STATUTORY INSTRUMENTS

1969 No. 915

ANIMALS

DISEASES OF ANIMALS

The Equine Animals (Importation) Order 1969

Made - - -	3*rd July* 1969
Laid before Parliament	16*th July* 1969
Coming into Operation	16*th August* 1969

The Minister of Agriculture, Fisheries and Food and the Secretary of State, acting jointly, in exercise of the powers vested in them under sections 1, 24, 33, 84 and 85 of the Diseases of Animals Act 1950(**a**) (as extended by the Diseases of Animals (Extensions of Definitions) Order 1952(**b**) and adapted to air transport by section 11 of the Agriculture (Miscellaneous Provisions) Act 1954(**c**) and as read with the Transfer of Functions (Animal Health) Order 1955(**d**)) and all other powers enabling them in that behalf, hereby order as follows :—

Citation, extent and commencement

1. This Order, which may be cited as the Equine Animals (Importation) Order 1969, applies to Great Britain and shall come into operation on 16th August 1969.

Interpretation

2.—(1) In this order unless the context otherwise requires the following expressions have the meanings hereby respectively assigned to them :—

"the Act" means the Diseases of Animals Act 1950 ;

"equine animal" means a horse, ass, mule (which includes hinny) or zebra ;

"inspector" has the meaning assigned to it by section 84(4) of the Act ;

"the Minister" means the Minister of Agriculture, Fisheries and Food ;

"specified country" means any of the countries (or other places) specified in Schedule 1 to this order, being countries (or other places) in relation to which the Minister and the Secretary of State are satisfied that equine animals therein are affected with African horse sickness (*Pestis equorum*), or that there is risk of their being so affected.

(2) The Interpretation Act 1889(**e**) 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.

(**a**) 1950 c. 36. For change of title of the Minister see S.I. 1955/554 (1955 I, p. 1200).
(**b**) S.I. 1952/1236 (1952 I, p. 128). (**c**) 1954 c. 39.
(**d**) S.I. 1955/958 (1955 I, p. 1184). (**e**) 1889 c. 63.

Extension of definitions

3. For the purposes of this order, and for the purposes of sections 1, 24, 33 and Part III of the Act, in so far as they may be applicable to the making, administration and enforcement of this order—

(*a*) the definition of the expression "animals" contained in section 84(1) of the Act (as extended to specified equine animals by the Diseases of Animals (Extension of Definitions) Order 1952) shall continue to be extended so as to comprise zebras, and

(*b*) the definition of the expression "disease" in section 84(3) of the Act shall continue to be extended so as to comprise infectious equine anaemia, encephalomyelitis, equine virus abortion and African horse sickness (*Pestis equorum*).

Regulation of importation of equine animals into Great Britain

4.—(1) The landing or unloading in Great Britain of any equine animal brought from a specified country is hereby prohibited.

(2) The landing or unloading in Great Britain of any equine animal brought from any country (not being a specified country) outside Great Britain, except Northern Ireland, the Republic of Ireland, the Channel Islands or the Isle of Man, is hereby prohibited unless it is accompanied by a certificate as mentioned in article 5 below of a veterinary surgeon duly authorised by the government of the country from which the equine animal was brought.

(3) For the purposes of paragraph (1) above an equine animal is brought from a specified country if its journey to Great Britain started in a specified country, or any vehicle, vessel or aircraft carrying the animal in the course of its journey to Great Britain passed through, called at or landed in a specified country ; and for the purposes of paragraph (2) above the country from which an equine animal is brought to Great Britain means the country in which its journey to Great Britain started but does not include any country (other than a specified country) through which the animal passed in transit on its way to a port or aerodrome for shipment to Great Britain without any break of journey except such as may be necessary for feeding watering or rest or incidental to transhipment or the working of traffic.

Provisions as to certificates

5.—(1) Any certificate required by this order shall be in the form set forth in Schedule 2 to this order, or to the like effect.

(2) A certificate may refer to more than one equine animal, but the full particulars required thereon shall be separately given in respect of each animal referred to in the certificate.

(3) In the case of—

(*a*) a racehorse, or

(*b*) a horse entered for the purposes of exhibition or competition at any show, parade or event,

travelling with a permanent identity document approved under international arrangements the certificate required by this order may be incorporated with that document and shall contain such minor modifications as are appropriate to the circumstances of the case.

(4) Any certificate required by this order shall be delivered up (or, where paragraph (3) of this article applies, produced) on the landing or unloading of any equine animal referred to in the certificate by the person in charge of the animal to an officer of Customs and Excise at the place of landing or unloading.

Power to require mallein test on arrival in Great Britain

6. For the purpose of preventing the introduction or spread of glanders (or farcy), the Minister may cause any equine animal imported into Great Britain from any country (not being a specified country) outside Great Britain except Northern Ireland, the Republic of Ireland, the Channel Islands or the Isle of Man to be tested with mallein by a veterinary inspector at any time within twenty-eight days after the arrival of the animal, and the owner of the animal and occupier of the premises where the animal is located shall give all necessary facilities for such testing.

Detention of equine animals illegally imported

7.—(1) If any equine animal is imported into Great Britain in contravention of this order, the Minister in respect of an equine animal landed or unloaded in England or Wales, or the Secretary of State in respect of an equine animal landed or unloaded in Scotland, may serve on any person having the control or custody of the animal a notice in writing requiring him at the expense of the owner of the animal or the person on whom the notice was served to detain or isolate the animal subject to any conditions imposed by the notice and to subject it, or to permit it to be subjected to, such examinations and tests as the Minister or Secretary of State may determine ; and the person on whom such a notice is served shall comply with the requirements thereof.

