1972. No. 17 **[NC]**

DISEASES OF ANIMALS

Rabies—Prohibition on the Importation of Mammals

ORDER, DATED 28TH DAY OF JANUARY 1972, MADE BY THE MINISTRY OF AGRICULTURE UNDER SECTIONS 1, 4, 18, 20, 21, 22, 23 AND 53 OF THE DISEASES OF ANIMALS ACT (NORTHERN IRELAND) 1958.

The Ministry of Agriculture in exercise of the powers conferred on it by Sections 1, 4, 18, 20, 21, 22, 23 and 53 of the Diseases of Animals Act (Northern Ireland) 1958(**a**) (hereinafter called "the Act") and of all other powers enabling it in that behalf hereby makes the following Order:—

Citation and commencement

1. This Order which may be cited as the Rabies (Importation of Mammals) Order (Northern Ireland) 1972 shall come into operation on 31st day of January 1972.

PART I

Revocation and Amendment

2.—(1) The Exotic Animals (Importation) Order (Northern Ireland) 1969(**b**) and the Exotic Animals (Importation) (Amendment) Order (Northern Ireland) 1971(**c**) are hereby revoked and Item 10 in the First Part of the First Schedule of the Act shall be accordingly deleted.

(2) Article 3 of the Importation of Dogs and Cats Order (Northern Ireland) 1961(**d**) shall be amended as follows—

for the definition of "cat" and of "dog" in that Order there shall be substituted the following definitions—

"cat" means an animal of the species *Felis catus*; and

"dog" means an animal of the species *Canis familiaris*.

(3) The Rabies (Ireland) Order of 1900(**e**) shall be amended as follows—

(*a*) In Articles 4, 5, 10 and 11 for the words "dog" or "dogs" where they occur there shall be substituted the words "animal" or "animals" respectively.

(*b*) Articles 6, 7 and 8 shall be revoked.

(*c*) In Article 12(1), Article 24(4) and (5) and the First Schedule the words "dog or other" where they occur shall be deleted.

(*d*) In Article 16 the words "other than dogs" in the ninth line shall be deleted.

(*e*) In Article 23 and Article 26 the definition of "animals" shall be amended to include any animals specified in Part I of the First Schedule of the Act.

(**a**) 1958. c. 13.
(**b**) S.R. & O. (N.I.) 1969, No. 334.
(**c**) S.R. & O. (N.I.) 1971, No. 8.
(**d**) S.R. & O. (N.I.) 1961, No. 29.
(**e**) S.R. & O. 1901, No. 13.

Extension of the Act

3. For the purposes of the Act and of the Rabies (Ireland) Order of 1900 the following items shall be added to Part I of the First Schedule to the Act and Items 1 to 9 shall be deleted therefrom—

Animals:

"All species of the following orders of mammals except *Homo sapiens* (man)—

1. Chiroptera
2. Carnivora
3. Dermoptera
4. Edentata
5. Hyracoidea
6. Insectivora
7. Lagomorpha
8. Marsupialia
9. Primates
10. Rodentia
11. Artiodactyla
12. Monotremata
13. Perissodactyla
14. Pholidota
15. Proboscidea
16. Tubulidentata"

Interpretation

4. In this Order unless the context otherwise requires the following expressions have the meanings hereby assigned to them:—

"animal" means an animal belonging to any family or species of the orders of mammals specified in Parts I and II of the Schedule other than man or an animal belonging to either the species *Canis familiaris* or to the species *Felis catus*;

"authorised carrier" means a person authorised in writing by the Ministry to carry animals which have been landed in accordance with the provisions of this Order from the landing place to the approved quarantine premises or to carry out such subsequent movement as may be authorised by the Ministry;

"landing place" means the port of Belfast or Belfast (Aldergrove) Airport;

"Ministry" means the Ministry of Agriculture for Northern Ireland; and

"quarantine premises" means premises approved by the Ministry for the detention and isolation of animals under such conditions as the Ministry may prescribe.

5. The provisions of the Third Schedule of the Act relating to slaughter and to quarantine shall not apply to animals brought in from the Republic of Ireland.

6. Animals brought from Great Britain, the Channel Islands and the Isle of Man shall be landed in Northern Ireland only under and in accordance with the conditions of a licence issued by the Ministry and the provisions of the Third Schedule of the Act relating to slaughter and to quarantine shall not apply to such animals.

7. The provisions of Section 20 of the Act are hereby extended to animals brought from a country other than Great Britain, the Channel Islands, the Isle of Man or the Republic of Ireland and such animals shall be subject to the provisions of Part II and Part III of the Third Schedule of the Act insofar as the same are not modified by Part II of this Order.

PART II

8.—(1) This Part shall apply to animals brought into Northern Ireland from any country other than Great Britain, the Channel Islands, the Isle of Man and the Republic of Ireland.

