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.

Transhipment in ports and airports

12. Nothing in this Order shall operate to prevent the transhipment in a port or airport in Northern Ireland of an animal brought from outside Northern Ireland or the Republic of Ireland where such transhipment takes place with the written authority of the Ministry or an officer of Customs and Excise and subject to such conditions (if any) as may be specified in such authority.

Seizure, detention and disposal of animals found straying in a landing place

13.—(1) For the purposes of this Article the expression "landing place" shall be extended to mean any port or airport in Northern Ireland.

(2) Where an animal is found straying in a landing place an Inspector or Constable or officer of Customs and Excise may forthwith seize the animal and arrange for its detention and isolation until the Ministry directs the action to be taken.

(3) Any animal seized in accordance with the provisions of the preceding paragraph shall be dealt with in such manner as the Ministry may determine and the Ministry shall have power to require that it be slaughtered, re-exported or otherwise disposed of.

(4) Where the owner or person in charge of an animal to which Paragraph (2) refers is known to the Ministry any expenses incurred by the Ministry in relation to the seizure, detention and isolation of the animal or in relation to its disposal shall be recoverable as a civil debt from that person without prejudice to any proceedings arising in connection with the landing of the animal in Northern Ireland.

Contact animals

14.—(1) For the purposes of this Article the expression "animal" shall be extended to mean any animal (other than man) belonging to any family or species of the orders of mammals specified in Parts I, II and III of the Schedule and shall include an animal of the species *Canis familiaris* or of the species *Felis catus.*

(2) Where an animal comes into contact with—

(*a*) an animal which is being detained and isolated in quarantine under the provisions of this Order or which has escaped from such detention and isolation; or

(*b*) an animal awaiting re-exportation at a port or airport in accordance with the provisions of Article 11 or Article 13(3); or

(*c*) an animal on board a vessel in any port in Northern Ireland to which Article 10 applies; or

(*d*) an animal which an Inspector or Constable or officer of Customs and Excise has reason to believe may have landed in Northern Ireland in contravention of the provisions of this Order or which has been found straying in a port or airport in Northern Ireland in the circumstances referred to in Article 13,

the Ministry may inform in writing the person appearing to have control and custody of the said animal of the possibility that rabies infection may have been transmitted as a result of the contact and may serve on that person a notice in writing requiring him to notify to the Ministry the address of the place at which the animal is at present being kept and any subsequent change of that address.

(3) A notice served in accordance with the provisions of the preceding paragraph shall remain in force for such period as may be specified therein or until withdrawn by a further notice served by the Ministry.

Offences

15. The contravention of any provision of this Order or of a notice served or a licence granted thereunder or failure to comply with any condition under the notice or licence shall be an offence against the Act.

Sealed with the Official Seal of the Ministry of Agriculture for Northern Ireland this 28th day of January 1972 in the presence of

(L.S.)

J. Parke,
Assistant Secretary.

SCHEDULE

Animals to which the Order applies

PART I

Animals subject to quarantine for life

Order		*Common names of some species* (see note below)
Chiroptera .	Desmodontidae only	Vampire bats.

PART II

Animals subject to 6 months quarantine

Order		*Common names of some species* (see note below)
Carnivora .	All families and species except *Canis familiaris* (domestic dog) and *Felis catus* (domestic cat)	Jackals, foxes, wolves, bears, raccoons, coatis, pandas, otters, weasles, 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, 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, capybaras, chinchillas, spiny rats, gundis.

PART III

Additional animals for contact purposes (Article 14)

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.

NOTE: Some of the common names of animals included in this Schedule are set out opposite the appropriate reference. The list is for guidance only and does not form part of the Order.

EXPLANATORY NOTE

(*This note is not part of the Order, but is intended to indicate its general purport.*)

For purposes connected with the prevention of the introduction of rabies into Northern Ireland this Order extends the statutory definition of "animals" in Part I of the First Schedule of the Diseases of Animals Act (Northern Ireland) 1958 so as to include the orders of mammals specified in the Schedule to the Order and provides for licensing restrictions on the importation of the animals specified in Parts I and II. Such animals may not be imported from any country other than the Republic of Ireland except under the authority of a licence. Animals imported under licence from countries outside Great Britain, the Channel Islands and the Isle of Man are required to be detained and isolated in quarantine for a period of at least 6 months after landing except in the case of vampire bats which must be kept in quarantine for the remainder of their life.

The Order contains provisions for the control of animals which have come into contact with imported animals and the action to be taken when animals are landed unlawfully or are found straying in ports or airports.

The Order revokes the Exotic Animals (Importation) Order (Northern Ireland) 1969 and the Exotic Animals (Importation) (Amendment) Order (Northern Ireland) 1971 and amends the Importation of Dogs and Cats Order (Northern Ireland) 1961 so as to restrict its application to domestic dogs and cats.