1966 No. 508

ANIMALS

DISEASES OF ANIMALS

The Export of Horses (Excepted Cases) Order 1966

Made - - - -	*28th April* 1966
Laid before Parliament	*6th May* 1966
Coming into Operation	*15th June* 1966

The Minister of Agriculture, Fisheries and Food and the Secretary of State, acting jointly, in exercise of the powers conferred on them by sections 1, 37 and 85 of the Diseases of Animals Act 1950(a), as read with the Transfer of Functions (Animal Health) Order 1955(b) and as adapted to air transport by section 11 of the Agriculture (Miscellaneous Provisions) Act 1954(c), and of all other powers enabling them in that behalf, hereby order as follows:—

Citation and commencement

1. This Order, which may be cited as the Export of Horses (Excepted Cases) Order 1966, shall come into operation on 15th June 1966.

Interpretation

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

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

" horse " includes ass and mule;

" local authority " means a local authority for the purposes of the Act;

" master " includes any person having the charge or command of a vessel except the pilot;

" the Minister ", in its application to horses shipped or intended to be shipped from England and Wales, means the Minister of Agriculture, Fisheries and Food, and in its corresponding application to Scotland, means the Secretary of State;

" permit " means a permit issued by the Minister under the provisions of this Order;

" pilot ", in relation to an aircraft, means the pilot or other person having the command or charge of the aircraft;

" shipped " means carried by sea or by air and " shipment " shall be construed accordingly;

" veterinary inspector " means a veterinary inspector appointed by the Minister of Agriculture, Fisheries and Food.

(a) 1950 c. 36. For change of title of the Minister see S.I. 1955/554 (1955 I, p. 1200).
(b) S.I. 1955/958 (1955 I, p. 1184). (c) 1954 c. 39.

(2) The Interpretation Act 1889(a) 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.

Exemption of certain horses from examination before export

3. Section 37(1) of the Act, as adapted to air transport by section 11 of the Agriculture (Miscellaneous Provisions) Act 1954(b), (which as so adapted requires any horse shipped from any port or aerodrome in Great Britain to any port or aerodrome outside the United Kingdom, the Channel Islands and the Isle of Man to be examined by a veterinary inspector immediately before being shipped), shall not apply to—

(*a*) any horse shipped to any port or aerodrome which is in the Republic of Ireland or which is not in Europe;

(*b*) any horse which the minister is satisfied is intended for exhibition;

(*c*) any horse, other than a mule or ass, which the Minister is satisfied is intended for breeding;

(*d*) any horse, other than a mule or ass, which the Minister is satisfied is intended for—

(i) racing, jumping, riding or polo; or

(ii) any similar purpose in respect of which the Minister is satisfied, having considered the value of the animal and the purpose for which it is exported, that an examination by a veterinary inspector is unnecessary; or

(*e*) a foal at foot accompanying any such horse as is referred to in paragraph (*b*), (*c*) or (*d*) of this Article.

Provided that in every case in which paragraph (*b*), (*c*), (*d*) or (*e*) of this Article shall apply, a permit authorising the shipment of the horse shall be obtained before shipment takes place.

Provisions as to permits authorising shipment

4.—(1) An application for a permit authorising shipment of a horse shall be made to the Minister not less than 7 days before the proposed date of shipment, in such form as the Minister may require, and the applicant for the permit shall furnish to the Minister if requested to do so such information and evidence as the Minister may require to satisfy himself that the case falls within the terms of paragraph (*b*), (*c*), (*d*) or (*e*) of Article 3 of this Order.

(2) A permit shall be delivered at the time of shipment to the master of the vessel or the pilot of the aircraft on which the horse to which the permit relates is shipped, who shall on demand produce the same to any police officer, officer of the Minister or Customs and Excise or an inspector of the local authority and allow such person to take a copy of or extract from the permit, and if the master or pilot fails to do so, or allows the horse to be shipped without delivery of the permit, he shall be guilty of an offence against the Act.

Local Authority to enforce Order

5. This Order shall, except where it is otherwise provided, be executed and enforced by the local authority.

Revocation

6.—(1) The Exportation of Horses Order of 1910 (No. 2) (c), as amended (d), is hereby revoked.

(a) 1889 c. 63. (b) 1954 c. 39.
(c) S.R. & O. 1910/976 (Rev. II, p. 298 ; 1910 at p. 895).
(d) S.I. 1959/1336 (1959 I, p. 230)

(2) Any permit or licence made or having effect under the aforesaid Order, if in force immediately before the coming into operation of this Order, shall thenceforth have effect under and by virtue of this Article.

In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 26th April 1966.

(L.S.) *Frederick Peart,*
Minister of Agriculture, Fisheries and Food.

Given under the Seal of the Secretary of State for Scotland on 28th April 1966.

(L.S.) *William Ross,*
Secretary of State for Scotland.

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order revokes and re-enacts with modifications the Exportation of Horses Order of 1910 (No. 2) as amended.

By its terms, there are exempted from examination by a veterinary inspector (as required for exported horses by section 37(1) of the Diseases of Animals Act 1950) (1) horses (including mules and asses) intended for export by sea or air to the Republic of Ireland or to any place outside Europe, (2) horses (including mules and asses) intended for export to Europe which the Minister of Agriculture, Fisheries and Food or the Secretary of State for Scotland is satisfied are intended for exhibition, and (3) horses other than mules and asses intended for export to Europe which the Minister of Agriculture, Fisheries and Food or the Secretary of State for Scotland is satisfied are intended for breeding or various sporting purposes and foals accompanying such horses.

The fee formerly payable for veterinary examination of horses not exempted from examination is now abolished.