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Committee on the Environment, Public Health and Food Safety

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DRAFT REPORT

on the proposal for a Regulation of the European Parliament and of the Council
on the non-commercial movement of pet animals
(COM(2012)0089 – C7-0080/2012 – 2012/0039(COD))

Committee on the Environment, Public Health and Food Safety

Rapporteur: Horst Schnellhardt

Symbols for procedures

- * Consultation procedure
- *** Consent procedure
- ***I Ordinary legislative procedure (first reading)
- ***II Ordinary legislative procedure (second reading)
- ***III Ordinary legislative procedure (third reading)

(The type of procedure depends on the legal basis proposed by the draft act.)

Amendments to a draft act

In amendments by Parliament, amendments to draft acts are highlighted in bold italics. Highlighting in normal italics is an indication for the relevant departments showing parts of the draft act which may require correction when the final text is prepared – for instance, obvious errors or omissions in a language version. Suggested corrections of this kind are subject to the agreement of the departments concerned.

The heading for any amendment to an existing act that the draft act seeks to amend includes a third line identifying the existing act and a fourth line identifying the provision in that act that Parliament wishes to amend. Passages in an existing act that Parliament wishes to amend, but that the draft act has left unchanged, are highlighted in bold. Any deletions that Parliament wishes to make in such passages are indicated thus: [...].

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DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION

**on the proposal for a Regulation of the European Parliament and of the Council on the non-commercial movement of pet animals
(COM(2012)0089 – C7-0080/2012 – 2012/0039(COD))**

(Ordinary legislative procedure: first reading)

The European Parliament,

- having regard to the Commission proposal to Parliament and the Council (COM(2012)0089),
 - having regard to Article 294(2) and Article 168 (4) (b) of the Treaty on the Functioning of the European Union, pursuant to which the Commission submitted the proposal to Parliament (C7-0080/2012),
 - having regard to Article 294(3) of the Treaty on the Functioning of the European Union,
 - having regard to the opinion of the European Economic and Social Committee of 23 May 2012¹,
 - having regard to the opinion of the Committee of the Regions of [...]²,
 - having regard to Rule 55 of its Rules of Procedure,
 - having regard to the report of the Committee on the Environment, Public Health and Food Safety (A7-0000/2012),
1. Adopts its position at first reading hereinafter set out;
 2. Approves its statement annexed to this resolution;
 3. Calls on the Commission to refer the matter to Parliament again if it intends to amend its proposal substantially or replace it with another text;
 4. Instructs its President to forward its position to the Council, the Commission and the national parliaments.

¹ Not yet published in the Official Journal.

² OJ C ... of ..., p. ...

Amendment 1
Horst Schnellhardt
Proposal for a regulation
Recital 5

Text proposed by the Commission

(5) 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 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. Because those species are also kept as pet animals *and* frequently *moved* for non-commercial purposes *with their owner* 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 are listed in Part A of Annex I thereto.

Amendment

(5) 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 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. Because those species are also kept as pet animals *that* frequently *accompany their owner or an authorised person* for non-commercial purposes 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 are listed in Part A of Annex I thereto.

Or. de

Justification

The amendment seeks to improve readability for the user.

Amendment 2
Horst Schnellhardt
Proposal for a regulation
Recital 8

Text proposed by the Commission

(8) The list should further include all species of birds, except poultry falling within the scope of Directive 92/65/EEC and Council Directive 2009/158/EC of 30 November 2009 on animal health

Amendment

(8) The list should further include all species of birds, except poultry falling within the scope of Directive 92/65/EEC and 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, and rodents and *domestic* rabbits.

conditions governing intra-Community trade in, and imports from third countries of, poultry and hatching eggs, and rodents and rabbits, ***except those intended for the production of food defined in Annex 1 of 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***¹.

¹*OJ L 139, p. 55.*

Or. de

Amendment 3
Horst Schnellhardt
Proposal for a regulation
Recital 12

Text proposed by the Commission

(12) In order to make a clear distinction between the rules that apply to movements for non-commercial purposes 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 such animals as a movement ***which does not, either directly or indirectly, involve or aim at a financial gain or a transfer of ownership.***

Amendment

(12) In order to make a clear distinction between the rules that apply to movements for non-commercial purposes 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 such animals as a movement ***in which this 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 such movements. In duly justified and documented situations the movement should be considered as being in the company of the owner or authorised person, if the movement of the pet animal is not interrupted for a period of more than five days.***

Or. de

Amendment 4
Horst Schnellhardt
Proposal for a regulation
Recital 12a

Text proposed by the Commission

Amendment

(12a) Experience with the application of the existing rules shows that trade in animals listed in Part A of Annex I can be fraudulently concealed. In order to prevent any development of such practices, this Regulation should fix a maximum number for pet animals listed in Part A of Annex I that may accompany their owner or an authorised person. The possibility of exceeding this maximum number should be available, but only under certain specified conditions.

Or. de

Amendment 5
Horst Schnellhardt
Proposal for a regulation
Recital 13

Text proposed by the Commission

Amendment

(13) The improvement in the rabies situation in the Union prompted Ireland, Malta, Sweden and the United Kingdom to abandon the system of mandatory six months' quarantine which they applied for decades to certain pet animals moving into their territories, in favour of the alternative, less restrictive system providing an equivalent level of safety laid down in Regulation (EC) No 998/2003. Those Member States are listed in Part A of Annex II to Regulation (EC) No 998/2003 and were to apply until 31 December 2011, in addition to a valid anti-rabies vaccination, a pre-entry check on the effectiveness of the anti-rabies

deleted

vaccination to pet dogs and cats coming from the other Member States and certain third countries and territories in accordance with national rules.

Or. de

Justification

No longer relevant for explaining the redrafted Regulation.

Amendment 6
Horst Schnellhardt
Proposal for a regulation
Recital 14

Text proposed by the Commission

Amendment

(14) Section 1 of Part B of Annex II to Regulation (EC) No 998/2003 sets out a list of the rest of the Member States, including countries and territories which are, for the purposes of that Regulation, considered part of those Member States because national movement conditions apply to animals of the species listed in Annex I thereto, or considered comparable to Member States, when those animals are moved for non-commercial purposes between the Member States and those countries and territories.

deleted

Or. de

Justification

No longer relevant for explaining the redrafted Regulation.

Amendment 7
Horst Schnellhardt

Proposal for a regulation
Recital 16

Text proposed by the Commission

Amendment

(16) In view of the end of the transitional regime provided for in Regulation (EC) No 998/2003 and in the interests of clarity of Union legislation, the list of Member States, including Ireland, Malta, Sweden and the United Kingdom, the territories which are part of Member States and Gibraltar, should be set out in Annex II to this Regulation, and this Regulation should clarify the animal health conditions applicable to the non-commercial movement of pet animals of the species listed in Part A of Annex I into a Member State from another Member State and from third countries and territories.

deleted

Or. de

Justification

The usual definition of a Member State used in the EU Treaties should apply in this Regulation so Annex II is no longer necessary.

Amendment 8
Horst Schnellhardt
Proposal for a regulation
Recital 17

Text proposed by the Commission

Amendment

(17) Regulation (EC) No 998/2003 also 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 **clarify** the rules for the marking of pet animals of the species listed in Part A of Annex I, **including the qualifications required for those who carry out the marking**, after

(17) Regulation (EC) No 998/2003 also 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 **establish** the rules for the marking of pet animals of the species listed in Part A of Annex I after expiry of the transitional period on 3 July 2011.

expiry of the transitional period on 3 July 2011.

Or. de

Amendment 9
Horst Schnellhardt
Proposal for a regulation
Recital 17a

Text proposed by the Commission

Amendment

(17a) The implantation of a transponder is an invasive procedure and certain qualifications are required to carry it out. The implantation should therefore only be performed by veterinarians approved by the competent authorities.

Or. de

Amendment 10
Horst Schnellhardt
Proposal for a regulation
Recital 20

Text proposed by the Commission

Amendment

(20) Rabies vaccines administered to pet animals of the species listed in Part A of Annex I before the age of three months may not induce protective immunity due to competition with maternal antibodies. Consequently, vaccine manufacturers recommend not to vaccinate young animals before that age. Therefore, in order to authorise the non-commercial movement of young animals of the species listed in Part A of Annex I not vaccinated 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 animals comply with those measures.

(20) Rabies vaccines administered to pet animals of the species listed in Part A of Annex I before the age of three months may not induce protective immunity due to competition with maternal antibodies. Consequently, vaccine manufacturers recommend not to vaccinate young animals before that age. Therefore, in order to authorise the non-commercial movement of young animals of the species listed in Part A of Annex I not vaccinated, ***or vaccinated but not yet immunised***, 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 animals comply with those measures.

Or. de

Amendment 11
Horst Schnellhardt
Proposal for a regulation
Recital 21

Text proposed by the Commission

(21) 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 adopt conditions for derogating from the anti-rabies vaccination requirement. Such 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 animals likely to be affected by rabies. They should include rules for the categorisation of Member States or parts thereof, and procedures under which Member States that require the application of the derogation should substantiate the rationale for such derogation on a continuous basis. It should also be provided that a list of Member States categorised pursuant to the rules for the categorisation of Member States or parts thereof is to be laid down in an implementing act to be adopted in accordance with this Regulation.

Amendment

(21) 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 **and posing a negligibly low risk of introducing rabies**, this Regulation should also provide for the possibility to adopt conditions for derogating from the anti-rabies vaccination requirement. Such 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 animals likely to be affected by rabies. They should include rules for the categorisation of Member States or parts thereof, and procedures under which Member States that require the application of the derogation should substantiate the rationale for such derogation on a continuous basis. It should also be provided that a list of Member States categorised pursuant to the rules for the categorisation of Member States or parts thereof is to be laid down in an implementing act to be adopted in accordance with this Regulation.

Or. de

Amendment 12
Horst Schnellhardt
Proposal for a regulation
Recital 22

Text proposed by the Commission

(22) Countries and territories listed in

Amendment

(22) 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 third countries and territories listed in Part C of Annex II to that Regulation comply with the criteria laid down in Article 10 of that Regulation. It should therefore be provided that those lists, without any substantial amendments being made to them, should be set out in ***an implementing act*** to be adopted within ***one year from the adoption*** of this Regulation. ***However, this Regulation should provide that the list of countries and territories set out in Section 2 of Part B and in Part C of Annex II to Regulation (EC) No 998/2003 should continue to apply for the purpose of this Regulation until that implementing act enters into force.***

Section 2 of Part B of Annex II to Regulation (EC) No 998/2003 apply rules equivalent to those applied by Member States while third countries and territories listed in Part C of Annex II to that Regulation comply with the criteria laid down in Article 10 of that Regulation. It should therefore be provided that those lists, without any substantial amendments being made to them, should be set out in ***a delegated act*** to be adopted within ***18 months of the entry into force*** of this Regulation.

