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## STATUTORY INSTRUMENTS

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# 1974 No. 2211

## ANIMALS

### DISEASES OF ANIMALS

#### The Rabies (Importation of Dogs, Cats and Other Mammals) Order 1974

|                               |         |                           |
|-------------------------------|---------|---------------------------|
| <i>Made</i>                   | - - - - | <i>31st December 1974</i> |
| <i>Laid before Parliament</i> |         | <i>15th January 1975</i>  |
| <i>Coming into Operation</i>  |         | <i>5th February 1975</i>  |

The Minister of Agriculture, Fisheries and Food and the Secretary of State, acting jointly, in exercise of the powers conferred by sections 1, 24(1), 33(1), 77(3), 84(1)(a) and 85(1) of the Diseases of Animals Act 1950 (as adapted to air transport by section 11 of and Schedule 2 to the Agriculture (Miscellaneous Provisions) Act 1954 and to hovercraft by the Hovercraft (Application of Enactments) Order 1972<sup>(1)</sup>, and, as respects section 1 of the Act of 1950, as extended by section 3(b) of the Rabies Act 1974, and, as respects section 24(1) of the said Act of 1950, as amended by section 105(1) of the Agriculture Act 1970 and extended by sections 5 and 6 of the said Act of 1974), and now vested in them<sup>(2)</sup>, and of all their other enabling powers, for the purpose of preventing the introduction of rabies into Great Britain, hereby order as follows:—

#### **Modifications etc. (not altering text)**

- C1** Order excluded in part (1.1.1994) by [The Animals and Animal Products \(Import and Export\) Regulations 1993 \(S.I. 1993/3247\)](#), regs. 1(1), 33, **Sch. 6** (with reg. 2)
- C2** Order excluded in part (9.10.1995) by [The Animals and Animal Products \(Import and Export\) Regulations 1995 \(S.I. 1995/2428\)](#), regs. 1(1), 33, **Sch. 6** (with reg. 2)
- C3** Order excluded in part (1.3.1998) by [The Animals and Animal Products \(Import And Export\) Regulations 1998 \(S.I. 1998/190\)](#), regs. 1(1), 34, **Sch. 6** (with reg. 2)
- C4** Order excluded in part (E.W.) (28.7.2000) by [The Animals and Animal Products \(Import and Export\) \(England and Wales\) Regulations 2000 \(S.I. 2000/1673\)](#), regs. 1(1), 34, **Sch. 6** (with reg. 2)
- C5** Order excluded in part (S.) (28.7.2000) by [The Animals and Animal Products \(Import and Export\) \(Scotland\) Regulations 2000 \(S.S.I. 2000/216\)](#), regs. 1(1), 34, **sch. 6** (with reg. 2)
- C6** Order excluded in part (E.) (13.4.2004) by [The Animals and Animal Products \(Import and Export\) Regulations 2004 \(S.I. 2004/853\)](#), regs. 1(1), 34, **Sch. 6** (with reg. 2)

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(1) (1972 II, p. 3024).

(2) By the Transfer of Functions (Animal Health) Order 1955 (S.I. 1955/958; 1955 I, p. 1184).

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**C7** Order excluded (E.) (1.10.2004) by [The Non Commercial Movement of Pet Animals \(England\) Regulations 2004 \(S.I. 2004/2363\)](#), regs. 1, **4(1)** (with reg. 4(2))

## Citation, extent and commencement

1. This order, which may be cited as the Rabies (Importation of Dogs, Cats and Other Mammals) Order 1974, shall apply throughout Great Britain, and shall come into operation on 5th February 1975.

### Commencement Information

**II** [Art. 1](#) in force at 5.2.1975, see [art. 1](#)

## Interpretation

2.—(1) In this order, unless the context otherwise requires—

“the Act” means the Diseases of Animals Act 1950, as amended or extended by any subsequent enactment;

“animal” means an animal (other than man) belonging to any of the orders of mammals specified in Part I and Part II of Schedule 1 to this order;

“authorised carrying agent” means a person authorised by the Minister under Article 10 of this order to carry animals;

“authorised quarantine premises” means premises authorised by the Minister under Article 9 of this order for use for the detention and isolation of animals in quarantine;

“cat” means an animal belonging to the species *Felis catus* of the order of mammals Carnivora;

“contact animal” means an animal belonging to any of the orders of mammals specified in Part III of Schedule 1 to this order;

“dog” means an animal belonging to the species *Canis familiaris* of the order of mammals Carnivora;

[<sup>F1</sup>“harbour” means any harbour, whether natural or artificial, and any port, haven, estuary, tidal or other river or inland waterway, and includes a dock, a wharf, any place at which hovercraft are loaded or unloaded and, in Scotland, a boatslip being a marine work within the meaning of section 57 of the Harbours Act 1964;]

“inspector” means a person appointed to be an inspector for the purposes of the Act by the Minister of Agriculture, Fisheries and Food or by a local authority, and, when used in relation to an inspector of the said Minister, includes a veterinary inspector;

“licence” means a licence granted under this order, and includes any permit, approval or other form of authorisation;

<sup>F2</sup> ...

“the Minister” and “the Ministry” mean respectively, in the application of this order to England and Wales, the Minister and the Ministry of Agriculture, Fisheries and Food, and, in its corresponding application to Scotland, the Secretary of State and the Department of Agriculture and Fisheries for Scotland;

<sup>F2</sup> ...

“registered medical practitioner” means a person included in the Medical Register maintained by the General Medical Council [<sup>F3</sup>who holds a licence to practise];

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“research premises” means premises at which animals which have been brought to Great Britain from a place outside Great Britain are used in connection with scientific research;

[<sup>F4</sup>‘vessel’ includes hovercraft;]

“veterinary inspector” means a veterinary inspector appointed by the Minister of Agriculture, Fisheries and Food;

“veterinary surgeon” means a veterinary surgeon entered in a register maintained under section 2 of the Veterinary Surgeons Act 1966.

[<sup>F5</sup>(1A) In this Order “control zone” includes a control zone within the meaning of the Channel Tunnel (International Arrangements) Order 1993 and a control zone within the meaning of the Channel Tunnel (Miscellaneous Provisions) Order 1994.]

(2) For the purposes of this order, an animal shall be deemed to have been landed in Great Britain immediately it is unloaded or taken out of, or in any other manner leaves or escapes from, a vessel [<sup>F6</sup>or aircraft, or immediately it is brought into a control zone in France [<sup>F7</sup>or Belgium], and “land” and “landing” shall be construed accordingly]:

Provided that this paragraph shall not apply in respect of an animal which is, under the authority of an inspector, transported by water directly from one vessel to another, without the boat in which the animal is carried touching land, or the animal being put on land.

(3) The Animals (Importation) Order of 1930(3) shall not apply to animals brought to Great Britain under this order.

(4) The Interpretation Act 1889 applies to the interpretation of this order as it applies to the interpretation of an Act of Parliament, and as if this order and the orders hereby revoked were Acts of Parliament.

#### Textual Amendments

- F1** Words in art. 2(1) inserted (1.1.1987) by [The Rabies \(Importation of Dogs, Cats and Other Mammals\) \(Amendment\) Order 1986 \(S.I. 1986/2062\)](#), arts. 1, **2(a)**
- F2** Words in art. 2(1) revoked (28.3.1977) by [The Rabies \(Importation of Dogs, Cats and Other Mammals\) \(Amendment\) Order 1977 \(S.I. 1977/361\)](#), arts. 1, **3(2)(b)**
- F3** Words in art. 2(1) inserted (coming into force in accordance with art. 1(3) of the amending S.I.) by [The Medical Act 1983 \(Amendment\) Order 2002 \(S.I. 2002/3135\)](#), art. 1(2), **Sch. 1 para. 17** (with Sch. 2)
- F4** Words in art. 2(1) inserted (28.3.1977) by [The Rabies \(Importation of Dogs, Cats and Other Mammals\) \(Amendment\) Order 1977 \(S.I. 1977/361\)](#), arts. 1, **3(2)(c)**
- F5** [Art. 2\(1A\)](#) substituted (coming into force in accordance with art. 1(1) of the amending S.I.) by [The Channel Tunnel \(Miscellaneous Provisions\) Order 1994 \(S.I. 1994/1405\)](#), art. 1(1), **Sch. 4 para. 1(a)**
- F6** Words in art. 2(2) substituted (coming into force in accordance with art. 1 of the amending S.I.) by [The Channel Tunnel \(International Arrangements\) Order 1993 \(S.I. 1993/1813\)](#), art. 1, **Sch. 5 Pt. 2 para. 2(b)**
- F7** Words in art. 2(2) inserted (coming into force in accordance with art. 1(1) of the amending S.I.) by [The Channel Tunnel \(Miscellaneous Provisions\) Order 1994 \(S.I. 1994/1405\)](#), art. 1(1), **Sch. 4 para. 1(b)**

#### Commencement Information

- I2** [Art. 2](#) in force at 5.2.1975, see [art. 1](#)

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**Extension of the definition of “animals” for the purposes of the Act in its application to rabies**

3. For the purposes of the Act (other than section 25 thereof) in its application to rabies, the definition of “animals” contained in section 84(1) of the Act is hereby extended so as to comprise all animals (other than man) belonging to the orders of mammals specified in Parts I, II and III of Schedule I to this order.

