

# Trader Readiness Frequently Asked Questions

The Transport of Live Animals - Transporter Authorisation, Certificates of Competence, Vehicle Approval and Journey Log rules from 1st January 2021

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### **Exporting live animals from GB to the EU**

### Q1. Are my UK issued Transporter Authorisation, Certificate of Competence, and Vehicle Approval Certificates valid for use in the EU from 1<sup>st</sup> January 2021?

A. No, these documents will no longer be valid for use in the EU after 31st December 2020.

### Q2. How do I obtain Transporter Authorisation, Certificates of Competence, and Vehicle Approval Certificates which are valid for use in the EU?

A. UK transporters wishing to transport live animals into the EU by rail, sea, air or road (including Eurotunnel) after 31<sup>st</sup> December 2020 will need to make the relevant applications to an EU Member State. To apply for a Transporter Authorisation, you must be represented in the relevant Member State, and you may not hold an authorisation in more than one Member State.

#### Q3. What does "Representation" in an EU Member State mean?

- A. The term is not defined in the relevant legislation. We advise that you:
- i) Contact the relevant competent authority for the Member State you wish to apply to
- ii) Seek independent legal advice, specific to your business.
- iii) Discuss directly with your relevant trade organisation.

#### Q4. How do I contact the relevant EU Member State?

A. You may be able to obtain contact details via the relevant Border Control Posts (BCP). The contact details for BCPs can be found here; <a href="https://ec.europa.eu/food/animals/vet-border-control/bip\_en">https://ec.europa.eu/food/animals/vet-border-control/bip\_en</a>

# Q5. Do I have to obtain Certificates of Competence in the Member State I am applying to, or will they accept my UK issued certificate as proof I hold the qualifications?

A. The EU Commission has stated that Certificates of Competence issued in the UK will not be valid in the EU after 31st December 2020. Therefore, it is likely you will need to obtain a new Certificate of Competence in the Member State to which you are applying. We suggest that you discuss this with the Member State directly and they can advise you of their procedures.

### Q6. Do I need to take my vehicle to the EU Member State in which I am applying for my Vehicle Approval Certificate?

A. The EU Commission has stated that Vehicle Approval Certificates issued by the UK will not be valid after 31st December 2020. Therefore, it is likely you will need to take your vehicle to the relevant EU Member State for inspection. We suggest that you discuss this with the Member State directly and they can advise you of their procedures.

### Q7. Can I apply now to another Member State for Transporter Authorisation, Certificates of Competence, and Vehicle Approval Certificates, ahead of 31<sup>st</sup> December 2020?

A. Under Article 12 and Article 18 of Council Regulation EC No 1/2005, transporters cannot apply for authorisation or vehicle approval in more than one Member State at a time. A transporter holding a UK authorisation and vehicle approval would therefore need to wait until after 31<sup>st</sup> December 2020 and then apply for a new authorisation to the competent authority in the Member State in which they were represented. In order to reduce the time you may be without relevant EU authorisation you should ensure you fully understand the requirements for applications in the Member State you are choosing to apply to ahead of 1 January; your chosen Member State will be able to advise on how long it will take them to process applications.

However, the Regulation does not prohibit making an application for a second Certificate of Competence, so it is possible you may apply and obtain this from the relevant EU Member State ahead of 31<sup>st</sup> December 2020.

It may be possible for a transporter currently holding a UK authorisation to apply to another Member State before 31<sup>st</sup> December 2020 by establishing a separate corporate entity in that Member State. Transporters should seek their own legal advice on this point to ensure that they comply with the requirements of Regulation 1/2005 and any relevant legislation in that Member State.

### Q8. How long will the process take to obtain Transporter Authorisation, Certificates of Competence, and Vehicle Approval Certificates from an EU Member State?

A. This may vary. You should contact the relevant competent authority for the Member State you wish to apply to for further information.

# Q9. Can I hold both a UK and EU version of Transporter Authorisation, Certificates of Competence, and Vehicle Approval Certificates?

A. After 31st December 2020 it will be possible to hold both versions of the documentation, since the UK will no longer be treated as an EU Member State.