Or. de

Justification

See amendment to Article 13(1).

Amendment 13
Horst Schnellhardt
Proposal for a regulation
Recital 22a

Text proposed by the Commission

Amendment

(22a) A list containing those territories of a Member State or third countries that apply rules equivalent to those applied by Member States regarding pet animals listed in Part B of Annex I should be defined in a delegated act in accordance with the provisions of this Regulation.

Or. de

Justification

See amendment to Article 14a (new).

Amendment 14
Horst Schnellhardt
Proposal for a regulation
Recital 25

Text proposed by the Commission

(25) Identification documents accompanying pet animals of the species listed in Part A of Annex I which are moved for non-commercial purposes into Member States are necessary to attest compliance with the conditions of this Regulation. The Regulation should therefore establish the conditions for issuing the identification documents and the requirements for their content, validity and format.

Amendment

(25) Identification documents accompanying pet animals of the species listed in Part A of Annex I which are moved for non-commercial purposes into Member States are necessary to attest compliance with the conditions of this Regulation. The Regulation should therefore establish the conditions for issuing the identification documents and the requirements for their content, validity, ***safety features*** and format.

Or. de

Amendment 15
Horst Schnellhardt
Proposal for a regulation
Recital 27

Text proposed by the Commission

(27) This Regulation should also give the Member States the possibility to authorise, where the need for an urgent departure arises, the direct entry onto their territory of pet animals of the species listed in Annex I which do not comply with the conditions provided for in this Regulation provided that a permit is applied for in advance and granted by the Member State of destination, and a time-limited quarantine under official supervision is carried out to meet those conditions. Despite the need for such urgent departure,

Amendment

(27) This Regulation should also give the Member States the possibility to authorise, where the need for an urgent departure ***of the owner*** arises – ***for example, in the event of a sudden natural disaster, political unrest or particularly serious personal emergencies*** –, the direct entry onto their territory of pet animals of the species listed in Annex I which do not comply with the conditions provided for in this Regulation provided that a permit is applied for in advance and granted by the Member State of destination, and a time-

such permit should be indispensable due to the animal health risks arising from the introduction into the Union of a pet animal not complying with the conditions provided for in this Regulation.

limited quarantine under official supervision is carried out to meet those conditions. Despite the need for such urgent departure, such permit should be indispensable due to the animal health risks arising from the introduction into the Union of a pet animal not complying with the conditions provided for in this Regulation.

Or. de

Amendment 16
Horst Schnellhardt
Proposal for a regulation
Recital 29

Text proposed by the Commission

(29) Therefore, in order for the Member States to verify compliance with the rules laid down in 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 or entry into a Member State and provide for targeted or random documentary and identity checks on pet animals moving for non-commercial purposes into a Member State from another Member State. It should also require Member States to carry out systematic documentary and identity checks at designated entry points on pet animals moving for non-commercial purposes into a Member State from third countries or territories. 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

Amendment

(29) Therefore, in order for the Member States to verify compliance with the rules laid down in 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 or entry into a Member State and provide for targeted or random documentary and identity checks on pet animals moving for non-commercial purposes into a Member State from another Member State. It should also require Member States to carry out systematic documentary and identity checks at designated entry points on pet animals moving for non-commercial purposes into a Member State from third countries or territories. 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.

health and welfare rules. ***In order to be able to use the date of these checks to determine the period of validity of the identification document for further movements within the Union, Member States should be required to record proof of the checks in the identification document.***

Or. de

Amendment 17
Horst Schnellhardt
Proposal for a regulation
Recital 34

Text proposed by the Commission

(34) In order to ensure uniform conditions for the implementation of this Regulation with respect to the list of Member States or parts thereof categorised in accordance with the conditions for derogating from certain conditions applicable to the non-commercial movement between Member States of equivalent status with regard to rabies of pet animals of the species listed in Part A of Annex I and with the rules concerning preventive health measures against diseases and infections other than rabies and the lists of third countries or territories for the purpose of derogating from certain non-commercial movement conditions, the model for the identification documents that are to accompany pet animals of the species listed in Annex I being moved for non-commercial purposes into a Member State from another Member State or from a third country or territory, safeguard measures in the event of the occurrence or spread of rabies, and the uniform application of information requirements, implementing powers should be conferred on the Commission. Those powers should be exercised in accordance

Amendment

(34) In order to ensure uniform conditions for the implementation of this Regulation with respect to the list of Member States or parts thereof categorised in accordance with the conditions for derogating from certain conditions applicable to the non-commercial movement between Member States of equivalent status with regard to rabies of pet animals of the species listed in Part A of Annex I and with the rules concerning preventive health measures against diseases and infections other than rabies and the lists of third countries or territories for the purpose of derogating from certain non-commercial movement conditions, the model for the identification documents that are to accompany pet animals of the species listed in Annex I being moved for non-commercial purposes into a Member State from another Member State or from a third country or territory, safeguard measures in the event of the occurrence or spread of rabies, ***disease or infection***, and the uniform application of information requirements, implementing powers should be conferred on the Commission. Those powers should be

with Regulation (EU) 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.

exercised in accordance with Regulation (EU) 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.

Or. de

Amendment 18
Horst Schnellhardt
Proposal for a regulation
Recital 35

Text proposed by the Commission

(35) The Commission should adopt immediately applicable implementing acts updating the list of third countries or territories for the purpose of derogating from certain non-commercial movement conditions and regarding safeguard measures in the event of the occurrence or spread of rabies, where, in duly justified cases, related to animal and public health, imperative grounds of urgency so require.

Amendment

(35) The Commission should adopt immediately applicable implementing acts updating the list of third countries or territories for the purpose of derogating from certain non-commercial movement conditions and regarding safeguard measures in the event of the occurrence or spread of rabies, **disease or infection**, where, in duly justified cases, related to animal and public health, imperative grounds of urgency so require.

Or. de

Amendment 19
Horst Schnellhardt
Proposal for a regulation
Article 2 - paragraph 1

Text proposed by the Commission

1. This Regulation shall apply to the non-

Amendment

1. This Regulation shall apply to the non-

commercial movement of pet animals *of the species listed in Annex I* into a Member State from another Member State or from a third country or territory.

commercial movement of pet animals into a Member State from another Member State or from a third country or territory.

Or. de

Justification

The deletion improves readability.

Amendment 20
Horst Schnellhardt
Proposal for a regulation
Article 2 - paragraph 2 - point b

Text proposed by the Commission

Amendment

(b) measures taken 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. *deleted*

Or. de

Justification

The internal market principle may only be restricted on grounds of animal health rule concerns. In line with Article 4.

Amendment 21
Horst Schnellhardt
Proposal for a regulation
Article 3 – point a

Text proposed by the Commission

(a) ‘non-commercial movement’ means any movement which does not, either ***directly or indirectly, involve or aim at a financial gain*** or ***a*** transfer of ownership;

Amendment

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

Or. de

Justification

Experience in applying the existing rules has shown that in certain cases the criterion of direct or indirect financial gain is not sufficiently clear.

Amendment 22
Horst Schnellhardt
Proposal for a regulation
Article 3 – point b

Text proposed by the Commission

(b) ‘pet animal’ means an animal of the species listed in Annex I accompanying for the purposes of a non-commercial movement its owner, or ***a natural*** person ***acting on behalf of and in agreement with the owner***, and which remains during such non-commercial movement under the responsibility of the owner or ***such*** person;

Amendment

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

Or. de

Amendment 23
Horst Schnellhardt
Proposal for a regulation
Article 3 – point c

Text proposed by the Commission

(c) ‘owner’ means a natural person who ***owns and possesses the*** pet animal;

Amendment

(c) ‘owner’ means a natural person who ***has a*** pet animal ***and is indicated as the owner in the identification document***;

Or. de

Justification

In order to avoid confusion, only one description is needed.

Amendment 24
Horst Schnellhardt
Proposal for a regulation
Article 3 - point ca (new)

Text proposed by the Commission

Amendment

(ca) ‘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 his/her behalf;

Or. de

Justification

Experience in applying the existing rules has shown that trade in pet animals can be concealed if the reason for the movement cannot be properly identified and animals are accompanied in the name of third parties without any evidence being produced.

Amendment 25
Horst Schnellhardt
Proposal for a regulation
Article 3 – point e

Text proposed by the Commission

Amendment

(e) ‘identification document’ means **any** document enabling the pet animal to be clearly identified and its health status to be checked for compliance with this Regulation;

(e) ‘identification document’ means **the** document enabling the pet animal to be clearly identified and its health status to be checked for compliance with this Regulation **and which has been compiled in accordance with the provisions of this Regulation;**

Or. de

Justification

The identification document should be in a format that can be easily recognised and identified as such by the supervisory authorities, so this Regulation needs to contain such provisions.

Amendment 26
Horst Schnellhardt
Proposal for a regulation
Article 3 – point f

Text proposed by the Commission

Amendment

(f) ‘Member States’ means the countries and territories listed in Annex II;

deleted

Or. de

Justification

The usual definition of Member States found in the EU Treaties is used so Annex II is not needed.

Amendment 27
Horst Schnellhardt
Proposal for a regulation
Article 3 – point g

Text proposed by the Commission

Amendment

(g) ‘travellers’ point of entry’ means any ***check-in*** area designated by Member States for the purposes of Article 36(1).

(g) ‘travellers’ point of entry’ means any area designated by Member States for the purposes of ***checking in*** Article 36(1).

Or. de

Justification

This need not necessarily be an explicit check-in area, as long as it is clear to the traveller where the checks have to be carried out.