**Commencement Information**

I3 Art. 3 in force at 5.2.1975, see art. 1

**Prohibition on landing of animals in Great Britain**

4.—(1) Subject to the provisions of this order, the landing in Great Britain of an animal brought from a place outside Great Britain is hereby prohibited.

(2) The prohibition on landing contained in paragraph (1) above shall not apply to an animal brought to Great Britain from a place in Northern Ireland, the Republic of Ireland, the Channel Islands or the Isle of Man:

[<sup>F8</sup>Provided that, where an animal has been brought to that place from a place outside those countries (other than a place in Great Britain), the said prohibition shall apply to that animal unless

- (a) [<sup>F9</sup>where landing in England, it is an animal which was imported into one of those countries from another member State or Norway subject to and in accordance with Council Directive 92/65/EEC, or]
- (b) in any other case it has been detained and isolated in quarantine for a period of at least six calendar months before being landed in Great Britain.]

[<sup>F11</sup>(2A) The prohibition on landing contained in paragraph (1) shall not apply to an animal brought into England from Northern Ireland, the Republic of Ireland, the Channel Islands or the Isle of Man if—

- (a) it has been admitted into one of those countries or territories in accordance with Regulation (EC) No. 998/2003, and
- (b) in the case of a dog, cat or ferret, not less than 24 and not more than 48 hours before embarkation for that country or territory it has been treated against *Echinococcus multilocularis* and ticks by a veterinary surgeon entitled to practise medicine in the country or territory in which the treatment is administered. The treatment shall be with a veterinary medicine with a marketing authorisation in the country or territory in which it is administered and shall be at an appropriate dosage. In the case of *Echinococcus multilocularis*, the treatment shall contain praziquantel as the active ingredient and in the case of ticks the treatment shall not be by means of a collar impregnated by acaricide.]

<sup>F12</sup>(2B) .....

(3) The prohibition on landing contained in paragraph (1) above shall not apply when the landing is under the authority of a licence previously granted by the Minister, and in accordance with the terms and conditions subject to which it was granted.

(4) The ports and airports which alone may be used for the landing of animals in Great Britain are the ports and airports respectively specified in Part I and Part II of Schedule 2 to this order:

Provided that nothing in this paragraph shall be construed as precluding the Minister, on his being satisfied that exceptional circumstances exist in connection with the bringing to Great Britain of a

particular animal, from granting a licence for the landing of that animal at a port or airport other than a port or airport specified in that Schedule.

[<sup>F13</sup>(4A) Paragraph (4) above shall not have effect in relation to the landing in Great Britain of an animal to which paragraph (2) above applies unless that animal is one referred to in the proviso to that paragraph.]

[<sup>F14</sup>(4B) Notwithstanding the provisions of paragraph (4) above and Schedule 2 to this Order, animals may also be brought into England at Cheriton through the Channel Tunnel.]

(5) Nothing in paragraph (4) above shall render it unlawful (subject to the authority of an inspector first having been obtained) for an animal to which this order applies to be landed at a place in Great Britain other than the port or airport at which the animal is licensed to be landed to which the vessel or, as the case may be, the aircraft which is bringing the animal to Great Britain is ordered to be diverted in the interest of safety, or in the light of other exceptional circumstances.

(6) Notwithstanding the provisions of paragraph (2) above, if at any time the Minister has reason to believe that there is an outbreak of rabies in one of the countries referred to in that paragraph, and it appears to him to be necessary to act as a matter of urgency for the purpose of preventing the introduction of that disease into Great Britain, he may direct that the provisions of paragraph (1) above shall apply to animals brought to Great Britain from that country and any such direction shall remain in force for a period of 28 days unless revoked by a subsequent direction before the end of that period.

(7) Where the Minister makes a direction under paragraph (6) above, he shall take all reasonable steps to bring it to the notice of any person who is likely to be affected by it, and in any proceedings for an offence arising by virtue only of the direction, it shall be a defence that at the time when the offence was committed the accused had no reason to believe that the direction was in existence.

(8) For the purposes of this order, an animal which—

- (a) is taken from a place in Great Britain, Northern Ireland, the Republic of Ireland, the Channel Islands or the Isle of Man to a place outside those countries (whether or not it is landed at that place, or comes into contact with any other animal while there, or during the journey thereto or therefrom), or
- (b) while outside Great Britain, comes into contact with an animal to which, if it were brought to Great Britain, the prohibition on landing contained in paragraph (1) above would apply,

shall be deemed to be an animal brought from a place outside Great Britain when landed in Great Britain.

[<sup>F15</sup>(9) Subject to paragraph (10) below, where an animal landed in Great Britain is brought into Great Britain from a place other than a country outside Great Britain, the prohibition on landing contained in paragraph (1) above shall apply to that animal if while outside Great Britain it has been or may have been in contact with an animal to which, if it were brought into Great Britain, the prohibition on landing contained in paragraph (1) above would apply.

(10) The prohibition on the landing of an animal brought into Great Britain from a place other than a country outside Great Britain contained in paragraph (9) above shall not apply to a dog belonging to the police, Her Majesty's Customs and Excise or Her Majesty's Forces which is kept under the constant control of a trained handler while outside Great Britain.]

#### Textual Amendments

- F8** Words in art. 4(2) substituted (1.7.1994) by [The Rabies \(Importation of Dogs, Cats and Other Mammals\) \(Amendment\) Order 1994 \(S.I. 1994/1716\)](#), arts. 1, **2(2)**
- F9** Art. 4(2)(a) substituted (E.) (1.10.2004) by [The Rabies \(Importation of Dogs, Cats and Other Mammals\) \(England\) \(Amendment\) Order 2004 \(S.I. 2004/2364\)](#), arts. 1, **2(2)(a)**

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- F10** Words in art. 4(2)(a) inserted (E.) (5.6.2000) by The Pet Travel Scheme (Pilot Arrangements) (England) (Amendment) Order 2000 (S.I. 2000/1298), arts. 1(1), **2(2)**
- F11** Art. 4(2A) substituted (E.) (1.10.2004) by The Rabies (Importation of Dogs, Cats and Other Mammals) (England) (Amendment) Order 2004 (S.I. 2004/2364), arts. 1, **2(2)(b)**
- F12** Art. 4(2B) revoked (E.) (1.10.2004) by The Rabies (Importation of Dogs, Cats and Other Mammals) (England) (Amendment) Order 2004 (S.I. 2004/2364), arts. 1, **2(2)(c)**
- F13** Art. 4(4A) inserted (28.3.1977) by The Rabies (Importation of Dogs, Cats and Other Mammals) (Amendment) Order 1977 (S.I. 1977/361), arts. 1, **3(3)**
- F14** Art. 4(4B) added (E.) (17.1.2000) by The Pet Travel Scheme (Pilot Arrangements) (England) Order 1999 (S.I. 1999/3443), arts. 1(1), **13(2)** (with arts. 1(2), 15)
- F15** Art. 4(9)(10) inserted (1.9.1984) by The Rabies (Importation of Dogs, Cats and Other Mammals) (Amendment) Order 1984 (S.I. 1984/1182), arts. 1, **2(a)**

#### Commencement Information

- I4** Art. 4 in force at 5.2.1975, see [art. 1](#)

### <sup>F16</sup>Importation of animals from a member State other than the Republic of Ireland **E**

**4A.** The prohibition and restrictions on landing contained in paragraphs (1) and (4) respectively of article 4 above shall not apply in the case of importation into England from another member State (other than the Republic of Ireland) of animals to which Council Directive 92/65/EEC and the Animal and Animal Products (Import and Export) Regulations 2004 apply and which are imported in accordance with those Regulations.]