#### Q10. Do I require a Journey Log to travel to the EU or another 3<sup>rd</sup> country?

A. If you are transporting cattle, sheep, pigs, goats and unregistered horses on a journey of over 8 hours from UK to the EU or to another 3<sup>rd</sup> country in connection with an economic activity, you will require a Journey Log. These will be required for journeys by rail, sea, air or road (including Eurotunnel).

Please refer to Q12 and Q13 for details of how and where to apply.

Please refer to Q16 for further information on equines.

#### Q11. Is a Journey Log required for flying?

A. If the overall journey time from place of departure in the UK to destination in the EU or a third country exceeds 8 hours, then a Journey Log approved by the Animal & Plant Health Agency (APHA) is required. Please see Q13 on how to apply. You will need to confirm with the EU country of entry if an EU Journey Log is required.

#### Q12. Will Journey Logs approved by the UK be accepted in the EU?

A. For journeys originating in GB; Journey Logs approved by GB authorities will not be accepted in the EU after 31st December 2020. A separate EU-approved Journey Log will be needed for travel in the EU. The GB and EU approved Journey Logs will both be required to cover the entire journey.

For journeys originating in Northern Ireland, please contact the Department of Agriculture, Environment and Rural Affairs (DAERA); <a href="https://www.daera-ni.gov.uk/contact">https://www.daera-ni.gov.uk/contact</a>

### Q13. I need a Journey Log for a journey taking place from the UK after 31<sup>st</sup> December 2020, where do I apply for approval?

A. If the animals are to be transported from the UK into the EU or another 3<sup>rd</sup> country, then you must obtain a Journey Log ahead of your journey taking place as follows:

- i) If your journey begins in Great Britain, you must obtain approval for your Journey Log from APHA, as you do now, to cover the entire journey.
- ii) If your journey starts in Northern Ireland, please refer to the DAERA to obtain your Journey Log.
- iii) If your journey starts in Northern Ireland and transits GB with the intention of onward movement into the EU or another 3<sup>rd</sup> country, you must obtain approval for your Journey Log from DAERA. Please contact DAERA for further information.
- iv) In addition to the GB or NI approved Journey Log, you must also obtain a separate Journey Log approval from the relevant competent authority of the Member State which will be the first point of entry into the EU.

For example, if you travel from Dover to Calais, you will need to obtain approval of an EU Journey Log from the competent authority in France as your first point of entry into the EU. Similarly, if you travel from Harwich to Hook of Holland, you will need to apply to the Dutch authority for approval of your EU Journey Log. This is in addition to obtaining approval of your separate GB Journey Log from APHA.

If the animals are being transported directly into a 3rd country, without transiting any EU Member States, then you only need to obtain approval of your Journey Log from APHA if your

journey starts in GB or DAERA if your journey starts in Northern Ireland, ahead of the journey taking place.

You do not need to submit your approved EU Journey Log to APHA, however you will need to make a formal declaration with your GB Journey Log application that you have applied for an EU Journey Log

## Q14. How far in advance of my journey taking place, do I need to apply for a Journey Log?

A. Journey Logs should be applied for at least 2 working days in advance of the journey. Each Member State may have additional timeframes in place, so we advise that you check with the Member State to whom you are applying to.

#### Q15. Where do I return my Journey Log after the journey is complete?

A. All Journey Logs should be returned to the relevant approval authority within 30 days of the journey taking place.

- i) GB approved Journey Logs should be returned to APHA
- ii) NI approved Journey Logs should be returned to DAERA
- iii) EU approved Journey Logs should be returned to the competent authority in the EU Member State which granted approval for the journey to take place.

### Q16. I have a horse which holds registered status in the UK, what are the changes after the end of the Transition Period on 31 December 2020?

A. The UK has applied to the EU for recognition of the UK's studbooks. We do not currently expect recognition of studbooks to be granted ahead of 1 January.

You should plan any exports on the basis that the UK's studbooks will not be recognised immediately from 1 January 2021. This means if you're exporting a horse to the EU which is registered in a UK studbook you should follow the rules set out for unregistered horses, including the additional vehicle approval requirements for entry into the EU and the need to obtain an approved EU Journey Log.