Amendment 28
Horst Schnellhardt
Proposal for a regulation
Article 3 – point ga (new)

Text proposed by the Commission

Amendment

(ga) ‘official veterinarian’ means any

veterinarian appointed by the competent authorities;

Or. de

Amendment 29
Horst Schnellhardt
Proposal for a regulation
Article 3 – point gb (new)

Text proposed by the Commission

Amendment

(gb) ‘authorised veterinarian’ means any veterinarian is authorised by the competent authorities to carry out certain activities in accordance with this Regulation or with other provisions adopted on the basis of the Regulation;

Or. de

Amendment 30
Horst Schnellhardt
Proposal for a regulation
Article 3 – point gc (new)

Text proposed by the Commission

Amendment

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

Or. de

Amendment 31
Horst Schnellhardt
Proposal for a regulation
Article 3 – point gd (new)

Text proposed by the Commission

Amendment

(gd) ‘identity check’ means checking that the identification document corresponds to the pet animal and its marking.

Or. de

Amendment 32
Horst Schnellhardt

Proposal for a regulation
Article 4a (new) – title

Text proposed by the Commission

Amendment

Maximum number of pet animals

Or. de

Amendment 33
Horst Schnellhardt
Proposal for a regulation
Article 4a (new) – paragraph 1

Text proposed by the Commission

Amendment

1. The number of pet animals of the species listed in Part A of Annex I which may accompany the owner or an authorised person in the course of an individual movement may not exceed five.

Or. de

Justification

It is advisable to set a limit to prevent or complicate abuse of the provisions for commercial purposes.

Amendment 34
Horst Schnellhardt
Proposal for a regulation
Article 4a (new) – paragraph 2 – introductory part

Text proposed by the Commission

Amendment

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

Or. de

Justification

Exemptions from this maximum limit may be permitted, as participation in certain events in particular is not otherwise possible.

Amendment 35
Horst Schnellhardt
Proposal for a regulation
Article 4a (new) – paragraph 2 – point a

Text proposed by the Commission

Amendment

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

Or. de

Justification

It is necessary to exclude events to which a larger number of animals must be transported.

Amendment 36
Horst Schnellhardt
Proposal for a regulation
Article 4a (new) – paragraph 2 – point b

Text proposed by the Commission

Amendment

(b) the owner or the authorised person is able to submit written proof in the form of an invitation or programme to the event to be attended under point (a), or has documentary evidence to prove that the pets are registered with an association that organises events mentioned under point (a).

Or. de

Justification

Written proof of the type of event must be provided.

Amendment 37
Horst Schnellhardt
Proposal for a regulation
Chapter II – subheading (new)

Text proposed by the Commission

Amendment

Section 1
Pet animals of the species listed in Part A
of Annex I

Or. de

Justification

Text easier to read.

Amendment 38
Horst Schnellhardt
Proposal for a regulation
Article 5 – point c

Text proposed by the Commission

Amendment

(c) comply with the preventive health measures for diseases or infections other than rabies, where necessary

(c) comply with the preventive health measures for diseases or infections other than rabies, where necessary, under Article 18(1) of this Regulation;

(i) under Article 18(1) of this Regulation, *or*

(ii) ***adopted pursuant to the second subparagraph of Article 5(1) of Regulation (EC) No 998/2003;***

Or. de

Justification

Text easier to read by removing the reference to the Regulation being revised.

Amendment 39
Horst Schnellhardt
Proposal for a regulation
Article 5 – point d

Text proposed by the Commission

(d) are accompanied by a duly completed identification document issued in accordance with Article **20(1)**.

Amendment

(d) are accompanied by a duly completed identification document issued in accordance with Article **22a**.

Or. de

Justification

Renumbering due to reordering of the relevant Articles.

Amendment 40
Horst Schnellhardt
Proposal for a regulation
Article 6 – introductory part

Text proposed by the Commission

By way of derogation from Article 5(b), Member States may authorise the non-commercial movement of pet animals ***which are less than three months old and not vaccinated against rabies, provided that they are accompanied by their identification document duly completed and issued in accordance with Article 20, and either:***

Amendment

I. By way of derogation from Article 5(b), Member States may authorise the non-commercial movement ***into their territory*** of pet animals ***of the species listed in Part A of Annex I, which***

Or. de

Justification

Text easier to read.

Amendment 41
Horst Schnellhardt
Proposal for a regulation
Article 6 – subparagraph a

Text proposed by the Commission

(a) the owner or a natural person acting on behalf of and in agreement with the owner provides proof that they have remained in their place of birth without any contact with wild animals of susceptible species likely to have been exposed to rabies, or

Amendment

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

Or. de

Justification

Animals under 12 weeks old are not yet vaccinated for animal health reasons.

Amendment 42
Horst Schnellhardt
Proposal for a regulation
Article 6 – point b

Text proposed by the Commission

(b) they are accompanied by their mother, on whom they still depend, and it has been documented that their mother received before their birth an anti-rabies vaccination which complied with the validity requirements set out in Annex IV.

Amendment

(b) are between 12 and 16 weeks old and have received an anti-rabies vaccination, but do not yet meet the requirements of Annex IV, point 2(d).

Or. de

Justification

It is necessary to ensure that animals which not yet meet the requirements of Annex IV, point 2(d) can be moved for non-commercial purposes. It is of no significance for the immunisation of animals under 12 weeks old that they be accompanied by their mother.

Amendment 43
Horst Schnellhardt
Proposal for a regulation
Article 6 - paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. The approval referred to in paragraph 1 may only be granted if the owner or authorised person declares in writing that the pet animals were kept from birth up until the date of movement without any contact with wild animals of species susceptible to rabies.

Or. de

Justification

Given that there is not yet any immunisation against rabies, it is necessary to obtain guarantees from the owner or the authorised person.

Amendment 44
Horst Schnellhardt
Proposal for a regulation
Article 7 – paragraph 1

Text proposed by the Commission

Amendment

1. By way of derogation from Article 5(b), the non-commercial movement of pet animals of the species listed in Part A of Annex I not vaccinated against rabies may be authorised between Member States or

1. By way of derogation from Article 5(b), the non-commercial movement of pet animals of the species listed in Part A of Annex I not vaccinated against rabies may be authorised between Member States or

parts thereof which are free of rabies provided they comply with specific conditions. ***In order to ensure that the necessary measures are in place for the appropriate authorisation of non-commercial movements under this derogation, the*** Commission shall be empowered to adopt delegated acts in accordance with Article 41 concerning those specific conditions for the authorisation of such non-commercial movements.

geographically definable parts thereof which are free of rabies, ***or in which there is a negligibly low risk of introducing rabies,*** provided they comply with specific conditions. ***The*** Commission shall be empowered to adopt delegated acts in accordance with Article 41 concerning those specific conditions for the authorisation of such non-commercial movements.

Or. de

Justification

Easier to read

Amendment 45
Horst Schnellhardt
Proposal for a regulation
Article 7 – paragraph 2

Text proposed by the Commission

2. The ***specific conditions for the authorisation laid down in the*** delegated acts ***adopted pursuant to paragraph 1*** shall be based on adequate, reliable and validated scientific information concerning an assessment of the health status regarding rabies in Member States or parts thereof and ***applied proportionately to*** the risks to public or animal health associated with the non-commercial movement of pet animals of the species listed in Part A of Annex I likely to be affected by rabies.

Amendment

2. The delegated acts shall be based on

*a) adequate, reliable and validated scientific information concerning an assessment of the health status regarding rabies in Member States or parts thereof **collected using historic and current data concerning their rabies status and on their surveillance and reporting systems with regard to rabies;** and*

b) a proportionate analysis of the risks to public or animal health associated with the non-commercial movement of pet animals of the species listed in Part A of Annex I likely to be affected by rabies.

Or. de

Justification

Easier to read.

Amendment 46
Horst Schnellhardt
Proposal for a regulation
Article 7 – paragraph 3

Text proposed by the Commission

Amendment

3. For the same purpose the delegated acts referred to in paragraph 1 may also include:

deleted

(a) rules for the categorisation of Member States or parts thereof based on historic data concerning their rabies status and on their surveillance and reporting systems with regard to rabies;

(b) the conditions that Member States must fulfil to remain eligible for the authorisation referred to in paragraph 2.

Justification

The content of this paragraph already features in the new paragraph 2.

Amendment 47
Horst Schnellhardt
Proposal for a regulation
Chapter II - new subheading (before Article 9)

Text proposed by the Commission

Amendment

Section 2

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

Justification

Text easier to read.

Amendment 48
Horst Schnellhardt
Proposal for a regulation
Article 9 - paragraph 1 - point c

Text proposed by the Commission

Amendment

- (c) they are accompanied by a duly completed identification document issued:
- (i) in accordance with Article 28;
 - (ii) in the format provided for in Article 30.

- (c) they are accompanied by a duly completed identification document issued:
- (i) in accordance with Article 30a,
 - (ii) in the format provided for in Article 28a.

Justification

Cf 38.

Amendment 49
Horst Schnellhardt
Proposal for a regulation
Chapter III - new subheading (before Article 10)

Text proposed by the Commission

Amendment

Section 1
Pet animals of the species listed in Part A
of Annex I

Or. de

Justification

Text easier to read.

Amendment 50
Horst Schnellhardt
Proposal for a regulation
Article 10 – point d

Text proposed by the Commission

Amendment

(d) comply with the preventive health measures for diseases or infections other than rabies, where necessary:

(i) under Article 18(1) of this Regulation, or

(ii) *adopted pursuant to the second subparagraph of Article 5(1) of Regulation (EC) No 998/2003;*

(d) comply with the preventive health measures for diseases or infections other than rabies, where necessary, under Article 18(1) of this Regulation or

Or. de

Justification

Removal of reference to a Regulation that is revised by this proposal.

Amendment 51
Horst Schnellhardt
Proposal for a regulation
Article 10 – point e

Text proposed by the Commission

(e) are accompanied by a duly completed identification document issued in accordance with Article 24.

Amendment

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

Or. de

Justification

Cf. 38

Amendment 52
Horst Schnellhardt
Proposal for a regulation
Article 10 - paragraph 1 a (new)

Text proposed by the Commission

Amendment

***1a. Pet animals of the species listed in Part A of Annex I shall be imported through a travellers' point of entry in a Member State only from a third country or territory that features in the list established in accordance with Article 13(1).
To this end, Member States shall compile a list of the travellers' points of entry and keep it up to date.***

Or. de

Justification

It must be ensured that only pets that pose no threat to the health of humans and animals in the EU are imported from third countries.

Amendment 53
Horst Schnellhardt
Proposal for a regulation
Article 10 – paragraph 1b – introductory part (new)

Text proposed by the Commission

Amendment

1b. By way of derogation from paragraph 1a, Member States may allow registered military, search or rescue dogs to be imported through a different point of entry from that for travellers, provided that:

Or. de

Justification

Rules need to be established for certain exceptional situations.