#### Extent Information

- E1** This version of this provision extends to England only; a separate version has been created for Wales and Scotland only

#### Textual Amendments

- F16** Art. 4A substituted (E.) (1.10.2004) by The Rabies (Importation of Dogs, Cats and Other Mammals) (England) (Amendment) Order 2004 (S.I. 2004/2364), arts. 1, **2(3)**

### <sup>F47</sup>Importation of cats and dogs from a member State other than the Republic of Ireland **W** **+S**

**4A.—(1)** The prohibition and restrictions on landing contained in paragraphs (1) and (4) respectively of article 4 above shall not apply in the case of the importation from another member State (other than the Republic of Ireland) of cats and dogs which—

- (a) are the subject of a commercial transaction;
- (b) come from a holding registered in that member State for these purposes;
- (c) have been born on the holding and have been maintained in captivity there since birth with no contact with wild animals susceptible to rabies;
- (d) have been vaccinated against rabies after the age of three months and at least six months before dispatch by injection of an inactivated vaccine of at least 1 international antigenic unit (World Health Organization standard) measured in accordance with the activity test by the method described by the European Pharmacopoeia in monograph 451(1985) and recognised under Commission Decision 94/275/EC on recognising rabies vaccines, with annual booster injections, or at intervals authorised by the member State of dispatch for that vaccine;

- (e) have undergone, after vaccination, a serological test showing a protective antibody titre of at least 0.5 international units, which serological tests shall be carried out in accordance with World Health Organization specifications. If the test is carried out after the first vaccination it must be carried out between the first and third month after the vaccination;
- (f) in the case of dogs, have been vaccinated against distemper;
- (g) are accompanied by
  - (i) an individual vaccination record allowing the animal and its origin to be clearly identified and showing the dates of vaccination, the name of the vaccine and its batch number (by self-adhesive label, if possible), and
  - (ii) a certificate in the form specified in Commission Decision [94/273/EC](#) concerning veterinary certification for placing on the market in the United Kingdom and Ireland of dogs and cats not originating in those countries,

each document being completed by an official veterinarian or by the veterinarian responsible for the holding of origin and empowered for this purpose by the competent authority in the member State;

- (h) in accordance with Commission Decision [94/274/EC](#) laying down the system of identification for dogs and cats that are placed on the market in the United Kingdom and Ireland and not originating in those countries, are identified by having had implanted into them a transponder of a type
  - (i) used in the member State of origin, and
  - (ii) notified by the competent authorities of the member State of origin to the Minister of Agriculture, Fisheries and Food;
- (j) on the day they are dispatched from the holding in question, show no signs of contagious disease; and
- (k) are transported by a means of transport recognised for these purposes by the competent authority of the member State of dispatch.

(2) No person shall accept a consignment of dogs or cats imported under the provisions of this article unless the importer or consignee has notified to the [<sup>F48</sup>Divisional Veterinary Manager] in writing, at least 24 hours in advance, the anticipated date of arrival and has supplied him with a copy of the certificate referred to in subparagraph (g)(ii) above.

(3) It shall be the duty of every person who imports a dog or cat under the provisions of this article to make available to the [<sup>F49</sup>Divisional Veterinary Manager] a microchip reader capable of confirming the identity of the imported animal.

(4) It shall be the duty of the person in charge of any dog or cat imported under the provisions of this article which has been blood tested by a veterinary inspector at the place of destination to keep the animal on those premises for ten days after the day on which the blood sample was taken unless notified in writing by the [<sup>F50</sup>Divisional Veterinary Manager] that the animal may be released.

(5) Where a veterinary inspector at the place of destination takes samples from any dog or cat imported under the provisions of this article, he shall comply with Commission Decision [94/338/EC](#) laying down detailed rules for the application of Council Directive [90/425/EEC](#) as regards the taking of samples for the purpose of veterinary inspections at the place of destination.

(6) In this article—

“[<sup>F51</sup>Divisional Veterinary Manager]” means the veterinary inspector appointed for the time being by the appropriate Minister to receive information about the anticipated date of arrival of animals for the area in which the place of destination in Great Britain is situated; and

“World Health Organization” means the organization of that name founded in New York, United States of America on 22 July 1946 and currently having its headquarters at Avenue

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Appia 20, 1211 Geneva, Switzerland, and the World Health Organization standard and specifications referred to in paragraph (1)(d) and (e) above are those described in the World Health Organization Expert Committee on Rabies Eighth Report (WHO Technical Report Series 824).]

#### Textual Amendments

- F47** Art. 4A inserted (1.7.1994) by [The Rabies \(Importation of Dogs, Cats and Other Mammals\) \(Amendment\) Order 1994 \(S.I. 1994/1716\)](#), arts. 1, **2(3)**
- F48** Words in art. 4A(2) substituted (1.12.1995) by [The Animal Health Orders \(Divisional Veterinary Manager Amendment\) Order 1995 \(S.I. 1995/2922\)](#), art. 1, **Sch. 1 Pt. I**
- F49** Words in art. 4A(3) substituted (1.12.1995) by [The Animal Health Orders \(Divisional Veterinary Manager Amendment\) Order 1995 \(S.I. 1995/2922\)](#), art. 1, **Sch. 1 Pt. I**
- F50** Words in art. 4A(4) substituted (1.12.1995) by [The Animal Health Orders \(Divisional Veterinary Manager Amendment\) Order 1995 \(S.I. 1995/2922\)](#), art. 1, **Sch. 1 Pt. I**
- F51** Words in art. 4A(6) substituted (1.12.1995) by [The Animal Health Orders \(Divisional Veterinary Manager Amendment\) Order 1995 \(S.I. 1995/2922\)](#), art. 1, **Sch. 1 Pt. I**

#### [<sup>F17</sup>Disapplication in relation to pet animals complying with Regulation (EC) No. 998/2003 and the Non Commercial Movement of Pet Animals (England) Regulations 2004

**4B.** The provisions of this Order shall not apply in relation to animals brought into England in accordance with the provisions of Regulation (EC) No. 998/2003 and the Non Commercial Movement of Pet Animals (England) Regulations 2004.]

#### Textual Amendments

- F17** Art. 4B substituted (E.) (1.10.2004) by [The Rabies \(Importation of Dogs, Cats and Other Mammals\) \(England\) \(Amendment\) Order 2004 \(S.I. 2004/2364\)](#), arts. 1, **2(4)**

#### [<sup>F18</sup>The Pet Travel Scheme (Scotland) Order 2003

**4C.** The provisions of this Order shall not apply in relation to pet cats or pet dogs (within the meaning of the Pet Travel Scheme (Scotland) Order 2003) and brought into Scotland in accordance with the provisions of that Order.]

#### Textual Amendments

- F18** Art. 4C added (S.) (8.4.2003) by [The Pet Travel Scheme \(Scotland\) Order 2003 \(S.S.I. 2003/229\)](#), arts. 1(1), **11(2)** (with art. 3(2))

#### Detention and isolation in quarantine

**5.—(1)** Where an animal specified in Part I of Schedule 1 to this order is landed in Great Britain in accordance with a licence granted under Article 4 above, it shall, after being so landed, be immediately detained and isolated in quarantine at its owner's expense for the rest of its life, at such premises and subject to such conditions as may be specified in the licence; and in the event of such an animal being born in Great Britain (whether or not its parents or any one of them was brought from a place outside Great Britain) it shall, for the purposes of this order, be deemed to be



an animal brought from a place outside Great Britain, and the foregoing provisions of this paragraph with regard to detention and isolation in quarantine for life shall apply to that animal.

(2) Where an animal specified in Part II of Schedule 1 to this order is landed in Great Britain in accordance with a licence granted under Article 4 above, it shall, after being so landed, be immediately detained and isolated in quarantine at its owner's expense—

- (a) for a period of six calendar months, or
- (b) in the case of an animal brought to Great Britain from Northern Ireland, the Republic of Ireland, the Channel Islands or the Isle of Man before the end of a period of detention and isolation in quarantine in that country, for such period as the Minister may specify as will ensure that the animal is detained and isolated in quarantine for an aggregate period of not less than six calendar months from the date of its landing in that country,

at such premises and subject to such conditions as may be specified in the licence; and in the event of any offspring being born to any such animal during the period of its detention and isolation in quarantine, such offspring shall be similarly detained and isolated at its owner's expense for the remainder of the period applying in respect of its dam, or for such shorter period, and at such premises and subject to such conditions, as the Minister may in any particular case direct.

[<sup>F19</sup>(2A) Paragraph (2) shall not apply to any animal of the Order Rodentia or Lagomorpha where a licence granted under article 4(3) states that it is being brought into England—

- (a) for use at research premises in connection with scientific research; or
- (b) to an establishment licensed as a zoo under section 1 of the Zoo Licensing Act 1981.]

(3) The Minister may by licence permit two or more animals required to be detained under the foregoing provisions of this Article to be kept together in quarantine, subject to such conditions as may be specified in the licence:

Provided that, where the licence is granted in respect of two or more animals to which paragraph (2) above applies, the period of quarantine referred to in that paragraph shall, unless the Minister otherwise directs, be computed in respect of all the animals to which the licence relates by reference to the latest date on which any such animal was landed in Great Britain.

