STATUTORY INSTRUMENTS

2024 No. 1327

EXITING THE EUROPEAN UNION

The Windsor Framework (Non-Commercial Movement of Pet Animals) Regulations 2024

Made - - - - 11th December 2024

Coming into force in accordance with regulation 1(2)

The Secretary of State makes these Regulations in exercise of the powers conferred by section 8C(1) and (2) of, and paragraph 21 of Schedule 7 to, the European Union (Withdrawal) Act 2018(**a**).

In accordance with paragraph 8F(1) of Schedule 7(**b**) to the European Union (Withdrawal) Act 2018(**c**), a draft of this instrument has been laid before and approved by a resolution of each House of Parliament.

PART 1

Introductory

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Windsor Framework (Non-Commercial Movement of Pet Animals) Regulations 2024.

(2) These Regulations come into force—

(a) for the purposes of this Part and Parts 2 and 4, on 31st March 2025;

(b) for all other purposes, on 4th June 2025.

(3) These Regulations extend to England and Wales, Scotland and Northern Ireland.

Interpretation

2. In these Regulations—

(**a**) 2018 c. 16. Section 8C was inserted by section 21 of the European Union (Withdrawal Agreement) Act 2020 (c. 1) ("the 2020 Act") and amended by section 55(3) of the United Kingdom Internal Market Act 2020 (c. 27). Paragraph 21 of Schedule 7 was amended by paragraph 53(2) of Schedule 5 to the 2020 Act. Further to the Joint Declaration No. 1/2023 of the EU and the United Kingdom in the Joint Committee established by the Withdrawal Agreement of 24 March 2023, the Protocol (as amended by Joint Committee Decision No. 1/2023) is now known as the "Windsor Framework".

(**b**) Paragraph 8F of Schedule 7 was inserted by section 41(4) of, and paragraph 51 of Schedule 5 to, the 2020 Act.

(**c**) Paragraph 8F of Schedule 7 was inserted by section 41(4) of, and paragraph 51 of Schedule 5 to, the 2020 Act. Paragraph 8F was amended by paragraph 3(3) of Schedule 3 to the Retained EU Law (Revocation and Reform) Act 2023 (c. 28).

"authorised person" has the meaning given in Article 3(d) of the Pets Regulation;

"competent authority" means—

(a) in relation to England, the Secretary of State;

(b) in relation to Scotland, the Scottish Ministers;

(c) in relation to Wales, the Welsh Ministers;

(d) in relation to Northern Ireland, the Department of Agriculture, Environment and Rural Affairs;

(e) in relation to any nation in paragraphs (a) to (d), any organisation or body designated by the respective competent authority in paragraphs (a) to (d);

"database operator" means an operator of a database under—

(a) the Microchipping of Dogs (Wales) Regulations 2015(**a**);

(b) the Microchipping of Dogs (Scotland) Regulations 2016(**b**); or

(c) the Microchipping of Cats and Dogs (England) Regulations 2023(**c**);

"declaration" means a signed declaration as required by Article 12(1)(e) of the SPS Regulation, and which forms part of the pet travel document;

"documentary check" means verification of the pet travel document accompanying the pet animal in accordance with Part 3;

"identity check" means verification for consistency between the pet travel document and the pet animal, including any transponder, in accordance with Part 3;

"non-commercial movement" has the meaning given in Article 3(a) of the Pets Regulation;

"Northern Ireland Pet Travel Scheme" means the scheme established by these Regulations for the non-commercial movement of pet animals from Great Britain to Northern Ireland under paragraphs 1 and 2 of Article 12 of the SPS Regulation;

"owner" means a natural person indicated as the owner in the pet travel document;

"pet animal" means an animal of a species listed in Part A of Annex 1 to the Pets Regulation 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;

"pet travel document" means a paper or electronic document which includes a declaration and which is issued by the competent authorities of the United Kingdom for the non-commercial movement of pet animals entering into Northern Ireland from other parts of the United Kingdom;

"SPS inspection facility" has the meaning given in Article 2(18) of the SPS Regulation;

"the Pets Regulation" means 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(**d**);

"the SPS Regulation" means Regulation (EU) 2023/1231 of the European Parliament and of the Council of 14 June 2023 on specific rules relating to the entry into Northern Ireland from other parts of the United Kingdom of certain consignments of retail goods, plants for

(**a**) S.I. 2015/1990 (W. 300).
(**b**) S.S.I. 2016/58.
(**c**) S.I. 2023/468.
(**d**) OJ No. L 178, 28.6.2013, p. 1.

planting, seed potatoes, machinery and certain vehicles operated for agricultural or forestry purposes, as well as non-commercial movements of certain pet animals into Northern Ireland(**a**);

"transponder" means a read-only passive radio frequency identification device that complies with the technical requirements set out in Annex II to the Pets Regulation.

PART 2

Movements under the Northern Ireland Pet Travel Scheme

Conditions for movements under the Northern Ireland Pet Travel Scheme

3. For the purposes of the Northern Ireland Pet Travel Scheme, the owner or authorised person must be accompanied by a valid pet travel document.

Issuance and verification of pet travel document prior to movement of pet animals

4.—(1) When applying for a pet travel document, the owner or authorised person must provide the information required in implementing acts adopted under Article 12(4) of the SPS Regulation and sign a declaration.