Amendment 54
Horst Schnellhardt
Proposal for a regulation
Article 10 – paragraph 1b– point a (new)

Text proposed by the Commission

Amendment

(a) the owner or authorised person has applied in advance for permission and the Member State has granted such permission whilst setting conditions for entry;

Or. de

Justification

The Member State should be given sufficient flexibility in permitting exceptions.

Amendment 55
Horst Schnellhardt

Proposal for a regulation
Article 10 – paragraph 1b – point b (new)

Text proposed by the Commission

Amendment

(b) the dogs are checked for compliance with the conditions laid down in the approval decision at a place specified by the competent authority for this purpose.

Or. de

Amendment 56
Horst Schnellhardt
Proposal for a regulation
Article 11 – paragraph 1 – introductory part

Text proposed by the Commission

Amendment

1. By way of derogation from Article 10(b), Member States may authorise the non-commercial movement into their territory of pet animals ***which are less than three months old and not vaccinated against rabies*** from third countries or territories listed in the implementing acts adopted pursuant to Article 13, ***provided that they are accompanied by their identification document duly completed and issued in accordance with Article 24, and either:***

1. By way of derogation from Article 10(b), Member States may authorise the non-commercial movement into their territory of pet animals from third countries or territories listed in the implementing acts adopted pursuant to Article 13, ***which***

Or. de

Amendment 57
Horst Schnellhardt
Proposal for a regulation
Article 11 – paragraph 1 – point a

Text proposed by the Commission

Amendment

(a) ***the owner or a natural person acting on behalf of and in agreement with the owner provides proof that they have remained in their place of birth without any contact with wild animals of susceptible species likely to have been exposed to rabies, or***

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

Or. de

Amendment 58
Horst Schnellhardt
Proposal for a regulation
Article 11 – paragraph 1 – point b

Text proposed by the Commission

(b) *they are accompanied by their mother, on whom they still depend, and it has been documented that their mother received before their birth an anti-rabies vaccination which complied with the validity requirements set out in Annex IV.*

Amendment

(b) *are between 12 and 16 weeks old and have received an anti-rabies vaccination, but do not yet meet the requirements of Annex IV, point 2(d).*

Or. de

Amendment 59
Horst Schnellhardt
Proposal for a regulation
Article 11 - paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. The approval referred to in paragraph 1 may only be granted if the owner or authorised person declares in writing that the pet animals were kept from birth up until the date of movement without any contact with wild animals of species susceptible to rabies.

Or. de

Justification

More comprehensible for the user.

Amendment 60
Horst Schnellhardt
Proposal for a regulation
Article 11 – paragraph 2

Text proposed by the Commission

Amendment

2. However, the subsequent non-commercial movement into another

2. However, the subsequent non-commercial movement into another

Member State of those pet animals shall be prohibited, except where they are moved in accordance with the conditions laid down in Article 5.

Member State of those pet animals shall be prohibited, except where they are moved in accordance with the conditions laid down in Article 5 *or this has been approved in accordance with Article 6.*

Or. de

Justification

Article 6 sets out conditions for exemptions especially for young animals.

Amendment 61
Horst Schnellhardt
Proposal for a regulation
Article 12 – introductory part

Text proposed by the Commission

By way of derogation from Article 10(c), the antibody titration test shall not be required for pet animals which are being moved into a Member State:

Amendment

By way of derogation from Article 10(c), the antibody titration test shall not be required for pet animals *of the species listed in Part A of Annex I* which are being moved into a Member State *from a third country or territory that features in the list established in accordance with Article 13(1)*:

Or. de

Justification

Makes the points that follow easier to read.

Amendment 62
Horst Schnellhardt

Proposal for a regulation
Article 12 – point a

Text proposed by the Commission

Amendment

(a) either directly ***from a third country or territory listed in the implementing acts adopted pursuant to Article 13*** or following residency exclusively in one or more of those third countries or territories, or

(a) either directly or following residency exclusively in one or more of those third countries or territories, or

Or. de

Justification

Easier to read.

Amendment 63
Horst Schnellhardt
Proposal for a regulation
Article 12 – point b

Text proposed by the Commission

Amendment

(b) ***from a third country or territory listed in the implementing acts adopted pursuant to Article 13*** after transit through third countries or territories ***other than those listed in the implementing acts adopted pursuant to Article 13***, provided that the owner or ***a natural*** person ***acting on behalf of and in agreement with the owner*** provides proof that during such transit, the pet animals have had no contact with species susceptible to rabies and remain secured within a means of transport or within the perimeter of an international airport.

(b) after transit through ***other*** third countries or territories, provided that the owner or ***authorised*** person provides proof ***by means of a written 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.

Or. de

Justification

Easier to read.

Amendment 64
Horst Schnellhardt
Proposal for a regulation
Article 13 – title

Text proposed by the Commission

Establishment of a list of third countries or territories *for the purpose of Article 12*

Amendment

Establishment of a list of third countries or territories

Or. de

Justification

List not relevant for Article 12.

Amendment 65
Horst Schnellhardt
Proposal for a regulation
Article 13 – paragraph 1

Text proposed by the Commission

1. The Commission shall, by *means of an implementing act, by [date to be inserted: one year after entry into force of this Regulation] adopt* a list of third countries or territories which have demonstrated that they apply rules equivalent to those laid down in Chapter II, this Chapter and Section 2 of Chapter VI for animals of species listed in Part A of Annex I.

Amendment

1. The Commission shall, *pursuant to Article 41, by ...*, adopt delegated acts laying down* a list of third countries or territories which have demonstrated that they apply rules equivalent to those laid down in *Section 1 of* Chapter II, this Chapter and Section 2 of Chapter VI for animals of species listed in Part A of Annex 1 *and, if necessary, to the provisions that have been adopted on the basis of these rules.*

** Date of application of this Regulation in accordance with Article 47(2).*

Or. de

Amendment 66
Horst Schnellhardt

Proposal for a regulation
Article 13 – paragraph 2 – introductory part

Text proposed by the Commission

2. The Commission shall, by means of an implementing act, by **[date to be inserted: one year after entry into force of this Regulation]** adopt a list of third countries or territories which have demonstrated that for animals of species listed in Part A of Annex I, they meet at least the following criteria:

Amendment

2. The Commission shall, by means of an implementing act, by ... * adopt a list of third countries or territories which have demonstrated that for animals of species listed in Part A of Annex I, they meet at least the following criteria:

** Date of application of this Regulation in accordance with Article 47(2).*

Or. de

Justification

The implementing act must be available with the entry into force of the Regulation, in order to avoid gaps in the application.

Amendment 67
Horst Schnellhardt
Proposal for a regulation
Chapter III - new subheading (before Article 14)

Text proposed by the Commission

Amendment

Section 2
Pet animals of the species listed in Part B of Annex I

Or. de

Justification

Easier to read.

Amendment 68

Horst Schnellhardt
Proposal for a regulation
Article 14 - paragraph 1 - point c

Text proposed by the Commission

(c) they are accompanied by a duly completed identification document issued:

(i) in accordance with Article 28;

(ii) in the format provided for in Article 33.

Amendment

(c) they are accompanied by a duly completed identification document issued:

(i) in accordance with Article 33a,

(ii) in the format provided for in Article 31a.

Or. de

Justification

Cf 38.

Amendment 69
Horst Schnellhardt
Proposal for a regulation
Article 14a (new)

Text proposed by the Commission

Amendment

Article 14a

The Commission shall, pursuant to Article 41, by ...*, adopt delegated acts laying down a list of third countries or territories which have demonstrated that they apply rules equivalent to those laid down in Section 2 of Chapter II, this Chapter and Section 2 of Chapter VI for animals of species listed in Part B of Annex 1 and, if necessary, to the provisions that have been adopted on the basis of these rules.

**** Date of application of this Regulation in accordance with Article 47(2).***

Justification

For the purposes of applying this regulation, a list is needed of third countries and territories with comparable provisions on the movement of the animals specified in Part B of Annex I.

Amendment 70
Horst Schnellhardt
Proposal for a regulation
Chapter III - new subheading (before Article 15)

Text proposed by the Commission

Amendment

Section 3
Derogation from the conditions on the non-commercial movement of pet animals

Or. de

Justification

Subheading added to make text easier to read.

Amendment 71
Horst Schnellhardt
Proposal for a regulation
Article 16 - paragraph 1 - subparagraph 2

Text proposed by the Commission

Amendment

Where such pet animal is marked with a transponder that does not comply with the technical requirements set out in Annex III, the owner or the *natural* person *acting on behalf of and in agreement with the owner* shall provide the means necessary for reading that transponder at the time of any verification of identity provided for in Article 20(2), Article 24(2), Article 35 and Article 36(1).

Where such pet animal is marked with a transponder that does not comply with the technical requirements set out in Annex III, the owner or the *authorised* person shall provide the means necessary for reading that transponder at the time of any verification of identity provided for in Article 20, Article 24(2), Article 35 and Article 36(1).

Or. de

Amendment 72
Horst Schnellhardt
Proposal for a regulation
Article 17

Text proposed by the Commission

Amendment

Member States shall lay down rules on the minimum qualifications required for the persons carrying out the implantation of transponders in pet animals.

The implantation of a transponder shall be carried out by an approved veterinarian.

Or. de

Justification

The implantation of a transponder must be properly carried out with due regard to veterinary aspects so that it does not change position. For the sake of consistency, the transponder number should only be entered into the vaccination document by veterinarians.

Amendment 73
Horst Schnellhardt
Proposal for a regulation
Article 20

Text proposed by the Commission

Amendment

Article 20

deleted

Issuing of the identification document

1. The identification document referred to in Article 5(d) shall:

(a) be issued by a veterinarian authorised by the competent authority for that purpose;

(b) document compliance with the requirements provided for in Article 5(a), (b) and (c) and, where applicable, in

Article 27(b)(ii); such compliance may be documented in more than one identification document in the format provided for in Article 22(1).

2. Compliance with the marking requirements provided for in Article 5(a) shall be verified before:

(a) the identification document is issued in accordance with paragraph 1(a);

(b) compliance with the requirements referred to in paragraph 1(b) is documented.

Or. de

Justification

A modified version is resubmitted as a new Article 22a.