(4) Where the Minister is satisfied that exceptional circumstances exist, he may by licence permit other animals to be kept with animals being detained in quarantine under the foregoing provisions of this Article, subject to compliance with such conditions as may be specified in the licence; and where an animal to which such a licence relates has been in contact with an animal detained under the foregoing provisions of this Article, it shall remain in quarantine at its owner's expense for the remainder of the period applying in respect of the animal with which it has been in contact, or for such shorter period as the Minister may in any particular case direct, and shall be treated for the purposes of this order as an animal which has been brought to Great Britain from a place outside Great Britain.

(5) Notwithstanding the foregoing provisions of this Article, where an outbreak of rabies occurs at authorised quarantine premises, or where the Minister has reason to suspect that an animal detained or previously detained at such premises may be or may have been affected with that disease, he may (without prejudice to the operation of the provisions of the Rabies Order of 1938(4), or of any order amending, extending or replacing that order), by notice in writing served on the veterinary surgeon or registered medical practitioner supervising the premises, and (where practicable) on the owner of any animal detained thereat, require that any such animal be detained and isolated at its owner's expense for such longer period as may be specified in the notice, and subject to such conditions as may be so specified.

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(4) (Rev. II p. 578: 1938 I, p. 206).

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#### Textual Amendments

**F19** Art. 5(2A) inserted (E.) (1.10.2004) by The Rabies (Importation of Dogs, Cats and Other Mammals) (England) (Amendment) Order 2004 (S.I. 2004/2364), arts. 1, **2(5)**

#### Commencement Information

**I5** Art. 5 in force at 5.2.1975, see **art. 1**

#### [<sup>F20</sup>Release from quarantine

**5A.** If a pet dog, cat or ferret is in quarantine in England, the Secretary of State may grant a licence releasing it if she is satisfied that—

- (a) it has been identified and vaccinated (including any revaccination where required) in accordance with the requirements of Regulation (EC) No. 998/2003 and the Non Commercial Movement of Pet Animals (England) Regulations 2004;
- (b) at least 24 hours before release it has been treated by a veterinary surgeon against *Echinococcus multilocularis* and ticks (and in the case of treatment against *Echinococcus multilocularis* the treatment contains praziquantel as the active ingredient);
- (c) a neutralising antibody titration has been carried out on a blood sample from it in accordance with the requirements of Regulation (EC) No. 998/2003 and the Non Commercial Movement of Pet Animals (England) Regulations 2004 and the result is in accordance with the requirements of those instruments;
- (d) the waiting period before entry to England required by Regulation (EC) No. 998/2003 and the Non Commercial Movement of Pet Animals (England) Regulations 2004 has elapsed; and
- (e) it has not been outside the countries and territories in Annex II of Regulation (EC) No. 998/2003 in the six months prior to its import to England.]

#### Textual Amendments

**F20** Art. 5A substituted (E.) (1.10.2004) by The Rabies (Importation of Dogs, Cats and Other Mammals) (England) (Amendment) Order 2004 (S.I. 2004/2364), arts. 1, **2(6)**

#### [<sup>F21</sup>Release from quarantine in Wales

**5B.** —If a cat or dog is in quarantine in Wales, the National Assembly for Wales may grant a licence releasing the animal if it is satisfied that—

- (a) the animal has been microchipped, vaccinated and blood tested in accordance with the Pet Travel Scheme (Pilot Arrangements) (England) Order 1999;
- (b) a sample of blood was taken from the animal at least six months before the release date and tested in accordance with the 1999 Order;
- (c) at least twenty four hours before release the animal has been treated by a veterinary surgeon against *Echinococcus multilocularis* and ticks, using a veterinary medicine with a marketing authorisation in the UK at an appropriate dosage (in the case of treatment against *Echinococcus multilocularis* the medicine must contain praziquantel as the active ingredient), and in the case of an animal which has been in Cyprus, Malta or one of the countries or territories in Schedule 6 to the 1999 Order the treatment against ticks must contain fipronil as the active ingredient;

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- (d) the animal has not been outside the countries or territories in Schedules 2 or 6 to the 1999 Order in the six months prior to the release date; and
- (e) in the case of an animal from a country or territory in Schedule 6 to the 1999 Order, it arrived in Great Britain in a sealed container with the seal intact. The container must have been sealed by an official authorised by the competent authority of the exporting country, who must have written the number on the seal on the import licence granted by the Minister under article 4(3) and stamped the licence with his official stamp. The number on the seal must be the same as the number on the licence, but if the National Assembly for Wales is satisfied that the animal was not exposed to risk of infection with rabies during its journey, it may release the animal from quarantine if the provisions relating to sealing are not complied with.]

#### Textual Amendments

**F21** Art. 5B inserted (W.) (15.4.2002) by [The Rabies \(Importation of Dogs, Cats and Other Mammals\) \(Amendment\) \(Wales\) Order 2002 \(S.I. 2002/882\)](#), arts. 1, **2(2)**

#### [<sup>F22</sup>Release from quarantine in Scotland

**5C.**—(1) Subject to paragraph (2) below, if a pet cat or pet dog is in quarantine in Scotland, or has been brought into Scotland and taken into quarantine, the Scottish Ministers may grant a licence authorising its release if they are satisfied that—

- (a) it has been implanted with a microchip, vaccinated against rabies and blood tested in accordance with the Pet Travel Scheme (Scotland) Order 2003 (“the 2003 Order”);
- (b) at least 6 months have elapsed since the blood sample required by the 2003 Order was taken, provided that where that blood sample was taken—
  - (i) at least twenty four hours before release it has been treated by a veterinary surgeon against *Echinococcus multilocularis* and ticks, using a veterinary medicine with a marketing authorisation at an appropriate dosage; and
  - (ii) in the case of treatment against *Echinococcus multilocularis*, the medicine must contain praziquantel as the active ingredient;
- (c) it has not been out of the British Islands, the Republic of Ireland, or the countries or territories listed in Schedule 1 to the 2003 Order in the six months prior to the proposed release date; and
- (d) in the case of a pet cat or pet dog brought from a country or territory listed in Schedule 5 to the 2003 Order—
  - (i) it arrived in Scotland in a sealed container with the seal intact;
  - (ii) the container was sealed by an official authorised by the competent authority of the exporting country;
  - (iii) that official has written the number of the seal on the import licence granted by the Scottish Ministers under article 4(3) above and has stamped the licence with their official stamp; and
  - (iv) the number on the seal is the same as the number on the licence.

(2) If the Scottish Ministers are satisfied that the pet cat or pet dog was not exposed to risk of infection of rabies during its journey, they may authorise the release of the pet cat or pet dog from quarantine notwithstanding that the requirements of paragraph (1)(d) above have not been complied with.

(3) The Scottish Ministers may—

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- (a) grant a licence under paragraph (1) unconditionally, or subject to such terms and conditions as may be specified therein; and
  - (b) on cause shown, withdraw or revoke such a licence or vary the terms and conditions subject to which it was granted, but without prejudice to anything lawfully done pursuant thereto before such withdrawal, revocation or variation took effect.
- (4) In this article, “pet cat”, “pet dog” and “microchip” have the same meaning as they have in the 2003 Order.]

#### Textual Amendments

**F22** Art. 5C added (S.) (8.4.2003) by The Pet Travel Scheme (Scotland) Order 2003 (S.S.I. 2003/229), arts. 1(1), **11(3)** (with art. 3(2))

#### [<sup>F23</sup>Vaccination of dogs and cats in quarantine][<sup>F23</sup>Vaccination of animals in quarantine]

6.—(1) During the period of its detention and isolation in quarantine under the provisions of Article 5(2) above, every dog and cat shall, at its owner's expense, be vaccinated against rabies with a vaccine approved for the purpose by the Minister, in such manner, and on such number of occasions and at such intervals, as the Minister may require either generally, or in relation to a particular case.

(2) Where the Minister is satisfied that a dog or cat has been brought to Great Britain for use at research premises in connection with scientific research, and that the vaccination of the dog or cat might interfere with the kind of research in connection with which it is intended to be used, he may direct that the provisions of paragraph (1) above shall not apply in respect of that animal.

[<sup>F24</sup>(3) The requirement to vaccinate against rabies in paragraph (1) above shall not apply in any case where the Secretary of State is satisfied that—

- (a) the animal has been vaccinated in accordance with Regulation (EC) No. 998/2003 and the period of cover of the vaccination has not expired; and
- (b) a neutralising antibody titration has been carried out on a blood sample from the animal in accordance with Regulation (EC) No. 998/2003 and the Non Commercial Movement of Pet Animals (England) Regulations 2004 and the result is in accordance with the requirements of those instruments.]

