1965 No. 2040

ANIMALS

DISEASES OF ANIMALS

The Hares (Control of Importation) Order 1965

Made - - - -	*25th November* 1965
Laid before Parliament	*8th December* 1965
Coming into Operation	*10th December* 1965

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, 24, 33 and 84 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, extent and commencement

1. This Order, which may be cited as the Hares (Control of Importation) Order 1965, applies to Great Britain and shall come into operation on 10th December 1965.

Interpretation

2.—(1) In this Order—

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

" hares " includes a single hare;

" importer " includes any person who is in possession of a consignment of hares or is in any way entitled to their custody or control;

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

" the master," in relation to a ship or aircraft, means the person having the charge or command thereof, but in the case of a ship being piloted, does not include the pilot;

" the Minister," in its application to hares landed or transhipped or intended to be landed or transhipped in England and Wales, means the Minister of Agriculture, Fisheries and Food, and in its corresponding application in relation to Scotland, means the Secretary of State.

(2) The Interpretation Act 1889(d) applies to the interpretation of this Order as it applies to the interpretation of an Act of Parliament.

(a) 14 Geo. 6. 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) 2 & 3 Eliz. 2. c. 39.
(d) 52 & 53 Vict. c. 63.

Extension of statutory definitions

3. For the purposes of this Order, and for the purposes of sections 1, 24 and 33, and of Part III of the Act in so far as they are 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 is hereby further extended so as to comprise hares, and

(*b*) the definition of the expression " disease " contained in section 84(3) of the Act is hereby further extended so as to comprise *brucella suis* and *tularaemia.*

Control of importation of live hares

4.—(1) Subject to the provisions of this Order no person shall land in Great Britain any live hare brought from any country outside Great Britain except the Channel Islands, the Isle of Man, Northern Ireland and the Republic of Ireland.

(2) The Minister may by licence authorise the landing in Great Britain of any live hares the importation of which would otherwise be unlawful, if in special circumstances he thinks it expedient so to do, subject to such conditions for the purpose of preventing the introduction of disease and subject to such other conditions (if any) as are specified in the licence.

Detention and disposal of hares illegally imported

5. The master of every ship before arrival at any port, or of any aircraft before arrival at any aerodrome, in Great Britain, shall, if he has reason to believe that live hares are on board, bring this Order to the notice of the person having custody or control of the hares, and shall immediately on arrival of the ship or aircraft notify a proper officer of Customs and Excise accordingly.

6.—(1) If live hares are imported into Great Britain in contravention of this Order, or of any condition of a licence granted thereunder, the Minister may serve on the importer a notice in writing requiring him, if the hares are not exported from Great Britain within such period as may be specified in the notice, immediately thereafter to slaughter them or cause them to be slaughtered; and the importer on whom such a notice is served shall comply with the requirements thereof.

(2) If any importer 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 hares in respect of which the notice was served, and to slaughter them or cause them to be slaughtered.

(3) An importer 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 inspector in exercising the said power shall be recoverable from the importer as a civil debt.

Licences

7.—(1) Failure by any person to whom a licence is granted under this Order, without lawful authority or excuse, proof whereof shall lie on him, to comply with the conditions of the licence shall be an offence against the Act.

(2) Every licence granted under this Order shall accompany the hares to which it relates throughout the time during which the hares are being moved thereunder, and the person for the time being in charge of the hares shall on demand produce the licence to an inspector, an officer of Customs and Excise, or a police officer, and allow a copy or extract from it to be taken, and shall also, if required, give his name and address.

In witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 25th November 1965.

(L.S.)

Frederick Peart,
Minister of Agriculture, Fisheries and Food.

Given under the Seal of the Secretary of State for Scotland on 25th November 1965.

(L.S.)

William Ross,
Secretary of State for Scotland.

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order, which extends the statutory definitions of " animals " in section 84(1) of the Diseases of Animals Act 1950 so as to include hares, and of " disease " in section 84(3) so as to include *brucella suis* and *tularaemia,* prohibits the importation into Great Britain of live hares except under licence of the Minister of Agriculture, Fisheries and Food or the Secretary of State for Scotland.