1977 No. 256

ANIMALS

Rabies (Importation of Dogs, Cats and Other Mammals) (Amendment) Order (Northern Ireland) 1977

Made . . . . . *16th August* 1977

Coming into operation . . *14th September* 1977

The Department(a) of Agriculture, in exercise of the powers conferred on it by sections 5, 13, 18, 23 and 53 of the Diseases of Animals Act (Northern Ireland) 1958(b), as extended in the case of sections 18 and 53 by articles 5, 7 and 8 of the Diseases of Animals (Northern Ireland) Order 1975(c), and in the case of sections 18 and 23 by article 3 of the Diseases of Animals (Amendment) (Northern Ireland) Order 1975(d), and of every other power enabling it in that behalf, hereby makes the following Order:

Citation, commencement and purpose

1.—(1) This Order may be cited as the Rabies (Importation of Dogs, Cats and Other Mammals) (Amendment) Order (Northern Ireland) 1977 and shall come into operation on 14th September 1977.

(2) This Order is made for the purpose of preventing the introduction of rabies into Northern Ireland.

Amendment of the Rabies (Importation of Dogs, Cats and Other Mammals) Order (Northern Ireland) 1977

2. The Rabies (Importation of Dogs, Cats and Other Mammals) Order (Northern Ireland) 1977(e) is hereby amended as follows:

(1) In article 3(1)—

(*a*) for the definition of "harbour" there shall be substituted—

" "harbour" has the meaning assigned to it by section 38 of the Harbours Act (Northern Ireland) 1970(f);";

(*b*) the definitions of "constable" and "master" shall be deleted; and

(*c*) after the definition of "research premises" there shall be inserted—

" "vessel" includes hovercraft;".

(2) After article 4 the following article shall be inserted:

"*Animals dying while in transit to Northern Ireland*

4A.—(1) Where an animal dies while in transit to Northern Ireland or while in a landing place in Northern Ireland a veterinary inspector may seize the carcase of the animal for the purpose of carrying out such tests as he may deem necessary in the interest of preventing the introduction of rabies. The carcase shall thereafter be destroyed or otherwise disposed of in such manner as the Department may direct.

(a) Formerly Ministry: *see* 1973 c. 36 Sch. 5 para. 8(1)
(b) 1958 c. 13 (N.I.)
(c) S.I. 1975/418 (N.I. 3)
(d) S.I. 1975/1307 (N.I. 12)
(e) S.R. 1977 No. 113
(f) 1970 c. 1 (N.I.)

(2) A veterinary inspector may require the cleansing and disinfection of any part of a vessel or aircraft wherein an animal referred to in paragraph (1) was transported to Northern Ireland, and of any fitting, pen or other thing contained therein, and may require the treatment or disposal of any fodder, litter or dung which may have been in contact with the animal.".

(3) In article 8(5) for the word "could" there shall be substituted the words "virus could, if present in that animal,".

(4) For article 12 there shall be substituted:

"*Detention of animals on board vessels in harbour*

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

(2) Subject to paragraph (3), it shall be the duty of the person having charge or control of a vessel in harbour in Northern Ireland 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 Northern Ireland); and

(*c*) is in no circumstances permitted to land.

(3) Paragraph 2(*c*) shall not apply to an animal which is landed—

(*a*) in accordance with a licence granted under article 4; or

(*b*) in the circumstances referred to in article 8.

(4) If an animal to which paragraph (2) applies is lost or escapes from a vessel in harbour in Northern Ireland, the person having charge or control of that vessel shall forthwith give notice of such loss or escape to an inspector, a constable or an officer of Customs and Excise.

(5) If an animal to which paragraph (2) 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 Northern Ireland), 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 Northern Ireland until after it has undergone detention and isolation in quarantine at its owner's expense at such premises for such period (not exceeding six months) and subject to such conditions, as the inspector may direct.

(6) The provisions of paragraphs (4) and (5) are without prejudice to any obligation to give notice under section 4 of the Act.

(7) Subject to paragraph (8), no person shall cause or permit a native animal or a native contact animal to go on board a vessel in harbour in Northern Ireland on which there is an animal to which paragraph (2) applies; and for the purposes of this paragraph and paragraph (8)—

(*a*) "native animal" means an animal to which paragraph (2) does not apply; and

(*b*) "native contact animal" means a contact animal which is ashore in Northern Ireland whether or not it has been landed from a vessel.