[<sup>F25</sup>(3) The requirement to vaccinate against rabies in paragraph (1) above shall not apply in any case where the Scottish Ministers are satisfied that—

- (a) the pet cat or pet dog (within the meaning of the Pet Travel Scheme (Scotland) Order 2003) has been resident for the six months preceding entry into quarantine in the British Islands, the Republic of Ireland or the territories set out in Schedule 1 to that Order; and
- (b) that pet cat or pet dog has been vaccinated against rabies and blood tested in accordance with the requirements of that Order and the period of cover of the vaccination has not expired.]

#### Textual Amendments

**F23** Art. 6 heading substituted (E.) (1.10.2004) by The Rabies (Importation of Dogs, Cats and Other Mammals) (England) (Amendment) Order 2004 (S.I. 2004/2364), arts. 1, **2(7)(a)**

**F24** Art. 6(3) substituted (E.) (1.10.2004) by The Rabies (Importation of Dogs, Cats and Other Mammals) (England) (Amendment) Order 2004 (S.I. 2004/2364), arts. 1, **2(7)(b)**

**F25** Art. 6(3) added (S.) (8.4.2003) by The Pet Travel Scheme (Scotland) Order 2003 (S.S.I. 2003/229), arts. 1(1), **11(4)** (with art. 3(2))

### Commencement Information

**I6** [Art. 6](#) in force at 5.2.1975, see [art. 1](#)

### Control of movement of animals after landing

7.—(1) Where an animal is landed in Great Britain in accordance with a licence granted under Article 4 above [<sup>F26</sup>(other than an animal brought into England which is exempted from quarantine by article 5(2A))], it shall be the duty of the person in charge of the animal at the time of landing to ensure that it is either—

- (a) immediately handed over to the authorised carrying agent named in the licence, who shall forthwith remove the animal to the authorised quarantine premises specified in the licence at which it is to be kept for the remainder of the period of its detention and isolation in quarantine; or
- (b) immediately removed by an authorised carrying agent to premises within or in the vicinity of the port or airport which have been approved by the Minister for the temporary accommodation of animals to which this order applies.

(2) Where an animal is moved under paragraph (1)(b) above to approved premises within or in the vicinity of the port or airport, it shall be detained and isolated there pending its removal without avoidable delay (and in any case, not more than 48 hours after its landing) by an authorised carrying agent to the authorised quarantine premises specified in the licence at which it is to be kept for the remainder of the period of its detention and isolation in quarantine.

(3) During the period of its detention and isolation in quarantine at the authorised quarantine premises specified in the licence, an animal shall not be moved from those premises except to other authorised quarantine premises, or to a vessel or aircraft for exportation, and in either case only by an authorised carrying agent, and in accordance with the terms and conditions of a further licence granted by the Minister.

(4) Notwithstanding the provisions of paragraph (3) above, where a veterinary inspector is satisfied that an animal to which they apply is in urgent need of veterinary treatment of a kind which cannot be administered at the authorised quarantine premises at which the animal is detained and isolated in quarantine, he may authorise the movement of the animal by an authorised carrying agent to a place at which such treatment can be administered, subject to compliance with such conditions as he may consider appropriate; and it shall be the duty of the veterinary surgeon or registered medical practitioner supervising the authorised quarantine premises at which the animal is being detained to ensure that all such conditions are complied with.

(5) Where, in accordance with Article 4(5) above, an animal is landed at a place in Great Britain other than the port or airport at which it is licensed to be landed, a veterinary inspector may authorise the movement of such animal by a person other than an authorised carrying agent, subject to compliance with such conditions as he may consider appropriate.

### Textual Amendments

**F26** Words in [art. 7\(1\)](#) inserted (E.) (1.10.2004) by [The Rabies \(Importation of Dogs, Cats and Other Mammals\) \(England\) \(Amendment\) Order 2004](#) (S.I. 2004/2364), [arts. 1, 2\(8\)](#)

### Commencement Information

**I7** [Art. 7](#) in force at 5.2.1975, see [art. 1](#)

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## Control of animals passing through Great Britain

8.—(1) Subject to paragraph (7) below, the provisions of Articles 4(1) and (3), 5, 6 and 7 above shall not apply to an animal landed at a port or airport in Great Britain in circumstances where satisfactory arrangements have previously been made for the exportation of that animal from that port or airport within a period of 48 hours after its landing; and it shall be for the person who purports to land an animal under the foregoing provisions of this paragraph to prove to the satisfaction of an inspector if required so to do that the arrangements referred to in those provisions have been made in respect of that animal.

(2) It shall be the duty of the person for the time being in charge of an animal to which paragraph (1) above applies—

- (a) to ensure that the animal is exported from the port or airport within a period of 48 hours after its landing;
- (b) subject to sub-paragraph (d) below, to ensure that the animal does not in any circumstances leave the port or airport before it is exported;
- (c) in the case of an animal which is at the port or airport for a period not exceeding four hours, to ensure that it is securely confined throughout that period, and kept isolated from any other animal or any contact animal (other than an animal or contact animal with which it is being transported);
- (d) in the case of an animal which is at the port or airport for a period exceeding four hours, to ensure that it is detained throughout that period, and isolated from any other animal or any contact animal (other than an animal or contact animal which with it is being transported) at premises within or in the vicinity of the port or airport which have been approved by the Minister for the temporary accommodation of animals to which this order applies;
- (e) to ensure that the animal is only moved during its stay at the port or airport by an authorised carrying agent; and
- (f) immediately to report the loss of the animal to an inspector, a <sup>F27</sup>... constable or an officer of Customs and Excise.

(3) Subject to paragraph (7) below, the provisions of Articles 4(1), 5, 6 and 7 above shall not apply to an animal landed in Great Britain in compliance with the terms and conditions of a licence [<sup>F28</sup>(which may be general or specific)] previously granted by the Minister authorising the landing of the animal, and its subsequent transit through Great Britain to a port or airport for exportation.

(4) The conditions subject to which a licence referred to in paragraph (3) above shall be granted shall include a condition that the animal to which the licence relates shall only be moved in Great Britain by an authorised carrying agent, and it shall be the duty of the person for the time being in charge of the animal—

- (a) to comply with the conditions subject to which the licence was granted;
- (b) to ensure that the animal does not come into contact with any other animal or with any contact animal (other than an animal or contact animal with which it has been transported to Great Britain); and
- (c) immediately to report the loss of the animal to an inspector, a <sup>F29</sup>... constable or an officer of Customs and Excise.

(5) If an animal to which this Article applies is involved while in Great Britain in an incident whereby rabies [<sup>F30</sup>virus could, if present in that animal,] be transmitted to a human being, or to another animal or a contact animal (other than an animal or contact animal with which it is permitted to come into contact under the foregoing provisions of this Article), the person for the time being in charge of the animal shall forthwith give notice of the incident to an inspector; and on receipt of such notice, the inspector may, if he considers it expedient so to do, require that the animal shall not

leave Great Britain until after it has undergone detention and isolation in quarantine at its owner's expense, at such premises, and for such period (not exceeding six calendar months) and subject to such conditions, as the inspector may direct.

(6) Where an inspector considers that anything connected with an animal to which this Article applies, or connected with the detention, isolation or movement of such an animal, may give rise to the risk of the introduction of rabies into Great Britain, he may by written or oral notice given to the person for the time being in charge of the animal, impose such further conditions with regard to the animal, or with regard to its detention, isolation or movement, as he may consider necessary for the purpose of reducing that risk, and it shall be the duty of the person to whom such notice is given to comply with the requirements thereof.

(7) Where an animal to which the foregoing provisions of this Article apply is not detained and isolated in accordance with those provisions, or is in any other respect the subject of a contravention thereof, that animal shall be deemed to have been illegally landed in Great Britain for the purposes of this order, and the provisions of Articles 13 and 14 below shall accordingly apply thereto.

#### Textual Amendments

- F27** Word in art. 8(2)(f) revoked (28.3.1977) by [The Rabies \(Importation of Dogs, Cats and Other Mammals\) \(Amendment\) Order 1977 \(S.I. 1977/361\)](#), arts. 1, **3(4)(a)**
- F28** Words in art. 8(3) inserted (1.9.1984) by [The Rabies \(Importation of Dogs, Cats and Other Mammals\) \(Amendment\) Order 1984 \(S.I. 1984/1182\)](#), arts. 1, **2(b)**
- F29** Word in art. 8(4)(c) revoked (28.3.1977) by [The Rabies \(Importation of Dogs, Cats and Other Mammals\) \(Amendment\) Order 1977 \(S.I. 1977/361\)](#), arts. 1, **3(4)(a)**
- F30** Words in art. 8(5) substituted (28.3.1977) by [The Rabies \(Importation of Dogs, Cats and Other Mammals\) \(Amendment\) Order 1977 \(S.I. 1977/361\)](#), arts. 1, **3(4)(b)**

#### Commencement Information

- I8** [Art. 8](#) in force at 5.2.1975, see [art. 1](#)

#### Authorised quarantine premises

**9.—(1)** No premises shall be used for the detention and isolation in quarantine of an animal to which this order applies unless they have been authorised for use for the purpose by a licence granted by the Minister.

