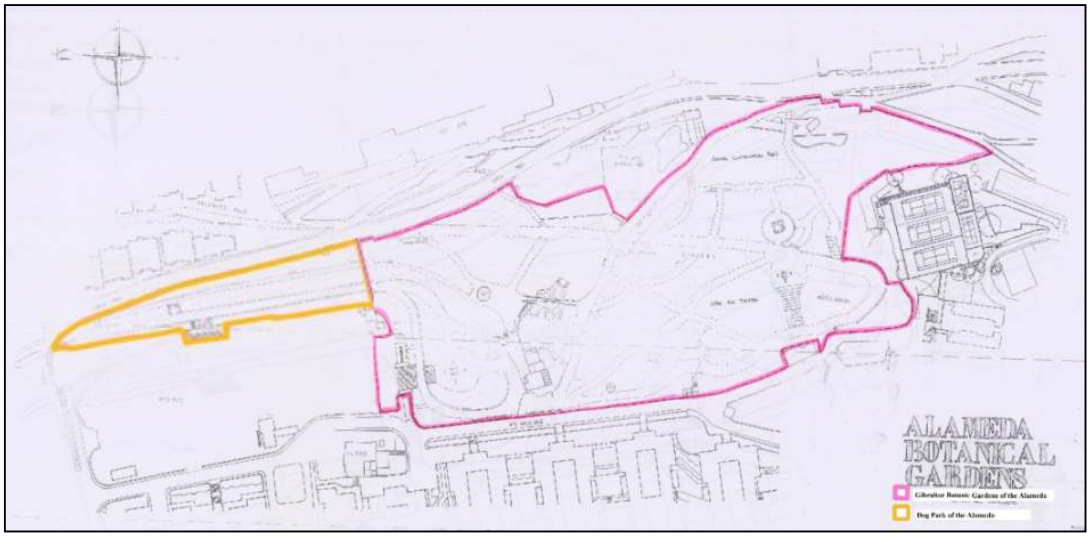
Additional requirements for the declaration

The declaration shall be drawn up in at least one of the official language(s) of the Member State of entry and in English and shall be completed in block letters.

© Government of Gibraltar (www.gibraltarlaws.gov.gi)

SCHEDULE 7

Rule 11A



© Government of Gibraltar (www.gibraltarlaws.gov.gi)