Amendment 74
Horst Schnellhardt
Proposal for a regulation
Article 20a - title (new)

Text proposed by the Commission

Amendment

Article 20a

Format of the identification document

Or. de

Amendment 75
Horst Schnellhardt
Proposal for a regulation
Article 20a - paragraph 1 (new)

Text proposed by the Commission

Amendment

1. The identification document referred to in Article 5(d) shall be in the format of a

passport in accordance with the model in Annex Va. It shall contain entries for the insertion of the information required in accordance with Article 21(1).

Or. de

Justification

The model for the identification document should already be contained in the Regulation in order to improve the application thereof. This would make it much easier for the user to apply. The provisions on the format, information to be provided and issue of the identification document have been rearranged for the purpose of application.

Amendment 76
Horst Schnellhardt
Proposal for a regulation
Article 20a - paragraph 2 (new)

Text proposed by the Commission

Amendment

2. The Commission shall be empowered to lay down requirements in an implementing act concerning the languages, safety features and layout of the passport referred to paragraph 1. It shall also establish transitional provisions in an implementing act for the period until existing stocks are depleted. These implementing acts shall be adopted in accordance with the examination procedure referred to in Article 43(2).

Or. de

Justification

Amended takeover of Article 22(2) of the Commission proposal.

Amendment 77
Horst Schnellhardt
Proposal for a regulation
Article 20a - paragraph 3 (new)

Text proposed by the Commission

Amendment

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.

Or. de

Justification

Takeover of Article 22(3) of the Commission proposal.

Amendment 78
Horst Schnellhardt
Proposal for a regulation
Article 21 - paragraph 1 - point (ba) (new)

Text proposed by the Commission

Amendment

(ba) the name, address and signature of the authorised veterinarian issuing or completing the identification document;

Or. de

Amendment 79
Horst Schnellhardt
Proposal for a regulation
Article 21 – paragraph 1 – point d

Text proposed by the Commission

Amendment

(d) the date of blood sampling for the rabies antibody titration test ***in the case provided for in Article 27(b)(ii)***;

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

Or. de

Amendment 80

Horst Schnellhardt
Proposal for a regulation
Article 21 - paragraph 1 - point e - point ii

Text proposed by the Commission

Amendment

**(ii) adopted pursuant to the second
subparagraph of Article 5(1) of
Regulation (EC) No 998/2003;**

deleted

Or. de

Justification

Removal of reference to a Regulation that is revised by this proposal.

Amendment 81
Horst Schnellhardt
Proposal for a regulation
Article 21 - paragraph 1 - point ea (new)

Text proposed by the Commission

Amendment

**(ea) the species, breed, sex and colour of
the animal;**

Or. de

Justification

Addition of useful criteria to describe the animal to facilitate identification.

Amendment 82
Horst Schnellhardt
Proposal for a regulation
Article 21 – paragraph 1 – point f

Text proposed by the Commission

Amendment

(f) other relevant information regarding the
description **and** the health status of the
animal.

(f) other relevant information regarding the
description **of** the health status of the
animal.

Amendment 83
Horst Schnellhardt
Proposal for a regulation
Article 21 - paragraph 2

Text proposed by the Commission

2. The veterinarian issuing the identification document shall record the information referred to in paragraph 1(a) and (b) and keep records of that information **for at least 10 years** from the date of issue of the identification document.

Amendment

2. The veterinarian issuing the identification document shall record the information referred to in paragraph 1(a) and (b) and keep records of that information **for a period to be determined by the competent authority which may not exceed 3 years** from the date of issue of the identification document.

Amendment 84
Horst Schnellhardt
Proposal for a regulation
Article 22

Text proposed by the Commission

Article 22
Format of the identification document

1. The identification document referred to in Article 5(d) shall be in the format of a passport in accordance with the model to be adopted by the Commission by means of an implementing act and contain entries for the insertion of the information required in accordance with Article 21(1). That implementing act shall be adopted in accordance with the examination procedure referred to in Article 43(2) by [date to be inserted: three years after entry into force of this

Amendment

deleted

Regulation].

2. The implementing act referred to in paragraph 1 shall lay down requirements concerning the languages and the layout of the passport referred to in that paragraph.

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.

Or. de

Justification

A modified version is proposed as a new Article 20a.

Amendment 85
Horst Schnellhardt
Proposal for a regulation
Article 22a - title (new)

Text proposed by the Commission

Amendment

Article 22a

Issuing of the identification document

Or. de

Amendment 86
Horst Schnellhardt
Proposal for a regulation
Article 22a – introductory part (new)

Text proposed by the Commission

Amendment

The identification document referred to in Article 5(d) shall be issued by an authorised veterinarian after:

Or. de

Justification

Amended version based on Article 21(1) of the Commission proposal which clarifies who issues an identification document for a pet animal and what steps are to be taken.

Amendment 87
Horst Schnellhardt
Proposal for a regulation
Article 22a - point a (new)

Text proposed by the Commission

Amendment

(a) having verified that the animal was marked in accordance with Article 16(1);

Or. de

Justification

Amended version based on Article 21(1) of the Commission proposal which clarifies who issues an identification document for a pet animal and what steps are to be taken.

Amendment 88
Horst Schnellhardt
Proposal for a regulation
Article 22a - point b (new)

Text proposed by the Commission

Amendment

(b) carefully entering into the identification document the relevant information mentioned in Article 21(1), thus fulfilling the requirements mentioned in Article 5(b) and (c), and possibly those in Article 27(b), point ii, and

Justification

Amended version based on Article 21(1) of the Commission proposal which clarifies who issues an identification document for a pet animal and what steps are to be taken.

Amendment 89
Horst Schnellhardt
Proposal for a regulation
Article 22a - point c (new)

Text proposed by the Commission

Amendment

(c) the owner has signed the identification document.

Or. de

Justification

Amended version based on Article 21(1) of the Commission proposal which clarifies who issues an identification document for a pet animal and what steps are to be taken.

Amendment 90
Horst Schnellhardt
Proposal for a regulation
Article 23 - paragraph 1

Text proposed by the Commission

Amendment

1. By way of derogation from Article 22(1), Member States shall authorise the non-commercial movement into a Member State from another Member State of pet animals accompanied by the identification document issued for the purposes of Article 10(e):
(a) in accordance with Article 24;
(b) in the format provided for in Article 26(1).

1. By way of derogation from Article **20a**(1), Member States shall authorise the non-commercial movement into a Member State from another Member State of pet animals accompanied by the identification document issued for the purposes of Article 10(e):
(a) in accordance with Article **26a**;
(b) in the format provided for in Article **24a**(1).

Or. de

Cf. 38.

Amendment 91
Horst Schnellhardt
Proposal for a regulation
Article 24

Text proposed by the Commission

Amendment

Article 24

deleted

Issuing of the identification document

1. The identification document referred to in Article 10(e) shall bear a serial number and:

(a) be issued by:

(i) an official veterinarian of the third country of dispatch on the basis of supporting documentation, or

(ii) a veterinarian authorised by the competent authority of the third country of dispatch for that purpose and subsequently endorsed by the competent authority;

(b) document compliance with the requirements provided for in Article 10(a) to (d).

2. Compliance with the marking requirements referred to in Article 10(a) shall be verified before:

(a) the identification document is issued in accordance with paragraph 1;

(b) compliance with the requirements referred to in Article 10(b), (c) and (d) is documented.

Or. de

Justification

This Article is resubmitted in an amended form as a new Article 26a. The new order should make it easier to use.

Amendment 92
Horst Schnellhardt
Proposal for a regulation
Article 24 a - title (new)

Text proposed by the Commission

Amendment

Article 24a

Format of the identification document

Or. de

Amendment 93
Horst Schnellhardt
Proposal for a regulation
Article 24a - paragraph 1 (new)

Text proposed by the Commission

Amendment

1. The identification document referred to in Article 10(e) shall be in the format of an animal health certificate in accordance with the model contained in Annex Vb and shall contain entries for the insertion of the information required in accordance with Article 25.

Or. de

Justification

Amendment based on Article 26 of the Commission proposal on the format of the animal health certificate. The model for the identification document should already be contained in the Regulation in order to improve the application thereof. This would make it much easier for the user to apply.

Amendment 94
Horst Schnellhardt
Proposal for a regulation
Article 24a (new) - paragraph 2 (new)

Text proposed by the Commission

Amendment

2. The Commission shall be empowered to lay down requirements by means of implementing acts concerning the languages, layout and validity of the animal health certificate referred to paragraph 1. These implementing acts shall be adopted in accordance with the examination procedure referred to in Article 43(2).

Or. de

Amendment 95
Horst Schnellhardt
Proposal for a regulation
Article 25 - paragraph 1 - point b

Text proposed by the Commission

Amendment

(b) the name **and** address of the owner or the **natural** person **acting on behalf of and in agreement with the owner**;

(b) the name, address **and signature** of the owner or the **authorised** person;

Or. de

Amendment 96
Horst Schnellhardt
Proposal for a regulation
Article 25 - paragraph 1 - point (ba) (new)

Text proposed by the Commission

Amendment

(ba) the name, address and signature of the authorised veterinarian issuing or completing the identification document;

Or. de

Amendment 97
Horst Schnellhardt

Proposal for a regulation
Article 25 - paragraph 1 - point e - point ii

Text proposed by the Commission

Amendment

(ii) adopted pursuant to the second subparagraph of Article 5(1) of Regulation (EC) No 998/2003;

deleted

Or. de

Amendment 98
Horst Schnellhardt
Proposal for a regulation
Article 25 - paragraph 1 - point ea (new)

Text proposed by the Commission

Amendment

(ea) the species, breed, sex and colour of the animal;

Or. de

Amendment 99
Horst Schnellhardt
Proposal for a regulation
Article 25 – paragraph 1 – point f

Text proposed by the Commission

Amendment

(f) other relevant information regarding the description **and** the health status of the animal.

(f) other relevant information regarding the description **of** the health status of the animal.

Or. de

Amendment 100
Horst Schnellhardt
Proposal for a regulation
Article 25 - paragraph 2

Text proposed by the Commission

Amendment

2. The identification document referred to

2. The identification document referred to

in Article 10(e) shall be supplemented by a written declaration signed by the owner or the **natural** person **acting on behalf of and in agreement with the owner** stating that the pet animal is moved into the Union for non-commercial purposes.

in Article 10(e) shall be supplemented by a written declaration signed by the owner or the **authorised** person stating that the pet animal is moved into the Union for non-commercial purposes.