(2) A licence shall not be granted under paragraph (1) above unless the Minister is satisfied that the premises to which it relates are under the supervision of a veterinary surgeon or (in the case of research premises only) a registered medical practitioner who has been authorised in writing by him to act in that behalf, and any such authorisation may be issued for such period as may be specified therein, and given subject to such conditions as may be so specified.

(3) A licence granted under paragraph (1) above shall remain in force for such period as may be specified therein, and shall be granted subject to such terms and conditions as may be so specified.

(4) Nothing in the foregoing provisions of this Article shall be construed as precluding the Minister at any time from withdrawing an authorisation given or revoking a licence granted thereunder, or from varying the terms or conditions subject to which it was given or granted, but without prejudice to anything lawfully done pursuant thereto before such withdrawal, revocation or variation takes effect.

#### Commencement Information

- I9** [Art. 9](#) in force at 5.2.1975, see [art. 1](#)

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### Authorised carrying agents

**10.**—(1) The Minister may authorise in writing any person to act as an authorised carrying agent in connection with the movement of animals to which this order applies, and any such authorisation may be issued for such period as may be specified therein, and given subject to such terms and conditions as may be so specified.

(2) An authorisation issued by the Minister under paragraph (1) above may relate generally to the movement of animals to which this order applies, or to any class or species of such animals, or to the movement of a specified animal or specified animals on an occasion or on occasions so specified.

(3) Where the Minister has, in accordance with the foregoing provisions of this Article, authorised a person to act as an authorised carrying agent, he may at any time withdraw such authorisation, or vary the terms and conditions subject to which it was given, but without prejudice to anything lawfully done pursuant thereto before such withdrawal or variation takes effect.

#### Commencement Information

**I10** [Art. 10](#) in force at 5.2.1975, see [art. 1](#)

### Records

**11.**—(1) The person in charge of authorised quarantine premises shall adopt such system for the identification of animals received at such premises, and shall keep such records in relation to their receipt, treatment and subsequent release (or death) and other matters, as may be required by the Minister, either generally or in relation to a particular case.

(2) Every entry in such a record shall be made in a permanent and legible form within 36 hours of the event which is required by this Article to be recorded.

(3) Every entry in such a record shall be retained by the person whose duty it is to keep such records for a period of at least 12 months from such event, and shall be produced by him for inspection at all reasonable times on demand to an inspector or a <sup>F31</sup>... constable, who shall be entitled to take a copy of such entry.

(4) A local authority may supply forms of record for the purposes of this Article to any person in the district of the local authority.

#### Textual Amendments

**F31** Word in [art. 11\(3\)](#) revoked (28.3.1977) by [The Rabies \(Importation of Dogs, Cats and Other Mammals\) \(Amendment\) Order 1977 \(S.I. 1977/361\)](#), arts. 1, **3(5)**

#### Commencement Information

**I11** [Art. 11](#) in force at 5.2.1975, see [art. 1](#)

### <sup>F32</sup>Detention of animals on board vessels in harbour

**12.**—(1) Paragraph (2) below shall apply to an animal which has, within the preceding 6 calendar months, been in a place outside Great Britain, Northern Ireland, the Republic of Ireland, the Channel Islands and the Isle of Man.

(2) Subject to paragraph (3) below, it shall be the duty of the person having charge or control of a vessel in harbour in Great Britain to ensure that an animal to which this paragraph applies which is on board that vessel—



- (a) is at all times restrained, and kept securely confined within a totally enclosed part of the vessel from which it cannot escape;
  - (b) does not come into contact with any other animal or any contact animal (other than an animal or contact animal with which it has been transported to Great Britain); and
  - (c) is in no circumstances permitted to land.
- (3) Paragraph (2)(c) above shall not apply to an animal which is landed—
- [<sup>F33</sup>(a) in accordance with a licence granted under Article 4 above, or
- (b) in accordance with article 4A above, or
  - (c) in the circumstances referred to in Article 8 above.]
- (4) If an animal to which paragraph (2) above applies is lost from a vessel in harbour in Great Britain, the person having charge or control of that vessel shall forthwith give notice of the loss to an inspector, a constable or an officer of Customs and Excise.
- (5) If an animal to which paragraph (2) above applies is involved in an incident whereby rabies virus could, if present in that animal, be transmitted to a human being, or to another animal or a contact animal (other than an animal or contact animal with which it has been transported to Great Britain), the person for the time being in charge of the animal shall forthwith give notice of the incident to an inspector; and on receipt of such notice, the inspector may, if he considers it expedient so to do, require (in the case of an animal which would otherwise not be permitted to land under this Article) that the animal shall not leave Great Britain until after it has undergone detention and isolation in quarantine at its owner's expense, at such premises, for such period (not exceeding six calendar months) and subject to such conditions, as the inspector may direct.
- (6) Subject to paragraph (7) below, no person shall cause or permit a native animal or a native contact animal to go on board a vessel in harbour in Great Britain on which there is an animal to which paragraph (2) above applies; and for the purposes of this paragraph and paragraph (8) below—
- (a) 'native animal' means an animal to which paragraph (2) above does not apply; and
  - (b) 'native contact animal' means a contact animal which is ashore in Great Britain, whether or not it has been landed from a vessel.
- (7) Paragraph (6) above shall not apply to—
- (a) the use on board a vessel in harbour in Great Britain of dogs belonging to the police, Her Majesty's Customs and Excise or Her Majesty's Forces, so long as such dogs are kept under constant control of a trained handler while on board; or
  - (b) the loading on board a vessel in harbour in Great Britain of any animal or contact animal intended for exportation from Great Britain on that vessel.
- (8) An inspector or a constable may seize or cause to be seized—
- (a) any animal to which paragraph (2) above applies in relation to which there has been a contravention of or failure to comply with any provision of that paragraph; and
  - (b) any native animal or native contact animal in relation to which there has been a contravention of or failure to comply with the provisions of paragraph (6) above;
- and where an animal or contact animal has been seized in accordance with the foregoing provisions of this paragraph, an inspector or a constable may—
- (i) destroy it or cause it to be destroyed;
  - (ii) move it or cause it to be moved to authorised quarantine premises for the purposes of detention and isolation in quarantine at its owner's expense for a period of six calendar months, or for such shorter period as an inspector may direct; or
  - (iii) in the case of an animal to which paragraph (2) above applies, export it from Great Britain or cause it to be so exported:

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and Provided that, where an animal or a contact animal to which this paragraph applies has been seized by a constable, it shall only be dealt with in accordance with sub-paragraph (ii) or sub-paragraph (iii) above with the agreement of an inspector.

(9) The reasonable expenses incurred by an inspector or a constable in exercising the powers conferred on him by paragraph (8) above shall be recoverable on demand by the Minister, the local authority or, as the case may be, the police authority as a civil debt from the owner of the animal or contact animal.]

#### Textual Amendments

- F32** Art. 12 substituted (28.3.1977) by The Rabies (Importation of Dogs, Cats and Other Mammals) (Amendment) Order 1977 (S.I. 1977/361), arts. 1, **3(6)**
- F33** Art. 12(3)(a)-(c) substituted for art. 12(3)(a)(b) (1.7.1994) by The Rabies (Importation of Dogs, Cats and Other Mammals) (Amendment) Order 1994 (S.I. 1994/1716), arts. 1, **2(4)**

#### Action in case of illegal landing or breach of quarantine

13.—(1) Without prejudice to Article 14 below, where—

- (a) an animal which is required to be detained and isolated in quarantine under any of the provisions of this order, or under the provisions of a licence granted or notice served hereunder, is not so detained and isolated, or
- (b) there is reason to believe that an animal has been landed in Great Britain in contravention of this order or of a licence granted hereunder,

an inspector may by written or oral notice served on the person appearing to him to be in charge of the animal, require that person, at the expense of the owner of the animal or of the person on whom the notice is served, immediately to detain and isolate the animal, and, within the time specified in the notice, to ensure that it is moved in such manner, and in compliance with such conditions, as may be so specified—

- (i) to a vessel [<sup>F34</sup>vehicle,] or aircraft for exportation; or
- (ii) to authorised quarantine premises for the purpose of detention and isolation in quarantine at its owner's expense for a period of six calendar months from the date of the notice, or for such shorter period as may be specified therein.