(2) If any person on whom such a notice is served fails to comply with the requirements thereof it shall be lawful for an inspector, without prejudice to any proceedings for an offence arising out of such default, to seize the animal in respect of which the notice was served, and to detain or isolate it and subject it to such examinations and tests as he may determine.

(3) A person who has failed to comply with the terms of any such notice shall give all necessary facilities to an inspector to enable him to exercise the power conferred on him by paragraph (2) of this article, and the reasonable expenses incurred by such an inspector in exercising the said power shall be recoverable as a civil debt from the owner of the animal or the person on whom the notice was served.

Revocation and saving

8.—(1) The orders set forth in Schedule 3 to this order are hereby revoked.

(2) Any certificate given (whether or not accompanied by a declaration), or notice served, under any provision of the orders revoked by this order and in force immediately before the coming into operation of this order shall not be invalidated by such revocation but shall have effect as if given or served under the corresponding provision of this order.

Enforcement

9. This order shall, except where it is otherwise provided, be executed and enforced by the Local Authority.

In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 3rd July 1969.

(L.S.)

Cledwyn Hughes,
Minister of Agriculture,
Fisheries and Food.

Given under the Seal of the Secretary of State for Scotland on 3rd July 1969.

(L.S.)

William Ross,
Secretary of State
for Scotland.

Article 2

SCHEDULE 1

Countries (or other places) from which the landing or unloading in Great Britain of equine animals is prohibited

1. The Kingdom of Afghanistan
Bahrain
The Republic of Cyprus
The Republic of India
The Empire of Iran
The Republic of Iraq
The State of Israel
The Hashemite Kingdom of Jordan
The State of Kuwait
The Lebanese Republic
The Sultanate of Muscat and Oman
The Republic of Pakistan
Qatar
The Kingdom of Saudi Arabia
The Peoples' Republic of Southern Yemen
The Syrian Arab Republic
Any of the Trucial States
The Republic of Turkey
The Yemen

2. Any country or other place in Africa.

Article 5

SCHEDULE 2

Veterinary Certificate for Importation of Equine Animals into Great Britain

Description of Animal

Type and Breed.....Age.....Sex.....

I, the undersigned, being a Veterinary Surgeon duly authorised by the Government of.....(A) hereby certify, in respect of the animal described above, that:—

(1) The owner or person in charge of the animal has made a written declaration to me that to the best of his knowledge and belief the animal has not, during the 24 months immediately preceding the present exportation been in or called at Afghanistan, Bahrain, Cyprus, India, Iran, Iraq, Israel, Jordan, Kuwait, Lebanon, Muscat and Oman, Pakistan, Qatar, Saudi Arabia, South Yemen, Syria, any of the Trucial States, Turkey, Yemen, any country or place in Africa or any country where African Horse Sickness has existed at any time during the past 24 months.

(2) (*a*) In the 24 months immediately preceding the present exportation no case of African Horse Sickness has occurred in.....(A)

(*b*) The animal has, within 48 hours before its exportation, been examined by me and showed no symptoms of any communicable disease.

(*c*) After making enquiries, to the best of my knowledge and belief, during the 3 months immediately preceding the present exportation since entering.....(A) on.....(B) the animal has not suffered from nor been on any premises in which infectious equine anaemia, or encephalomyelitis, or any clinical case of equine virus abortion, or any notifiable disease of equines has existed during the past 3 months, and the animal has not otherwise been exposed to the risk of infection by these diseases.

(*d*) (i) During the 6 months immediately preceding the present exportation no case of glanders has occurred in.....(A)

or

(ii) The animal was tested with mallein on.....(C) (not more than 10 days before export), and showed a negative result

or

(iii) The animal was subjected to a complement fixation test for glanders on.....(C) (not more than 10 days before export) with a negative result.

.....Signature of duly authorised Veterinary Surgeon

.....Date

Notes

(A) Insert name of country from which animal was exported.

(B) Insert date of importation.

(C) Insert date of test.

Alternatives: one to be completed and the other deleted.

Alternatives: one to be completed and others deleted.

Article 8

SCHEDULE 3

Orders revoked	References
The Importation of Horses, Asses and Mules Order 1957	S.I. 1957/467 (1957 I, p. 159).
The Importation of Horses, Asses and Mules (Amendment) (No. 2) Order 1966	S.I. 1966/1327 (1966 III, p. 3657).
The Importation of Horses, Asses and Mules (African Horse Sickness) (Prohibition) Order 1961	S.I. 1961/260 (1961 I, p. 436).
The Importation of Horses, Asses and Mules (African Horse Sickness) (Amendment) Order 1966	S.I. 1966/1349 (1966 III, p. 3679).
The Zebras (Control of Importation) Order 1963	S.I. 1963/1004 (1963 II, p. 1662).

EXPLANATORY NOTE

(*This Note is not part of the Order.*)

This Order consolidates with amendments the Importation of Horses, Asses and Mules Order 1957 as amended, and as extended to zebras by the Zebras (Control of Importation) Order 1963.

The Order continues the absolute prohibition on importing equine animals from specified countries in relation to which a risk of African Horse Sickness is considered to exist (but Spain, Portugal and Gibraltar are no longer specified), and provides for the substitution of a new form of veterinary certificate applicable to the importation of equine animals from all other countries outside Great Britain except Northern Ireland, the Republic of Ireland, the Channel Islands and the Isle of Man.