Or. de

Amendment 101
Horst Schnellhardt
Proposal for a regulation
Article 26

Text proposed by the Commission

Amendment

Article 26

deleted

Format of the identification document

1. The identification document referred to in Article 10(e) shall be in the format of an animal health certificate in accordance with the model to be adopted by the Commission by means of an implementing act and contain entries for the insertion of the information required in accordance with Article 25(1). That implementing act shall be adopted in accordance with the examination procedure referred to in Article 43(2) by [date to be inserted: three years after entry into force of this Regulation].

2. The implementing act referred to in paragraph 1 shall lay down requirements concerning the languages, the layout and the validity of the animal health certificate referred to in that paragraph.

Or. de

Justification

Submitted in amended form and different order as Article 24a (new).

Amendment 102
Horst Schnellhardt
Proposal for a regulation
Article 26 a (new)

Text proposed by the Commission

Amendment

Article 26a

Issuing of the identification document

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

(a) has verified that the animal was marked in accordance with Article 16(1); and

(b) has carefully entered into the identification document the relevant information mentioned in Article 25, points (a) to (e), thus fulfilling the requirements mentioned in Article 10(1), points (b) to (d).

Or. de

Amendment 103
Horst Schnellhardt
Proposal for a regulation
Article 27 - introductory part

Text proposed by the Commission

Amendment

By way of derogation from Article **26**(1), Member States shall authorise the non-commercial movement of pet animals accompanied by the identification

By way of derogation from Article **24a**(1), Member States shall authorise the non-commercial movement of pet animals accompanied by the identification

document in the format provided for in Article 22(1) where:

document in the format provided for in Article 20a(1) where:

Or. de

Justification

Cf. 38.

Amendment 104
Horst Schnellhardt
Proposal for a regulation
Article 27 - point b – introductory part

Text proposed by the Commission

(b) such pet animals enter a Member State, after **temporary** movement to or transit through a third country or territory from a Member State, and **a** veterinarian **authorised by the competent authority** has documented that before the pet animals left the Union they had:

Amendment

(b) such pet animals enter a Member State, after movement to or transit through a third country or territory from a Member State, and **an authorised** veterinarian has documented that before the pet animals left the Union they had:

Or. de

Amendment 105
Horst Schnellhardt
Proposal for a regulation
Article 28

Text proposed by the Commission

Article 28

Issuing of the identification document

Amendment

deleted

1. The identification document referred to in Article 9(1)(c) shall:

(a) be issued by a veterinarian authorised by the competent authority for that purpose;

(b) document compliance with Article 9(1)(a), (b) and (c).

2. Compliance with the marking or description requirements provided for in Article 9(1)(a) shall be verified before:

(a) the identification document is issued in accordance with paragraph 1(a);

(b) the requirements provided for in Article 9(1)(a), (b) and (c) are documented in accordance with Article 18(3)(c).

Or. de

Justification

This Article is resubmitted in amended form as Article 30a (new), to ensure better application of the rules by changing the order.

Amendment 106
Horst Schnellhardt

Proposal for a regulation
Article 28a - title (new)

Text proposed by the Commission

Amendment

Article 28a

Format of the identification document

Or. de

Amendment 107
Horst Schnellhardt
Proposal for a regulation
Article 28a - paragraph 1 (new)

Text proposed by the Commission

Amendment

1. The identification document referred to in Article 9(1)(c) shall be in the format of the model contained in Annex Vc and shall contain entries for the insertion of the information required in accordance with Article 29.

Or. de

Justification

The model for the identification document should already be contained in the Regulation in order to improve the application thereof. This would make it much easier for the user to apply.

Amendment 108
Horst Schnellhardt
Proposal for a regulation
Article 28a - paragraph 2 (new)

Text proposed by the Commission

Amendment

2. The Commission shall be empowered to lay down requirements in an implementing act concerning the

languages, safety features, layout and validity of the identification document referred to paragraph 1. This implementing act shall be adopted in accordance with the examination procedure referred to in Article 43(2).

Or. de

Amendment 109
Horst Schnellhardt
Proposal for a regulation
Article 29 - point ba (new)

Text proposed by the Commission

Amendment

(ba) the name, address and signature of the authorised veterinarian;

Or. de

Amendment 110
Horst Schnellhardt
Proposal for a regulation
Article 29 - point ca (new)

Text proposed by the Commission

Amendment

(ca) the species and, where relevant, the breed, sex and colour of the animal;

Or. de

Amendment 111
Horst Schnellhardt
Proposal for a regulation
Article 29 – point d

Text proposed by the Commission

Amendment

(d) other relevant information regarding the description *and* the health status of the animal.

(d) other relevant information regarding the description *of* the health status of the animal.

Or. de

Amendment 112
Horst Schnellhardt
Proposal for a regulation
Article 30

Text proposed by the Commission

Amendment

Article 30

deleted

Format of the identification document

- 1. The Commission shall, by means of an implementing act, adopt a model of the identification document referred to in Article 9(1)(c) which shall contain entries for the insertion of the information required in accordance with Article 29. That implementing act shall be adopted in accordance with the examination procedure referred to in Article 43(2).*
- 2. The implementing act referred to in paragraph 1 shall lay down requirements concerning the languages, the layout and the validity of the identification document referred to in that paragraph.*

Or. de

Justification

Submitted in amended form as a new Article 28a.

Amendment 113
Horst Schnellhardt
Proposal for a regulation
Article 30a - title (new)

Text proposed by the Commission

Amendment

Article 30a
Issuing of the identification document

Or. de

Amendment 114
Horst Schnellhardt
Proposal for a regulation
Article 30a - introductory part (new)

Text proposed by the Commission

Amendment

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

Or. de

Amendment 115
Horst Schnellhardt
Proposal for a regulation
Article 30a - point a (new)

Text proposed by the Commission

Amendment

(a) having verified that the animal was marked in accordance with Article 16(2);

Or. de

Justification

Text easier to read in order to simplify application.

Amendment 116
Horst Schnellhardt
Proposal for a regulation
Article 30a - point b (new)

Text proposed by the Commission

Amendment

(b) carefully entering into the identification document the relevant information mentioned in Article 29, thus fulfilling the requirements mentioned in Article 9(1), and

Justification

Text easier to read in order to simplify application.

Amendment 117
Horst Schnellhardt
Proposal for a regulation
Article 30a - point c (new)

Text proposed by the Commission

Amendment

(c) the owner has signed the identification document.

Justification

Text easier to read in order to simplify application. The owner's signature in the identification document makes the improper issue of an identification document more difficult.

Amendment 118
Horst Schnellhardt
Proposal for a regulation
Article 31

Text proposed by the Commission

Amendment

Article 31
Issuing of the identification document

deleted

1. The identification document referred to in Article 14(1)(c) shall:

(a) be issued by:

(i) an official veterinarian on the basis of supporting documentation, or

(ii) a veterinarian authorised by the competent authority for that purpose and subsequently endorsed by the competent authority;

(b) document compliance with Article 14(1)(a), (b) and (c).

2. Compliance with the marking or description requirements provided for in Article 14(1)(a) shall be verified before:

(a) the identification document is issued in accordance with paragraph 1(a);

(b) the requirements provided for in Article 14(1)(a), (b) and (c) are documented in accordance with Article 18(3)(c).

Or. de

Justification

The Article is resubmitted in amended form as Article 33a.

Amendment 119
Horst Schnellhardt

Proposal for a regulation
Article 31a - title (new)

Text proposed by the Commission

Amendment

Article 31a

Format of the identification document

Or. de

Amendment 120
Horst Schnellhardt
Proposal for a regulation
Article 31a - paragraph 1 (new)

Text proposed by the Commission

Amendment

1. The identification document referred to in Article 14(1), point (c) shall be in the format of the model contained in Annex Vd and shall contain entries for the insertion of the information required in accordance with Article 32(1).

Or. de

Justification

The model for the identification document should already be contained in the Regulation in order to improve the application thereof. This would make it much easier for the user to apply.

Amendment 121
Horst Schnellhardt
Proposal for a regulation
Article 31a - paragraph 2 (new)

Text proposed by the Commission

Amendment

2. The Commission shall be empowered to lay down requirements in an implementing act concerning the

languages, layout and validity of the identification document referred to paragraph 1. This implementing act shall be adopted in accordance with the examination procedure referred to in Article 43(2).

Or. de

Amendment 122
Horst Schnellhardt
Proposal for a regulation
Article 32 - paragraph 1 - point aa (new)

Text proposed by the Commission

Amendment

(aa) the species and, where relevant, the breed, sex and colour of the animal;

Or. de

Amendment 123
Horst Schnellhardt
Proposal for a regulation
Article 32 - paragraph 1 - point b

Text proposed by the Commission

Amendment

(b) the name *and* address of the owner or the *natural* person *acting on behalf of and in agreement with the owner*;

(b) the name, address *and signature* of the owner or the *authorised* person;

Or. de

Amendment 124
Horst Schnellhardt
Proposal for a regulation
Article 32 - paragraph 1 - point (ba) (new)

Text proposed by the Commission

Amendment

(ba) the name, address and signature of the authorised veterinarian;

Or. de

Amendment 125
Horst Schnellhardt
Proposal for a regulation
Article 32 – paragraph 1 – point d

Text proposed by the Commission

(d) other relevant information regarding the description **and** the health status of the animal

Amendment

(d) other relevant information regarding the description **of** the health status of the animal

Or. de

Amendment 126
Horst Schnellhardt
Proposal for a regulation
Article 32 - paragraph 2

Text proposed by the Commission

2. The identification document referred to in Article 14(1)(c) shall be supplemented by a written declaration signed by the owner or the **natural** person **acting on behalf of and in agreement with the owner** stating that the pet animal is moved into the Union for non-commercial purposes.

Amendment

2. The identification document referred to in Article 14(1)(c) shall be supplemented by a written declaration signed by the owner or the **authorised** person stating that the pet animal is moved into the Union for non-commercial purposes.

Or. de

Amendment 127
Horst Schnellhardt
Proposal for a regulation
Article 33

Text proposed by the Commission

Article 33

Format of the identification document

Amendment

deleted

1. The Commission shall, by means of an implementing act, adopt a model of the identification document referred to in Article 14(1)(c) which shall contain entries for the insertion of the information required in accordance with Article 32(1). That implementing act shall be adopted in accordance with the examination procedure referred to in Article 43(2).

2. The implementing act referred to in paragraph 1 shall lay down requirements concerning the languages, the layout and the validity of the identification document referred to in that paragraph.