Should some, or all, of the UK's studbooks be recognised by the EU prior to or after 1 January, horses registered in those studbooks will be able to follow the rules for horses registered with national branches of international bodies for sporting or competition purposes when moving to the EU for less than 90 days. They will not require a UK Government Issued ID document to move to the EU. They will also be able to travel via Border Control Posts that are specifically approved for registered equines, as opposed to BCPs for unregistered equines (classified as ungulates).

Lack of recognition of UK studbooks by the EU will also affect the animal health documentation

needed to move equines in UK studbooks from the UK to the EU in the event of a no deal. More information on that is available here.

#### Q17. Do live animals have to enter the EU via a Border Control Post?

A. Live animals entering the EU from the UK may need to enter through a Border Control Post (BCP). This may mean that your current routes are no longer available, and you will need to plan alternatives. Alternative routes could take longer than your current one. You will need to ensure that the planned journey and rest stops are compliant with legal requirements and that you have contingency plans in place for potential disruption. The current list of BCP's in the EU will be updated as the location of new BCP's are agreed. The list can be viewed here: <a href="Designated Border Control Posts">Designated Border Control Posts (BCPs) | Food Safety (europa.eu)</a>

### Import of live animals from the EU to GB

Q18. I hold Transporter Authorisation, Certificates of Competence, and Vehicle Approval Certificates which have been issued by an EU Member State (not UK), are these valid for journeys in GB?

A. No, they will not be valid in GB after 31st December 2020.

Transporters entering or transiting GB by rail, road, sea or air (including Eurotunnel), will be required to obtain Transporter Authorisation, Certificates of Competence and Vehicle Approval Certificates from the relevant delegated bodies in GB or Northern Ireland.

Further information on how to apply can be obtained by contacting either APHA by email: <a href="mailto:CITCarlisle@apha.gov.uk">CITCarlisle@apha.gov.uk</a> or DAERA - <a href="mailto:https://www.daera-ni.gov.uk/contact">https://www.daera-ni.gov.uk/contact</a>

Q19. I hold Transporter Authorisation, Certificates of Competence, and Vehicle Approval Certificates which were issued by an EU Member State (not UK), are these valid for journeys in Northern Ireland?

A. Yes these will remain valid in Northern Ireland after 31<sup>st</sup> December 2020, in line with the Northern Ireland Protocol.

Q20. How do I obtain Transporter Authorisation, Certificates of Competence, and Vehicle Approval Certificates which are valid for use in GB?

A. EU transporters wishing to transport live animals into GB by rail, road, sea or air (including Eurotunnel) after 31<sup>st</sup> December 2020 will need to make applications to the relevant delegated bodies for Certificates of Competence and Vehicle Approval Certificates, and to APHA for a Transporter Authorisation. To apply for a Transporter Authorisation, you must be represented in GB.

Further information on how to apply can be obtained by contacting APHA by email: CITCarlisle@apha.gov.uk

#### Q21. What does "Representation" in GB mean?

A. In order to obtain a Transporter Authorisation issued in GB, applicants are required to be established (e.g. living in GB) or represented in GB.

In order to confirm you are established within GB you will need to provide APHA with your GB address and full contact details.

Where a person or business is providing representation on your behalf, you will need to provide APHA with the name of the person or business, a full GB address and full contact details.

Representation within GB can be in any of the following forms:

- GB agent
- GB transporter
- GB business
- GB individual

### Q22. Do I have to obtain Certificates of Competence in GB, or will they accept my EU issued certificate as proof I hold the qualifications?

A. Certificates of Competence issued in the EU will not be valid in GB after 31st December 2020. Therefore, you will need to undertake GB training and assessment in order to obtain a new Certificate of Competence from a relevant delegated body within GB.

#### Q23. Do I need to take my vehicle to GB for my Vehicle Approval Certificate?

A. Vehicle Approval Certificates issued by the EU will not be valid in GB after 31st December 2020. Therefore, you will need to bring your vehicle to GB to be inspected by the relevant delegated body.

