

# **SECOND SUPPLEMENT TO THE GIBRALTAR GAZETTE**

**No. 3524 of 30 March, 2006**

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LEGAL NOTICE NO. 34 OF 2006.

## **ANIMALS AND BIRDS ACT**

### **ANIMALS AND BIRDS (AMENDMENT) RULES 2006**

In exercise of the powers conferred on him by section 26 of the Animals and Birds Act, and all other enabling powers, and in order to implement Council Decision 2004/650/EC of 13 September 2004 amending Regulation (EC) No 998/2003 of the European Parliament and of the Council on the animal health requirements applicable to the non-commercial movement of pet animals to take account of the accession of Malta and Commission Decision 2004/824/EC of 1 December 2004 establishing a model health certificate for non-commercial movements of dogs, cats and ferrets from third countries into the Community, and to give further effect to Commission Regulation (EC) No 18/2006 of 6 January 2006 amending Annex to Regulation (EC) No 998/2003 of the European Parliament and of the Council as regards the list of countries and territories, the Minister for the Environment has made the following rules—

#### **Title.**

1. These Rules may be cited as the Animals and Birds (Amendment) Rules 2006.

#### **Amendments to the Animals and Birds Rules.**

2.(1) The Animals and Birds Rules 2004 are amended in accordance with the provisions of this rule.

(2) In rule 2 in the definition of “the EC Regulation” after “as amended”, for “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”, substitute “from time to time”.

(3) In rule 4(1) delete “The Government shall publish by notice in the Gazette any amendments to the Regulation made by the European Parliament and the Council.”.

(4) In rule 4(2) delete “; any amendments to this Decision by the European Commission shall apply and shall be published by the Government by notice in the Gazette”.

(5) In rule 4(3)–

- (a) for “2004/203/EC of 26 November 2003” substitute “2004/824/EC of 1 December 2004”;
- (b) delete “; any amendments to this Decision by the European Commission shall apply and shall be published by the Government by notice in the Gazette”.

(6) in Schedule 4–

- (a) in the first paragraph for “No 592/2003 of 30 March 2004” substitute “No 18/2006 of 6 January 2006”; and
- (b) in Annex II, Part A after “Ireland”, insert “MT Malta”;
- (c) in Annex II, Part C,–
  - (i) after “BH – Bahrain”, insert “BL-Belarus”;
  - (ii) after “MU – Mauritius”, insert “MX – Mexico”;
  - (iii) after “SH- Saint Helena”, insert–  
“TT – Trinidad and Tobago  
TW- Taiwan”;
  - (iv) after “PM- Saint Pierre et Miquelon”, insert “RO – Romania”; and
  - (v) for “US – United States of America” substitute “US – United States of America (including GU – Guam)”.

(7) In the title to Schedule 6, for “Decision 2004/203 of 18 February 2004”, substitute “Decision 2004/824/EC of 1 December 2004”;

(8) In Schedule 6, in the Notes for Guidance in the form,–

(a) in point 4, after “Ireland”, insert “Malta”;

(b) after point 4 insert–

“5. This certificate must be accompanied by supporting documentation, or a certified copy thereof, including the identification details of the animal concerned, vaccination details and the result of the serological test.”;

(c) in Conditions Applying (A), (A)(1), (A)(2) and (B), after “Ireland” each time it appears, insert “Malta”.

Dated this 30th day of March, 2006.

J NETTO,

Minister for the Environment.

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#### **EXPLANATORY MEMORANDUM**

These rules amend the Animal and Birds Rules 2004 in order–

1) to implement Council Decision 2004/650/EC of 13 September 2004 amending Regulation (EC) No 998/2003 of the European Parliament and of the Council on the animal health requirements applicable to the non-commercial movement of pet animals to take account of the accession of Malta

2) to implement Commission Decision 2004/824/EC of 1 December 2004 establishing a model health certificate for non-commercial movements of dogs, cats and ferrets from third countries into the Community, and

3) to give further effect to Commission Regulation (EC) No Commission Regulation (EC) No 18/2006 of 6 January 2006 amending Annex to Regulation (EC) No 998/2003 of the European Parliament and of the Council as regards the list of countries and territories.

The amendments provide that movements of animals into Malta are subject to the same rules as movement of animals into Ireland, Sweden and the UK, and that pet animals and birds, may subject to compliance with the requirements, be imported from Belarus, Mexico, Romania, Taiwan, Trinidad and Tobago and Guam.

References to Regulation 592/2004 have been removed since that regulation is no longer in force.