(2) A competent authority must verify the information provided in the application for a pet travel document before issuing it.

PART 3

Checks in connection with the Northern Ireland Pet Travel Scheme

Documentary and identity checks in connection with movements under the Northern Ireland Pet Travel Scheme

5.—(1) A competent authority must carry out documentary and identity checks in accordance with Article 12(1)(f) of the SPS Regulation.

(2) Where a pet animal is being moved in accordance with the Northern Ireland Pet Travel Scheme, at the request of a competent authority, the owner or authorised person must present—

(a) a pet travel document; and

(b) the pet animal;

for checks referred to in paragraph (1).

(3) Where a competent authority conducting checks in accordance with paragraph (1) suspects that the owner or authorised person has not complied with the requirements of the Northern Ireland Pet Travel Scheme, it must direct the owner or authorised person to attend an SPS inspection facility.

Role of the SPS inspection facility

6.—(1) The owner or authorised person must present the pet animal to the competent authority at the SPS inspection facility as directed by the competent authority under regulation 5(3).

(**a**) OJ No. L 165, 29.6.2023, p. 103.

(2) The owner or authorised person must remain at the SPS inspection facility with their pet animal until any non-compliance has been remedied, until they have confirmed compliance or until they are directed otherwise by the competent authority.

Suspension

7.—(1) If the competent authority which issued a pet travel document is satisfied on the balance of probabilities that the owner or authorised person has failed to comply with regulation 6, it may serve a notice on the owner or authorised person suspending them from moving pet animals under the Northern Ireland Pet Travel Scheme.

(2) A competent authority must determine the period for suspension having regard to all the circumstances of the case including—

(a) the seriousness of the non-compliance;

(b) the specific circumstances of the non-compliance;

(c) the owner or authorised person's history of compliance.

(3) The period for suspension must not exceed 12 months.

Reviews

8.—(1) An owner or authorised person who has been suspended from the Northern Ireland Pet Travel Scheme may request a review of that decision from the competent authority which issued the pet travel document.

(2) A request under paragraph (1) must be made in writing within a period of 10 working days starting on the day after the day on which the owner or authorised person is notified of the decision to suspend.

(3) A competent authority carrying out a review under paragraph (1) may—

(a) confirm the period of suspension;

(b) substitute a reduced period of suspension; or

(c) withdraw the suspension.

(4) In this regulation, "working day" means any day other than—

(a) a Saturday or Sunday;

(b) a day which is a bank holiday under the Banking and Financial Dealings Act 1971(**a**) in England and Wales, Scotland or Northern Ireland; or

(c) a day which is a public holiday in England, Wales, Scotland or Northern Ireland.

PART 4

Provisions relating to database operators

Requests for information from database operators

9.—(1) A competent authority performing a documentary check, identity check or undertaking verification under regulation 4(2) may issue a request to a database operator for information in paragraph (2) which is recorded on a database which it operates.

(2) The information which may be requested in relation to a pet animal under paragraph (1) is—

(**a**) 1971 c. 80.

(a) name, species, breed, sex, colour, date of birth and any notable features or characteristics;

(b) the address registered to the microchip that has been implanted in the pet animal;

(c) the microchip number.

(3) A database operator must make available information requested by a competent authority in accordance with paragraph (1).

Conditions to be met by a database operator

10.—(1) A database operator must—

(a) maintain records to demonstrate that the database operator is complying with the requirements of these Regulations;

(b) have a system which is available at all times for answering telephone and on-line requests for details stored on its database;

(c) have a system for redirecting telephone queries relating to a pet animal whose details are recorded on other databases; and

(d) be able to automatically redirect on-line requests relating to a pet animal whose details are recorded on other databases.

(2) In this regulation, "on-line request" means a request submitted to a database operator in the manner provided for by the database operator's website.

Offence

11. It is an offence, punishable on summary conviction by a fine not exceeding level 4 on the standard scale, to fail to comply with a request made under regulation 9(1).

Hayman of Ullock
Parliamentary Under-Secretary of State
11th December 2024 Department for Environment, Food and Rural Affairs

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations implement the Windsor Framework in respect of the non-commercial movement of pet animals from Great Britain to Northern Ireland. These Regulations create the Northern Ireland Pet Travel Scheme ("the Scheme"). The Scheme applies only to pets originating in Great Britain.

Part 2 sets out the conditions that must be met when moving certain pet animals from Great Britain to Northern Ireland, and processes in relation to the required documentation.

Part 3 relates to the checks to be performed in relation to pet animals and the documents that must accompany those animals. It also sets out the role of the SPS inspection facility, and the actions that may be taken in cases of non-compliance with the conditions of the Scheme.

Part 4 sets out matters relating to database operators, including the powers of competent authorities to request information held by those operators.

A full impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public sector is foreseen.

© Crown Copyright 2024

Printed and published in the UK by The Stationery Office Limited under the authority and superintendence of Saul Nassé, Controller of His Majesty's Stationery Office and King's Printer of Acts of Parliament.

ISBN 978-0-34-826719-8

£5.78

http://www.legislation.gov.uk/id/uksi/2024/1327