Or. de

Justification

Resubmitted in amended form as a new Article 31a.

**Amendment 128
Horst Schnellhardt
Proposal for a regulation
Article 33a (new)**

Text proposed by the Commission

Amendment

Article 33a

Issuing of the identification document

The identification document referred to in Article 14(1)(c) shall bear a serial number and be issued either by an official veterinarian of the third country of dispatch on the basis of supporting documentation, or by an authorised veterinarian and subsequently endorsed by the competent authority after the

veterinarian

(a) has verified that the animal was marked in accordance with Article 16(2); and

(b) has carefully entered into the identification document the relevant information mentioned in Article 32(1), points (a) to (c), thus fulfilling the requirements mentioned in Article 14(2), points (a) and (b).

Or. de

Amendment 129
Horst Schnellhardt
Proposal for a regulation
Chapter VI - section 1 - title

Text proposed by the Commission

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

Amendment

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

Or. de

Amendment 130
Horst Schnellhardt
Proposal for a regulation
Article 34 – paragraph 1 – introductory part

Text proposed by the Commission

1. By way of derogation from the conditions provided for in Articles 5, 9, 10 and 14, Member States may authorise the movement for non-commercial purposes into their territory of pet animals of the species listed in Annex I which do not comply with the conditions laid down in those Articles, provided that:

Amendment

1. By way of derogation from the conditions provided for in Articles 5, 9, 10 and 14, Member States may authorise the movement for non-commercial purposes into their territory of pet animals of the species listed in Annex I which do not comply with the conditions laid down in those Articles *in exceptional situations*, provided that:

Amendment 131
Horst Schnellhardt
Proposal for a regulation
Article 34 – paragraph 1 – point a

Text proposed by the Commission

(a) a prior application for a permit has been made by the owner or the *natural* person *acting on behalf of and in agreement with the owner* and the Member State of destination has granted such permit;

Amendment

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

Or. de

Amendment 132
Horst Schnellhardt
Proposal for a regulation
Article 35 – title

Text proposed by the Commission

Documentary, identity and physical checks to be carried out on non-commercial movements of pet animals into a Member State from another Member State or a third country or territory listed pursuant to Article 13(1)

Amendment

Documentary, identity and physical checks to be carried out on non-commercial movements of pet animals into a Member State from another Member State or a third country or territory listed pursuant to Article 13(1) *and Article 14a*

Or. de

Amendment 133
Horst Schnellhardt
Proposal for a regulation
Article 35 - paragraph 1

Text proposed by the Commission

1. Without prejudice to Article 15, Member

Amendment

1. Without prejudice to Article 15, Member

States shall carry out targeted or random documentary and identity checks, and where necessary physical checks, on pet animals being moved for non-commercial purposes into a Member State from another Member State or from a third country or territory listed in the implementing act adopted pursuant to Article 13(1), to verify in a non-discriminatory way compliance with Chapter II.

States shall carry out targeted or random documentary and identity checks, and where necessary physical checks, on pet animals being moved for non-commercial purposes into a Member State from another Member State or from a third country or territory listed in the implementing act adopted pursuant to Article 13(1) **and Article 14a**, to verify in a non-discriminatory way compliance with Chapter II.

Or. de

Amendment 134
Horst Schnellhardt
Proposal for a regulation
Article 35 – paragraph 2 – introductory part

Text proposed by the Commission

2. The owner or **a natural person acting on behalf of and in agreement with the owner** at the time of any non-commercial movement into a Member State from another Member State or a third country or territory listed pursuant to Article 13(1) shall, at the request of the competent authority responsible for the checks provided for in paragraph 1 of this Article:

Amendment

2. The owner or **the authorised** person at the time of any non-commercial movement into a Member State from another Member State or a third country or territory listed pursuant to Article 13(1) **and Article 14a** shall, at the request of the competent authority responsible for the checks provided for in paragraph 1 of this Article:

Or. de

Amendment 135
Horst Schnellhardt
Proposal for a regulation
Article 35 – paragraph 2 – point a

Text proposed by the Commission

(a) present the identification document which demonstrates compliance with the requirements for such movement **in the format provided for in:**

Amendment

(a) present the identification document **required under this Regulation** which demonstrates compliance with the requirements for such movement.

(i) *Article 22(1), or*

(ii) *Article 23(1);*

Or. de

Amendment 136
Horst Schnellhardt
Proposal for a regulation
Article 36 – title

Text proposed by the Commission

Documentary, identity and physical checks to be carried out on non-commercial movements *into a Member State* from a third country or territory

Amendment

Documentary, identity and physical checks to be carried out on non-commercial movements from a third country or territory *not listed pursuant to Article 13(1) or Article 14a*

Or. de

Amendment 137
Horst Schnellhardt
Proposal for a regulation
Article 36 - paragraph 1

Text proposed by the Commission

1. The non-commercial movement of pet animals into a Member State from a third country or territory other than those listed in the implementing act adopted pursuant to Article 13(1) shall be subject to documentary and identity checks, and where necessary physical checks, by the competent authority at the travellers' point of entry.

Amendment

1. The non-commercial movement of pet animals into a Member State from a third country or territory other than those listed in the implementing act adopted pursuant to Article 13(1) *and Article 14a* shall be subject to documentary and identity checks, and where necessary physical checks, by the competent authority at the travellers' point of entry, *in order to verify compliance with the provisions of Chapter III.*

Or. de

Amendment 138
Horst Schnellhardt

Proposal for a regulation
Article 36 - paragraph 2 – introductory part

Text proposed by the Commission

2. The owner or *a or a natural* person ***acting on behalf of and in agreement with the owner***, at the time of entry into a Member State from a third country or territory other than those listed in the implementing act adopted pursuant to Article 13(1), shall at the request of the competent authority provided for in paragraph 1:

Amendment

2. The owner or ***the authorised*** person, at the time of entry into a Member State from a third country or territory other than those listed in the implementing act adopted pursuant to Article 13(1) ***and Article 14a***, shall at the request of the competent authority ***at the travellers' point of entry*** provided for in paragraph 1:

Or. de

Amendment 139
Horst Schnellhardt
Proposal for a regulation
Article 36 – paragraph 2 – point a

Text proposed by the Commission

(a) present the identification document which demonstrates compliance with the requirements for such movement in the format ***provided for in:***

- (i) Article 26(1), or***
- (ii) Article 27(b).***

Amendment

(a) present the identification document which demonstrates compliance with the requirements for such movement in the format ***corresponding to the requirements of this Regulation.***

Or. de

Amendment 140
Horst Schnellhardt
Proposal for a regulation
Article 36 - paragraph 4 - point b

Text proposed by the Commission

Amendment

(b) keeps records of the checks that have been carried out;

(b) keeps records of the **total number of** checks that have been carried out **and complaints registered**;

Or. de

Justification

Reduction of administrative burden as only results of complaints are perhaps of later interest.

Amendment 141
Horst Schnellhardt
Proposal for a regulation
Article 36 - paragraph 4 - point c

Text proposed by the Commission

Amendment

(c) documents the checks that have been carried out in the identification document **referred to in:**
(i) Article 10(e), or
(ii) Article 27(b).

(c) documents the checks that have been carried out in the identification document.

Or. de

Justification

Easier to read.

Amendment 142
Horst Schnellhardt
Proposal for a regulation
Article 37 - paragraph 1 – introductory part

Text proposed by the Commission

Amendment

1. Where the checks provided for in Articles 35 and 36 reveal that a pet animal does not comply with the conditions laid down in Chapters II and III, the competent

1. Where the checks provided for in Articles 35 and 36 reveal that a pet animal does not comply with the conditions laid down in Chapters II and III, the competent

authority shall decide, after consultation with the official veterinarian, to:

authority shall decide, after consultation with the official veterinarian ***and where necessary with the owner or the authorised person***, to

Or. de

Amendment 143
Horst Schnellhardt
Proposal for a regulation
Article 37 – paragraph 1 – point a

Text proposed by the Commission

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

Amendment

(a) return the pet animal, ***at the expense of the owner***, to its country or territory of dispatch, or

Or. de

Amendment 144
Horst Schnellhardt
Proposal for a regulation
Article 37 - paragraph 1 - point b

Text proposed by the Commission

(b) isolate the pet animal, at the expense of the owner, under official control for the time necessary for it to comply with the conditions laid down in Chapters II ***and*** III, or

Amendment

(b) isolate the pet animal, at the expense of the owner, under official control for the time necessary for it to comply with the conditions laid down in Chapters II ***or*** III, or

Or. de

Amendment 145
Horst Schnellhardt
Proposal for a regulation
Article 37 - paragraph 1 - point c

Text proposed by the Commission

(c) put the pet animal down, without

Amendment

(c) ***as a last resort***, put the pet animal

financial compensation to the owner or the natural person acting on behalf of and in agreement with the owner, where its return is not possible or isolation is not practical.

down, without financial compensation to the owner or the natural person acting on behalf of and in agreement with the owner, where its return is not possible or isolation is not practical.

Or. de

Amendment 146
Horst Schnellhardt
Proposal for a regulation
Article 38 - introductory part

Text proposed by the Commission

Where rabies occurs or spreads in a Member State, a third country or territory 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:

Amendment

Where rabies ***or another disease or infection*** occurs or spreads in a Member State, a third country or territory 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:

Or. de

Amendment 147
Horst Schnellhardt
Proposal for a regulation
Article 39 - paragraph 1 – introductory part

Text proposed by the Commission

1. ***By [date to be inserted: one year after entry into force of this Regulation] at the latest***, Member States shall provide the public with clear and easily accessible information concerning the following:

Amendment

1. Member States shall provide the public with clear and easily accessible information concerning the following:

Or. de

Justification

The public should be informed about the entry into force of this Regulation so that the new rules are known when this Regulation starts to apply.

Amendment 148
Horst Schnellhardt
Proposal for a regulation
Article 39 – paragraph 1 – point d

Text proposed by the Commission

(d) the list of travellers' points of entry as required by Article 36(3), including the competent authority designated to carry out the checks as provided for in Article 36(4);

Amendment

(d) the list of travellers' points of entry as required by Article 36(3) *or Article 10(2)*, including the competent authority designated to carry out the checks as provided for in Article 36(4);

Or. de

Amendment 149
Horst Schnellhardt
Proposal for a regulation
Article 39 - paragraph 1 - point ea (new)

Text proposed by the Commission

Amendment

(ea) information on anti-rabies vaccinations for which marketing authorisation is required under point 1(b) of Annex IV, and special instructions for use.