Further information on how to apply can be obtained by contacting APHA by email: <a href="mailto:CITCarlisle@apha.gov.uk">CITCarlisle@apha.gov.uk</a>

## Q24. Can I apply now to GB for Transporter Authorisation, Certificates of Competence, and Vehicle Approval Certificates, ahead of 31<sup>st</sup> December 2020?

A. Under Article 12 of Council Regulation EC No 1/2005, transporters cannot apply for transporter authorisation in more than one Member State at a time. If a transporter holding an EU authorisation wishes to apply for a GB authorisation, then they would need to wait until after 31<sup>st</sup> December 2020. They would need to obtain representation within GB and then apply to APHA for a new transporter authorisation.

Under Article 18 of Council Regulation EC No 1/2005 it is not permissible to hold vehicle approval in more than one Member State. It may be possible to have your vehicle inspected prior to 1<sup>st</sup> January 2021, however approval certificates can only be granted from 1<sup>st</sup> January 2021 onwards.

The Regulation does not prohibit making an application for a second Certificate of Competence, so it is possible that you may apply and obtain this from the relevant delegated body within GB ahead of 1<sup>st</sup> January 2021.

### Q25. Can I hold both a UK and EU version of Transporter Authorisation, Certificates of Competence, and Vehicle Approval Certificates?

A. After 31st December 2020 it will be possible to hold both versions of the documentation, since the UK will no longer be treated as an EU Member State.

#### Q26. Do I require a Journey Log for movements from the EU to GB?

A. If you are transporting cattle, sheep, pigs, goats and unregistered horses on a journey of over 8 hours from the EU or a 3<sup>rd</sup> country into GB in connection with an economic activity, you will require a Journey Log. This includes journeys by rail, sea, air or road (including Eurotunnel).

Please refer to Q29 to for details of how and where to apply

Please refer to Q32 for further information on the import of equines.

#### Q27. Is a Journey Log required for flying?

A. If the overall journey time from place of departure in the EU or a third country to GB exceeds 8 hours, then a Journey Log approved by APHA is required. Please see Q27 for details of how to apply.

If originating from a location in the EU, you will need to confirm with the EU country where the journey commences if a separate EU Journey Log is required.

#### Q28. Will Journey Logs approved by the EU be accepted in GB?

A. No. Journey Logs approved by the EU authorities will not be accepted in GB after 31st December 2020. A separate Journey Log approved by GB will be needed for travel in GB. The GB and EU approved Journey Logs will both be required to cover the entire journey.

### Q29. I need a Journey Log for a journey taking place from the EU to the UK after 31<sup>st</sup> December 2020, where do I apply for approval?

A. If the animals are travelling from the EU into the GB then you must obtain a Journey Log ahead of your journey taking place as follows:

- i) If your journey begins in EU and ends in GB, you must obtain approval for your Journey Log in the Member State of origin <u>and</u> from the Animal and Plant Health Agency, to cover the entire journey.
- ii) For journeys originating in the EU and transiting GB please see Q34

# Q30. How far in advance of my journey taking place, do I need to apply to APHA for a Journey Log?

A. Journey Logs should be applied for at least 2 working days in advance of the journey.

#### Q31. Where do I return my Journey Log after the journey is complete?

A. All Journey Logs should be returned to the relevant approval authority within 30 days of the journey taking place.

i) GB approved Journey Logs should be returned to APHA

- ii) NI approved Journey Logs should be returned to DAERA
- iii) EU approved Journey Logs should be returned to the competent authority in the EU Member State which granted approval for the journey to take place.

### Q32. I have a horse which holds registered status in the EU what are the changes after the end of the Transition Period on 31 December 2020?

A. From January 2021, new import requirements will apply to live animals, including equines. EU Transporters will require a Transporter Authorisation, a driver/attendant Certificate of Competence, and a valid Vehicle Approval Certificate issued by the UK authorities. Applications for Journey Logs for unregistered horses travelling on journeys over 8 hours, must be submitted to APHA for any journeys ending in or transiting through GB, ahead of the journey taking place.