(2) If any person on whom a notice is served under paragraph (1) above fails to comply with the requirements thereof, an inspector [<sup>F35</sup>or a constable] may, without prejudice to any proceedings for an offence arising from such default, or arising in connection with any other contravention of this order or of a licence granted or notice served hereunder, seize [<sup>F36</sup>or cause to be seized] the animal to which the notice relates, and arrange for the notice to be complied with; and the person on whom the notice was served, and the owner of the animal and any other person having charge thereof, shall render all reasonable assistance to an inspector [<sup>F35</sup>or a constable] to enable him to exercise the power conferred by the foregoing provisions of this paragraph, and the reasonable expenses incurred in the exercise of that power shall be recoverable on demand by [<sup>F37</sup>the Minister, the local authority or, as the case may be, the police authority] as a civil debt from the owner of the animal, or from the person on whom the notice was served.

(3) The operation of a notice served under paragraph (1) above may be terminated by notice to that effect given by an inspector to the owner or person in charge of the animal on proof to the satisfaction of the inspector that the animal was not landed in Great Britain in contravention of this

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order, or of a licence granted hereunder, or that six calendar months have expired since the date of the landing of the animal.

(4) Without prejudice to Article 14 below, where in respect of an animal to which paragraph (1) above applies an inspector—

- (a) has reasonable grounds for believing that the animal does not have an owner, or
- (b) is unable, after reasonable inquiry, to trace the owner of the animal, or any person otherwise having charge of it, or
- (c) has reason to believe that the service of a notice under paragraph (1) above would result in an unreasonable delay in dealing with the animal,

he may seize the animal, [<sup>F38</sup>or cause it to be seized,] and arrange for its exportation or detention and isolation in quarantine at authorised quarantine premises:

Provided that he shall (where the identity of the owner of the animal is known or subsequently becomes known to him), as soon as practicable, inform that person in writing of the action he has taken.

(5) The reasonable expenses incurred in the exercise of the power conferred on an inspector by paragraph (4) above shall, without prejudice to any proceedings arising in connection with any contravention of this order, or of a licence granted hereunder, be recoverable on demand by the Minister or, as the case may be, the local authority as a civil debt from the owner of the animal.

(6) Nothing in this Article shall affect the powers of the Commissioners of Customs and Excise to seize or detain as liable to forfeiture under the Customs and Excise Acts and animal which is landed in Great Britain in contravention of this order, or of a licence granted hereunder, or to institute legal proceedings under those Acts in respect of such contravention.

#### Textual Amendments

- F34** Word in art. 13(1)(b)(i) inserted (1.12.1990) by The Channel Tunnel (Amendment of Agriculture, Fisheries and Food Import Legislation) Order 1990 (S.I. 1990/2371), art. 1, **Sch. 2**
- F35** Words in art. 13(2) inserted (28.3.1977) by The Rabies (Importation of Dogs, Cats and Other Mammals) (Amendment) Order 1977 (S.I. 1977/361), arts. 1, **3(7)(a)(i)**
- F36** Words in art. 13(2) inserted (28.3.1977) by The Rabies (Importation of Dogs, Cats and Other Mammals) (Amendment) Order 1977 (S.I. 1977/361), arts. 1, **3(7)(a)(ii)**
- F37** Words in art. 13(2) substituted (28.3.1977) by The Rabies (Importation of Dogs, Cats and Other Mammals) (Amendment) Order 1977 (S.I. 1977/361), arts. 1, **3(7)(a)(iii)**
- F38** Words in art. 13(4) inserted (28.3.1977) by The Rabies (Importation of Dogs, Cats and Other Mammals) (Amendment) Order 1977 (S.I. 1977/361), arts. 1, **3(7)(b)**

#### Commencement Information

- I12** Art. 13 in force at 5.2.1975, see **art. 1**

### Power to destroy imported animals

**14.** An inspector [<sup>F39</sup>or a constable] may [<sup>F40</sup>seize or cause to be seized, and thereafter] destroy or cause to be destroyed any animal landed in Great Britain in contravention of this order, or of a licence granted hereunder, or any animal in respect of which there is, after it has been landed, a contravention of any such licence, and the reasonable expenses incurred in the exercise of the power conferred by the foregoing provisions of this paragraph shall, without prejudice to any proceedings arising in connection with a contravention of this order, or of a licence granted hereunder, be recoverable on demand by [<sup>F41</sup>the Minister, the local authority or, as the case may be, the police authority] as a civil debt from the owner of the animal.

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#### Textual Amendments

- F39** Words in [art. 14](#) inserted (28.3.1977) by [The Rabies \(Importation of Dogs, Cats and Other Mammals\) \(Amendment\) Order 1977 \(S.I. 1977/361\)](#), arts. 1, **3(8)(a)(i)**
- F40** Words in [art. 14](#) inserted (28.3.1977) by [The Rabies \(Importation of Dogs, Cats and Other Mammals\) \(Amendment\) Order 1977 \(S.I. 1977/361\)](#), arts. 1, **3(8)(a)(ii)**
- F41** Words in [art. 14](#) substituted (28.3.1977) by [The Rabies \(Importation of Dogs, Cats and Other Mammals\) \(Amendment\) Order 1977 \(S.I. 1977/361\)](#), arts. 1, **3(8)(b)**

#### Commencement Information

- I13** [Art. 14](#) in force at 5.2.1975, see [art. 1](#)

### Contact Animals

**15.—(1)** Except as provided for in the foregoing provisions of this order, where an animal or contact animal comes into contact with an animal—

- (a) which is being or should be detained and isolated in quarantine under the provisions of this order, or which has escaped from such detention and isolation, or
- (b) which is awaiting exportation from a port or airport, or which is in the course of transit through Great Britain, under the provisions of Article 8 above, or
- (c) which is on board a vessel in any harbour in Great Britain in circumstances to which Article 12 above applies, or
- (d) which has been or which is suspected of having been landed in Great Britain in contravention of the provisions of this order, or of a licence granted hereunder,

[<sup>F42</sup>an inspector] may, by notice in writing served on the owner or other person appearing to him to have the control or custody of the said animal or contact animal, apply such of the provisions of this order thereto as he may consider expedient, with such modifications or variations as may be specified in the notice, and it shall be the duty of the person on whom such a notice is served to comply with the requirements thereof.

(2) A notice served under paragraph (1) above shall remain in force for such period as may be specified therein, unless withdrawn by a further notice served in like manner.

#### Textual Amendments

- F42** Words in [art. 15\(1\)](#) substituted (1.9.1984) by [The Rabies \(Importation of Dogs, Cats and Other Mammals\) \(Amendment\) Order 1984 \(S.I. 1984/1182\)](#), arts. 1, **2(c)**

#### Commencement Information

- I14** [Art. 15](#) in force at 5.2.1975, see [art. 1](#)

### Summary offences

**16.—(1)** No person shall land or attempt to land an animal in Great Britain the landing of which is prohibited under Article 4(1) above, or cause or permit the landing or attempted landing of any such animal.

(2) It shall be unlawful to contravene any provision of this order, or of a licence granted or notice served hereunder, or to fail to comply with any such provision, or to cause or permit any such contravention or non-compliance.

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#### Commencement Information

**I15** Art. 16 in force at 5.2.1975, see [art. 1](#)

#### Indictable offences

**17.** Without prejudice to section 80 of the Act (summary proceedings), any person who knowingly, and with intent to evade any provision of this order, or any provision of a licence granted hereunder,—

- (a) lands or attempts to land an animal in Great Britain the landing of which is prohibited by Article 4(1) above, or causes or permits the landing or attempted landing of any such animal, or
- (b) lands or attempts to land an animal in Great Britain in contravention of any provision of this order, or of a licence granted hereunder, or in respect of the landing of an animal in Great Britain, fails to comply with any such provision, or causes or permits any such contravention or non-compliance, or
- (c) with respect to an animal which has been landed in Great Britain, does or omits to do anything relating to the detention and isolation in quarantine of the animal in contravention of any provision of this order, or of a licence granted hereunder,

commits an offence against the Act, and shall be liable to prosecution on indictment.

#### Commencement Information

**I16** Art. 17 in force at 5.2.1975, see [art. 1](#)

#### Local authority to enforce order

**18.** This order shall, except where otherwise provided, be executed and enforced by the local authority.

#### Commencement Information

**I17** Art. 18 in force at 5.2.1975, see [art. 1](#)

#### Revocation

**19.** The following orders, that is to say:—

- (i) The Importation of Dogs and Cats Order of 1928<sup>(5)</sup>,
- (ii) The Importation of Dogs and Cats (Amendment) Order 1969<sup>(6)</sup>,
- (iii) The Importation of Dogs and Cats (Amendment) (No. 1) Order 1970<sup>(7)</sup>,
- (iv) The Importation of Dogs and Cats (Amendment) (No. 2) Order 1970<sup>(8)</sup>,
- (v) The Importation of Dogs and Cats (Amendment) (No. 3) Order 1970<sup>(9)</sup>, and

<sup>(5)</sup> (Rev. II, p. 399: 1928 p. 177).