(2) Subject to Paragraphs (4) and (5) a licence to bring animals to which this Part applies into Northern Ireland shall be issued only to permit landing at a landing place and shall be subject to the conditions contained in this Part.

(3) On landing, an animal to which this Part applies shall be detained in the landing place in an area provided for the purpose by the port or airport authority and approved by the Ministry until an Inspector authorises its movement by an authorised carrier to approved quarantine premises.

(4) Notwithstanding the provisions of the preceding paragraphs the Ministry may if it is satisfied that special circumstances exist in connection with the landing of a particular animal to which this Part applies grant a licence for the landing of the animal at a place other than a landing place.

(5) Nothing in the preceding paragraphs shall render it unlawful (subject to the authority of an Inspector first having been obtained) for an animal to which this Part applies to be landed at a port or airport in Northern Ireland (other than the port or airport at which it is licensed to be landed) to which the vessel or aircraft which is bringing the animal to Northern Ireland has been ordered to be diverted in the interests of safety, or in the light of other exceptional circumstances.

Detention and isolation in quarantine

9.—(1) Where an animal specified in Part I of the Schedule of this Order and to which this Part applies is landed in Northern Ireland in accordance with the conditions of a licence issued under Article 7 it shall be detained and isolated in quarantine premises at its owner's expense for the rest of its life and be subject to such conditions as may be prescribed in the licence; and in the event of any progeny of any such animal being born in Northern Ireland such progeny shall be subject to the same conditions with regard to detention and isolation in quarantine for life as if they were imported animals specified in Part I of the Schedule and to which this Part applies.

(2) Where an animal specified in Part II of the Schedule of this Order and to which this Part applies is landed in Northern Ireland under the provisions of Article 7 and in accordance with the terms and conditions of a licence granted thereunder it shall be detained and isolated in quarantine premises at the owner's expense for 6 calendar months and be subject to such conditions as may be prescribed 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 premises such offspring shall itself be similarly detained and isolated at its owner's expense for a period coterminous with the period applying in respect of the parent animal, or for such shorter period, and in such quarantine premises and subject to such conditions as the Ministry may direct.

(3) The Ministry may by licence permit other animals to be kept with the imported animals which are being detained and isolated in quarantine in accordance with the provisions of the preceding paragraph.

(4) Where any such other animal has been in contact with an imported animal in quarantine it shall be detained and isolated there at its owner's expense subject to the terms and conditions of a licence until the imported animal is released from quarantine, or for such shorter period as the Ministry may in any particular case direct, and shall be treated as an imported animal for the purposes of this Order.

(5) Where an animal to which this Part applies dies while being detained in accordance with the provisions of Paragraph (1) or Paragraph (2) of this Article or Paragraph (2) of Article 10 the carcase of the animal shall not be buried or destroyed until such tests or other examination as the Ministry may require have been carried out and the carcase shall subsequently be buried or destroyed in accordance with the instructions of a Veterinary Inspector of the Ministry.

Detention of animals on vessels in port

10.—(1) The provisions of this Article shall apply to any animal (other than man) belonging to the orders of mammals specified in Parts I and II of the Schedule, including domestic dogs and cats, which has been brought (whether directly or indirectly) from a place outside Great Britain, the Channel Islands, the Isle of Man or the Republic of Ireland and which is not accompanied by a licence granted by the Ministry authorising the landing of such animal in Northern Ireland.

(2) Every animal to which this Article applies shall at all times while on board a vessel in any port in Northern Ireland be confined in an enclosed part of the vessel from which it cannot escape and in no circumstances shall such animal be permitted to go ashore or to come into contact with any other animal to which this Article applies or with any animal belonging to any family or species of the orders of mammals specified in Part III of the Schedule.

(3) If an animal to which this Article applies is, while on board a vessel in any port in Northern Ireland, concerned in an incident involving a human being or other animal whereby the rabies virus could, if present in the said animal, be transmitted, then the person in charge of the animal shall forthwith give notice of such incident to an officer of the Ministry or to a Constable and the animal shall not, unless the Ministry otherwise directs, leave Northern Ireland until it has undergone detention and isolation in quarantine premises at the owner's expense for such period and subject to such conditions as the Ministry may direct.

(4) If an animal to which this Article applies shall die or be lost from a vessel in any port in Northern Ireland the person in charge of the animal shall forthwith give notice of the death or loss to an Inspector of the Ministry or to a Constable.

Animals landed unlawfully

11. If an animal is landed in Northern Ireland in contravention of this Order then subject to the powers of the Commissioners of Customs and Excise to seize, detain and forfeit the said animal under the Customs and Excise Acts, an Inspector of the Ministry may by notice served under the Diseases of Animals (Unlawful Importations) Order (Northern Ireland) 1963(f) require the owner or person in charge of the animal to have it re-exported or otherwise dealt with as required by the Notice.

(f) S.R. & O. (N.I.) 1963, No. 178.