Transporter Authorisations, driver/attendant Certificates of Competence, Vehicle Approval Certificates and Journey Logs issued by an EU Member State are no longer valid for use in GB.

### Journeys transiting through GB

Q33. I hold Transporter Authorisation, Certificates of Competence, and Vehicle Approval Certificates which were issued by an EU Member State (not UK), are these valid for journeys transiting GB and ending in Northern Ireland or the EUI?

A. No, they will not be valid in GB after 31st December 2020.

Transporters entering or transiting GB, will be required to obtain Transporter Authorisations, Certificates of Competence and Vehicle Approval Certificates from the relevant delegated bodies in GB or Northern Ireland.

Further information on how to apply can be obtained from APHA: CITCarlisle@apha.gov.uk or

DAERA - <a href="https://www.daera-ni.gov.uk/contact">https://www.daera-ni.gov.uk/contact</a>

# Q34. Do I require a Journey Log for journeys transiting GB after 31st December 2020, and where do I apply for approval?

If you are transporting cattle, sheep, pigs, goats and unregistered horses to or from the EU and transiting GB on a journey of over 8 hours in connection with an economic activity, you will require an EU Journey Log in addition to a Journey Log approved by the UK authorities.

- ii) If your journey begins in EU, transits GB and ends in NI, you must obtain a Journey Log approved in the EU Member State of origin as well as a Journey Log approved by APHA, to cover the entire journey.
- ii) If your journey begins in EU, transits GB and ends in EU, you must obtain a Journey Log approved in the EU Member State of origin as well as a Journey Log approved by APHA, to cover the entire journey.
- iii) If your journey starts in Northern Ireland and transits GB with the intention of onward movement into the EU or another 3<sup>rd</sup> country, please contact DAERA for further information.

Journey Logs issued by UK authorities will need to cover the entire journey from point of origin to point of destination.

Journey Logs should be applied for at least 2 working days in advance of the journey

Further information on how to apply can be obtained from APHA: CITCarlisle@apha.gov.uk or

DAERA - https://www.daera-ni.gov.uk/contact

# Q35. Do I need to submit my approved EU Journey Log to APHA when applying for a GB Journey Log?

**A.** You do not need to submit your EU journey Log to APHA, however you will need to make a formal declaration with your GB Journey Log application that you have applied for an EU Journey Log

### Journeys within UK

# Q36. Are my UK issued Transporter Authorisation, Certificate of Competence, and Vehicle Approval Certificates valid for use in the UK?

A. GB issued Transporter Authorisations, Certificates of Competence, and Vehicle Approval Certificates will continue to be valid for use within GB. However, they will not be valid for use within NI after 31<sup>st</sup> December 2020.

In line with the Northern Ireland Protocol, Transporter Authorisations, Certificates of Competence, and Vehicle Approval Certificates issued by DAERA and the delegated authorities in Northern Ireland will remain valid for use across the UK, as at present.

#### Q37. Does a journey within the UK, which is over 8 hours, require a Journey Log?

A. Journey Logs approved by APHA are not required for travel within the UK, regardless of journey time.

For information on journeys over 8 hours between NI and GB (and vice versa), please contact DAERA.

### **Background**

The EU Commission confirmed that at the end of a transition period they will no longer accept Transporter Authorisation, Certificates of Competence or Vehicle Approval Certificates issued by the UK authority. A link to the notice can be found here:

https://ec.europa.eu/info/sites/info/files/brexit\_files/info\_site/animal\_transport\_rev1\_final.pdf

Defra have been working to ensure this information is communicated to all relevant stakeholders. The links below provide additional information on other processes which may impact upon you or your business.

https://www.gov.uk/transition

Exporting Animals and animal products to the EU from 1 January

Importing Animals, animal products and high risk food and feed not of animal origin from 1

January 2021

Export horses and ponies from 1 January 2021

Import horses and ponies from 1 January 2021

Pet travel to Europe from 1 January 2021

**Border Operating Model** 

Department of Agriculture, Environment and Rural Affairs (DAERA)

**Designated Border Control Posts Official list**