<sup>(6)</sup> (1969 III, p. 5473).

<sup>(7)</sup> (1970 I, p. 1275).

<sup>(8)</sup> (1970 II, p. 1514).

<sup>(9)</sup> (1970 II, p. 4147).

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(vi) The Rabies (Importation of Mammals) Order 1971(10),  
are hereby revoked; but notwithstanding such revocation, any licence granted under any of those orders, and in force immediately before the coming into operation of this order, shall have effect as if granted under this order.

**Commencement Information**

**I18** Art. 19 in force at 5.2.1975, see art. 1

In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 23rd December 1974.

L.S.

*Frederick Peart*  
Minister of Agriculture, Fisheries and Food

31st December 1974

*William Ross*  
Secretary of State for Scotland

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## SCHEDULE 1

### ANIMALS TO WHICH THE ORDER APPLIES

#### PART I

##### ANIMALS SUBJECT TO QUARANTINE FOR LIFE

###### Commencement Information

**I19** Sch. 1 Pt. I in force at 5.2.1975, see **art. 1**

| Order      | Common names of some species ( <i>see note below</i> ) |              |
|------------|--|--------------|
| Chiroptera | Desmodontidae only                                     | Vampire bats |

#### PART II

##### ANIMALS SUBJECT TO 6 MONTHS' QUARANTINE

###### Commencement Information

**I20** Sch. 1 Pt. II in force at 5.2.1975, see **art. 1**

| Order       | Common names of some species ( <i>see note below</i> ) |  |
|-------------|--|--|
| Carnivora   | All families and species                               | Dogs, cats, jackals, foxes, wolves, bears, raccoons, coatis, pandas, otters, weasels, martens, polecats, badgers, skunks, mink, ratels, genets, civets, linsangs, mongooses, hyaenas, ocelots, pumas, cheetahs, lions, tigers, leopards. |
| Chiroptera  | All families except Desmodontidae                      | Bats, flying foxes.  |
| Dermoptera  |  | Flying lemurs  |
| Edentata    |  | Anteaters, sloths, armadillos  |
| Hyracoidea  |  | Hyraxes  |
| Insectivora |  | Solenodons, tenrecs, otter shrews, golden moles, hedgehogs, elephant shrews, shrews, moles, desmans  |
| Lagomorpha  |  | Pikas, rabbits, hares  |
| Marsupialia |  | Opossums, marsupial mice, dasyures, marsupial moles, marsupial anteaters, bandicoots, rat opossums, cuscuses,  |

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| Order    |                                     | Common names of some species<br>(see note below)   |
|----------|-------------------------------------|--|
|          |                                     | phalangers, koalas, wombats, wallabies, kangaroos  |
| Primates | All families except Hominidae (Man) | Tree-shrews, lemurs, indrises, sifakas, aye-ayes, lorises, bushbabies, tarsiers, titis, uakaris, sakis, howlers, capuchins, squirrel monkeys, marmosets, tamarins, macaques, mangabeys, baboons, langurs, gibbons, great apes  |
| Rodentia |                                     | Gophers, squirrels, chipmunks, marmots, scaly-tailed squirrels, pocket mice, kangaroo-rats, beavers, mountain beavers, springhaas, mice, rats, hamsters, lemmings, voles, gerbils, water rats, dormice, jumping mice, jerboas, porcupines, cavies (including guinea-pigs), capybaras, chinchillas, spiny rats, gundis. |

### PART III

#### ADDITIONAL ANIMALS FOR CONTACT PURPOSES (ARTICLE 15)

##### Commencement Information

**I21** Sch. 1 Pt. III in force at 5.2.1975, see [art. 1](#)

| Order          | Common names of some species (see note below)  |
|----------------|--|
| Artiodactyla   | Pigs, peccaries, hippopotamuses, camels, llamas, chevrotains, deer, giraffes, pronghorns, cattle, antelopes, duikers, gazelles, goats, sheep |
| Monotremata    | Echidnas, duck-billed platypuses   |
| Perissodactyla | Horses, asses, zebras, tapirs, rhinoceroses  |
| Pholidota      | Pangolins  |
| Proboscidea    | Elephants  |
| Tubulidentata  | Aardvarks  |



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## [<sup>F43</sup>SCHEDULE 2

### Textual Amendments

**F43** Sch. 2 substituted (28.3.1977) by [The Rabies \(Importation of Dogs, Cats and Other Mammals\) \(Amendment\) Order 1977 \(S.I. 1977/361\)](#), art. 1, **Sch.**

Ports and airports at which authorised landings of animals may take place:

## [<sup>F44</sup>PART I

### PORTS

### Textual Amendments

**F44** Sch. 2 Pt. 1 substituted (1.9.1984) by [The Rabies \(Importation of Dogs, Cats and Other Mammals\) \(Amendment\) Order 1984 \(S.I. 1984/1182\)](#), arts. 1, **2(d)**

Dover, Eastern Docks

[<sup>F45</sup>Harwich, Parkeston Quay]

Hull

Portsmouth

Southampton]

### Textual Amendments

**F45** Words in Sch. 2 Pt. 1 substituted (1.1.1987) by [The Rabies \(Importation of Dogs, Cats and Other Mammals\) \(Amendment\) Order 1986 \(S.I. 1986/2062\)](#), arts. 1, **2(b)**

## PART II

### AIRPORTS

Birmingham

Edinburgh

Gatwick

Glasgow

Heathrow

Leeds

Manchester

<sup>F46</sup> ...

Prestwick ]

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### Textual Amendments

**F46** Word in Sch. 2 Pt. 2 revoked (1.10.2004) by [The Rabies \(Importation of Dogs, Cats and Other Mammals\) \(England\) \(Amendment\) Order 2004 \(S.I. 2004/2364\)](#), arts. 1, **2(9)**

## EXPLANATORY NOTE

For the purpose of preventing the introduction of rabies into Great Britain, this order controls the landing in this country of any animal (other than man) belonging to the ten orders of mammals specified in Parts I and II of Schedule 1. It revokes and replaces the Rabies (Importation of Mammals) Order 1971 and the Importation of Dogs and Cats Order of 1928, together with the four orders of 1969 and 1970 which amended the latter, and it also includes new provisions derived from the powers of the Diseases of Animals Act 1950 as extended by the Rabies Act 1974.

In respect of the animals to which it applies, the order prohibits their landing in Great Britain except under the authority of, and in compliance with the conditions imposed by, a licence previously granted by the Minister of Agriculture, Fisheries and Food in England and Wales and the Secretary of State in Scotland. However, licences are not required in respect of animals coming from Northern Ireland, the Republic of Ireland, the Channel Islands and the Isle of Man, provided such animals have not been outside the British Isles within the preceding six months. Nor is a licence necessary in respect of an animal which is landed at a British port or airport for the purpose of re-exportation from the same port or airport within a period of 48 hours, although in this case, the animal is made the subject of stringent controls with regard to its movement, detention and isolation, etc.

Except where exceptional circumstances exist, animals may only be licensed to be landed at prescribed ports and airports, and they must be moved as soon as practicable after landing to authorised quarantine premises at which they are to be kept for the prescribed period of quarantine. The order provides for the majority of animals to which it applies to be detained in quarantine for a period of six calendar months from the date of landing, but in the case of vampire bats, their entry into the country is only permitted on the basis of their being quarantined for life. Moreover, vampire bats which are born in this country are also made subject to quarantine for life.

The order contains detailed provisions relating to the movement of animals during quarantine, the licensing of carrying agents and of quarantine premises, and the control of animals which are passing through Great Britain or which are on board a vessel in a British port. The Ministers are also given power to deal with animals (including animals belonging to the additional orders of mammals specified in Part III of Schedule 1) which have been in contact with animals from abroad, and other provisions relate to the keeping of records, the conditions which may be inserted in licences, and other ancillary matters.

With regard to contraventions of the order, power is given to an inspector of the Ministry or of the local authority to destroy an animal which is landed illegally, or in respect of which there has been a breach of a licence granted under the order. As an alternative he may require such an animal to be re-exported or detained and isolated in quarantine. In addition, a person who knowingly and with intent to evade the provisions of the order or of a licence lands or attempts to land, or causes or permits the landing or attempted landing, of an animal in contravention of the order or a licence, or contravenes any provision thereof with regard to quarantine, is made liable at the option of the

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prosecuting authority to prosecution on indictment, and accordingly to imprisonment for a maximum term of twelve months or to an unlimited fine, or to both.

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