Or. de

Amendment 150
Horst Schnellhardt
Proposal for a regulation
Article 40 - paragraph 2

Text proposed by the Commission

Amendment

2. In order to avoid commercial movements fraudulently disguised as non-commercial movements of pet animals, the Commission shall be empowered to adopt delegated acts in accordance with Article 41 to lay down rules limiting the number of pet animals of the species listed in Annex I that may accompany the owner or a natural person acting on behalf of and in agreement with the owner for a single non-commercial movement.

deleted

Or. de

Justification

The maximum number and conditions governing exceptions are laid down in the proposed amendment to Article 4a of this Regulation.

**Amendment 151
Horst Schnellhardt
Proposal for a regulation
Article 41 - paragraph 2**

Text proposed by the Commission

Amendment

2. The delegation of power referred to in Article 7(1), the second subparagraph of Article 16(2), the first subparagraph of Article 18(1) and Article 40 shall be conferred on the Commission **for an indeterminate period of time from (*)**.

2. The delegation of power referred to in **Article 4a**, Article 7(1), the second subparagraph of Article 16(2), the first subparagraph of Article 18(1) and Article 40 shall be conferred on the Commission **for a period of five years from ...*. The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the 5-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.**

*** Date of entry into force of this Regulation.**

Or. de

Amendment 152
Horst Schnellhardt
Proposal for a regulation
Article 44 – subparagraph 2

Text proposed by the Commission

The Member States shall notify those provisions to the Commission **by [date to be inserted: one year after entry into force of this Regulation] at the latest** and shall notify it without delay of any subsequent amendments affecting them.

Amendment

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

Or. de

Amendment 153
Horst Schnellhardt
Proposal for a regulation
Article 45 - paragraph 2a

Text proposed by the Commission

Amendment

2a. The repeal of the Regulation mentioned in paragraph 1 shall be without prejudice to the maintenance of delegated Commission Regulation No 1152/2011, which was adopted on the basis of Article 5(1) of that Regulation.

Or. de

Amendment 154
Horst Schnellhardt

Proposal for a regulation
Article 46 - paragraph 1 – introductory part

Text proposed by the Commission

1. By way of derogation from Article 22(1), the identification document shall be deemed to comply with this Regulation where:

Amendment

1. By way of derogation from Article **20a**(1), the identification document shall be deemed to comply with this Regulation where:

Or. de

Justification

Cf. 38.

Amendment 155
Horst Schnellhardt
Proposal for a regulation
Article 46 – paragraph 1 – point a

Text proposed by the Commission

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

Amendment

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

Or. de

Justification

With the entry into force of the Regulation, identification documents are issued in accordance with the model in the Annexes. Decision 2003/803/EC shall only still apply to previously issued documents.

Amendment 156
Horst Schnellhardt

Proposal for a regulation
Article 46 - paragraph 1 - point b

Text proposed by the Commission

(b) it has been issued ***not later than one year from*** the date of entry into force of the implementing act adopted pursuant to Article 22(1).

Amendment

(b) it has been issued ***before*** the date of entry into force of the implementing act adopted pursuant to Article 22(1).

Or. de

Amendment 157
Horst Schnellhardt
Proposal for a regulation
Article 46 - paragraph 2 – introductory part

Text proposed by the Commission

2. By way of derogation from Article 26(1), the identification document shall be deemed to comply with this Regulation where:

Amendment

2. By way of derogation from Article 24a(1), the identification document shall be deemed to comply with this Regulation where:

Or. de

Justification

Cf. 38.

Amendment 158
Horst Schnellhardt
Proposal for a regulation
Article 46 – paragraph 2 – point a

Text proposed by the Commission

(a) it ***is*** drawn up in accordance with the model passport established by Decision 2011/874/EC;

Amendment

(a) it ***was*** drawn up in accordance with the model passport established by Decision 2011/874/EC;

Or. de

Justification

With the entry into force of the Regulation, identification documents are issued in accordance with the model in the Annexes. Decision 2003/803/EC shall only still apply to previously issued documents.

Amendment 159
Horst Schnellhardt
Proposal for a regulation
Article 46 - paragraph 2 - point b

Text proposed by the Commission

(b) it has been issued ***not later than one year from*** the date of entry into force of the implementing act adopted pursuant to Article 26(1).

Amendment

(b) it has been issued ***before*** the date of entry into force of the implementing act adopted pursuant to Article 26(1).

Or. de

Amendment 160
Horst Schnellhardt
Proposal for a regulation
Article 47 - paragraph 2

Text proposed by the Commission

It shall apply from xxxx ***[date to be inserted: one year after entry into force of this Regulation]***.

Amendment

It shall apply from...*

**** 18 months after the date of entry into force of this Regulation.***

Or. de

Amendment 161
Horst Schnellhardt

**Proposal for a regulation
Annex II**

Text proposed by the Commission

Amendment

Annex deleted.

Or. de

**Amendment 162
Horst Schnellhardt
Proposal for a regulation
Annex Va (new)**

Text proposed by the Commission

Amendment

***Annex Va
Model for the identification document
under Article 20a***
*(The model would still need to be
developed in the course of the inter-
institutional negotiations on this
Regulation.)*

Or. de

Justification

The model for the identification document should already be contained in the Regulation in order to improve the application thereof. The provisions on the format, information to be provided and issue of the identification document have been rearranged for the purpose of application.

**Amendment 163
Horst Schnellhardt
Proposal for a regulation
Annex Vb (new)**

Text proposed by the Commission

Amendment

***Annex Vb
Model for the identification document
under Article 24a***
*(The model would still need to be
developed in the course of the inter-
institutional negotiations on this*

Regulation.)

Or. de

Amendment 164
Horst Schnellhardt
Proposal for a regulation
Annex Vc (new)

Text proposed by the Commission

Amendment

Annex Vc
Model for the identification document
under Article 28a
(The model would still need to be developed in the course of the inter-institutional negotiations on this Regulation.)

Or. de

Amendment 165
Horst Schnellhardt
Proposal for a regulation
Annex Vd (new)

Text proposed by the Commission

Amendment

Annex Vd
Model for the identification document
under Article 31a
(The model would still need to be developed in the course of the inter-institutional negotiations on this Regulation.)

Or. de

EXPLANATORY STATEMENT

Introduction.

The movement of pet animals has been regulated since 2003 by Regulation No. 998/2003 and its subsequent 17 modifications. But during that period the environment for movements of pets has been changing: the Commission and the Member States i.a. have successfully conducted anti-rabies campaigns which make that rabies can now in principle be considered as extinct in many parts of the Union, although permanent vigilance is, as always, required. Rabies, or the absence of it, was the main but not the only reason to maintain a special transitional regime for the movement of animals into the territory of some Member States (Articles 6, 8 and 16 of Reg. No. 998/2003).

The expiry of another transitional regime under Article 4(1) (marking by tattoo or transponder) was another good reason to revise the current Regulation No. 998/2003.

In addition, during this period the Lisbon Treaty entered into force and Regulation No. 998/2003 had only partially been aligned to that (through Reg. No 438/2010). Consequently, a complete alignment and adaptation of old comitology measures to the new TFEU Articles 290 and 291 is a logical next step to which the Commission committed itself in a statement attached to Reg.No.438/2010.

Remarks.

- The rapporteur's main objective is to make it easier for pet owners to travel with their pets within in the Union or to third countries while respecting a high level of safety with regards to potential public or animal health risks. Therefore, the rapporteur has sought to improve the readability and clarity of the Commission's proposal in order to allow for a clear, unambiguous application by pet owners, veterinarians, enforcement staff, competent authorities and other actors involved in the non-commercial movement of pets. As a result, the wording and occasionally the order of certain articles have been changed while often keeping to the main message of a respective provision. Such changes are indicated in the justification.
- The rapporteur agrees with the fact that the double legal base is maintained and has been adapted to the corresponding articles in the Lisbon Treaty i.e. Article 43(2)(agriculture) and 168(4) (public health) .
- Experience has shown that commercial movements of dogs, cats and sometimes ferrets are frequently fraudulently disguised as non-commercial movements, seeking to circumvent the application of stricter rules on the trade and import of such animals. In order to prevent such practices from occurring, the currently applicable rules based on Commission Regulation Nr. 388/2010 limit the maximum number of animals, which can accompany their owner, to 5. This limitation, however, has caused

enormous difficulties in reality for those citizens wanting to participate in certain competitions or exhibitions sport events, for which they need to travel among different members states with more than 5 animals. Therefore, the rapporteur proposes derogations from this maximum number that are sufficiently clear and pragmatic for both the participants to these events as well as the authorities in charge of implementing and enforcing these rules.

- The provisions currently applicable grant the right to Member States to allow special derogations from the obligatory anti-rabies vaccination for dogs, cats and ferrets younger than 3 months. These derogations are based on the fact that from a veterinary point of view it is not advisable to vaccinate such young animals. However, from the moment of vaccination until the acquisition of full immunisation, a period of up to 4 weeks may elapse depending on the vaccine used. The current rules do not address this gap, creating uncertainty when wanting to travel with young animals older than 12 weeks but without the protective immunisation in the sense of Annex IV, point 2(d). The rapporteur therefore suggests clarifying this situation for all actors by also allowing young animals between 12 and 16 weeks of age to be exempted from the validity requirements of the anti-rabies vaccination set out in Annex IV.
- The structure and wording of the rules on how to complete the identification documents has created confusion among veterinarians and pet owners. The rapporteur therefore suggests a new structure of these parts of the regulation: each sections first lists the required format of the respective identification document according to the type of animal and type of non-commercial movement (between EU member states or arriving from third countries); it then mentions all the relevant entries that need to be filled in by a veterinarian. Each section is concluded by outlining the procedure, which needs to be followed by a veterinarian in order to duly complete the identification document. A few additional entries are suggested to improve the identification of the respective animal and to better protect the identification documents from falsification. Whenever possible, instead of cross-referencing to other articles in this regulation, the rapporteur tried to spell out the requirements or provisions necessary to fulfil a given article.

In order to improve the user friendliness, the ease of the application of this regulation as well as to guarantee uniformity, the rapporteur would like to include a model of each type of identification document in the annex of this regulation so that it will no longer be necessary to search and read through numerous subsequent legal acts to identify the correct layout.