STATUTORY INSTRUMENTS

1970 No. 441

ANIMALS

DISEASES OF ANIMALS

The Importation of Dogs and Cats (Amendment) (No. 2) Order 1970

Made - - - -	18*th March* 1970
Laid before Parliament	20*th March* 1970
Coming into Operation	21*st March* 1970

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 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 by Schedule 2 thereto, 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 Importation of Dogs and Cats (Amendment) (No. 2) Order 1970, applies to Great Britain and shall come into operation on 21st March 1970.

Interpretation

2.—(1) In this order " the principal order " means the Importation of Dogs and Cats Order of 1928(**d**) (as amended(**e**)).

(2) This order shall be construed as one with the principal order.

(3) The Interpretation Act 1889(**f**) applies to the interpretation of this Order as it applies to the interpretation of an Act of Parliament.

Prohibition of importation of dogs and cats

3.—(1) Subject to the provisions of this article, the landing in Great Britain of any canine animal (in this article referred to as a dog) or any feline animal (in this article referred to as a cat) brought to Great Britain from any country outside Great Britain other than Northern Ireland, the Republic of Ireland, the Channel Islands and the Isle of Man is hereby prohibited; and accordingly, as from the coming into operation of this order, no licence shall be issued under article 1 of the principal order authorising a dog or cat to be landed in Great Britain.

(2) Nothing in this article shall render it unlawful to land in Great Britain a dog or cat in pursuance of a licence granted under the said article 1 before the coming into operation of this order, or shall affect the validity of any such licence.

Further action in case of illegal landing or other default

4. After article 4 of the principal order there shall be inserted the following article:—

" 4A.—(1) Without prejudice to article 4 of this order, if a dog or cat is landed in Great Britain in contravention of this order (or of any condition

(**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.
(**d**) S.R. & O. 1928/922. (Rev. II, p. 399 : 1928 p. 177).
(**e**) S.I. 1969/1743 (1969 III, p. 5473), 1970/358. (**f**) 1889 c. 63.

of a licence granted thereunder) or of any amending order, the Minister, or in relation to Scotland the Secretary of State, or a local authority or any police constable may serve on the person who caused it to be landed, or on any other person appearing to him to have control or custody of the dog or cat, a notice in writing requiring such person, if the dog or cat is not exported from Great Britain within such period as may be specified in the notice, immediately thereafter to destroy it or cause it to be destroyed; 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 or police constable, without prejudice to any proceedings for an offence arising out of such default, to seize the dog or cat in respect of which the notice was served, and to destroy it or cause it to be destroyed.

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

(4) A notice under this article may be served in any of the ways authorised under section 77(4) and (5) of the Diseases of Animals Act 1950.

(5) Nothing in this article shall require or enable a dog or cat to be destroyed otherwise than by a veterinary surgeon or practitioner."

In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 17th March 1970.

(L.S.) *Cledwyn Hughes,*
Minister of Agriculture, Fisheries and Food.

Given under the Seal of the Secretary of State for Scotland on 18th March 1970.

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

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order prohibits the importation into Great Britain of dogs and cats (and other canine and feline animals) brought from anywhere overseas other than Northern Ireland, the Republic of Ireland, the Channel Islands and the Isle of Man, and provides for the destruction of such animals imported in contravention of the Order.

An exception is made for animals in respect of which a landing licence under the Importation of Dogs and Cats Order of 1928 was in operation on the coming into force of this order. Such animals must now, by virtue of the Importation of Dogs and Cats (Amendment) (No. 1) Order 1970, undergo quarantine for a period of twelve months from the date of landing.

SI 1970/ 441
ISBN 0-11-000441-8

