STATUTORY INSTRUMENTS

1970 No. 1271

ANIMALS

DISEASES OF ANIMALS

The Importation of Dogs and Cats (Amendment) (No. 3) Order 1970

Made - - - - -	*26th August* 1970
Laid before Parliament -	- *28th August* 1970
Coming into Operation -	- *1st September* 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 (and, in relation to articles 3 and 7 below, by the said section 1 as read with section 9) of the Diseases of Animals Act 1950(**a**), (as extended to dogs and cats and to rabies by article 12 of the Rabies Order of 1938(**b**) as having effect under section 89(2) of that Act), as together read with the Transfer of Functions (Animal Health) Order 1955(**c**), and as adapted to air transport by section 11 of the Agriculture (Miscellaneous Provisions) Act 1954(**d**) and by Schedule 2 thereto, and, as respects the said sections 9 and 24, as amended by section 105 of the Agriculture Act 1970(**e**), and of all other powers enabling them in that behalf, hereby order as follows:—

Citation, extent and commencement

1.—(1) This order may be cited as the Importation of Dogs and Cats (Amendment) (No. 3) Order 1970.

(2) The orders mentioned in article 2(1) below and this order may together be cited as the Importation of Dogs and Cats Orders 1928 to 1970.

(3) This order applies to Great Britain and shall come into operation on 1st September 1970.

Interpretation

2.—(1) In this order—

" detained " means detained and isolated under the principal order, and " detention " has a corresponding meaning;

" domestic cat " means *felis catus* but does not include any other feline animal as defined in article 12 of the principal order;

" domestic dog " means *canis familiaris* but does not include any other canine animal as defined in that article;

" the first specified date " means 7th September 1970, and " the second specified date " means 16th September 1970;

(**a**) 1950 c. 36. (For change of title of the Minister see S.I. 1955/554 (1955 I, p. 1200)).
(**b**) S.R. & O. 1938/202 (Rev. II, p. 578 : 1938 I, p. 206).
(**c**) S.I. 1955/958 (1955 I, p. 1184).
(**d**) 1954 c. 39.
(**e**) 1970 c. 40.

" the Minister " means, in the application of this order to England and Wales, the Minister of Agriculture, Fisheries and Food, and in its corresponding application to Scotland, the Secretary of State;

" place of detention " has the meaning assigned to it in article 2 of the principal order;

" the principal order " means the Importation of Dogs and Cats Order of 1928(**a**) as amended (except where the context otherwise requires) by the Importation of Dogs and Cats (Amendment) Order 1969(**b**), the Importation of Dogs and Cats (Amendment) (No. 1) Order 1970(**c**) and the Importation of Dogs and Cats (Amendment) (No. 2) Order 1970(**d**).

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

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

Release of canine and feline animals in quarantine

3.—(1) This article applies to canine and feline animals which on the first specified date are after landing in Great Britain undergoing detention in accordance with article 2 of the principal order.

(2) If on the first specified date a domestic dog or cat has been detained at a place of detention for a period of not less than nine calendar months from the date of landing it shall thereupon be released from detention.

(3) If on the first specified date a domestic dog or cat has not been detained at a place of detention for such a period as aforesaid it shall not be released from detention until—

(*a*) it has been detained for such a period (or such extended period as the Minister may direct under article 6 below), and

(*b*) it has been vaccinated against rabies in such manner, on such number of occasions and at such intervals as may be required by the Minister, either generally or in relation to the special circumstances of the case; so, however, that it shall not in any case be released from detention before the expiry of 28 days from the date on which it was first vaccinated.

(4) If on the first specified date a canine animal (other than a domestic dog) or a feline animal (other than a domestic cat) has been detained for a period of not less than nine calendar months from the date of landing it shall thereupon be released from detention; but if on the first specified date any such animal has not been detained for such a period as aforesaid it shall not be released from detention until it has been detained for such a period.

Resumption of landing of domestic dogs and cats authorised

4.—(1) With effect from the second specified date the prohibition imposed by article 3(1) of the Importation of Dogs and Cats (Amendment) (No. 2) Order 1970 on the landing of any canine or feline animal brought to Great Britain from any country outside Great Britain (except as mentioned in that order), shall cease to apply to domestic dogs and cats; and accordingly on the coming into operation of this order licences may be issued under article 1 of the principal order authorising domestic dogs and cats to be landed in Great Britain not earlier than the second specified date, subject to the provisions generally of the principal order (but as hereby further amended).

(**a**) S.R. & O. 1928/922 (Rev. II, p. 399: 1928 p. 177).
(**b**) S.I. 1969/1743 (1969 III, p. 5473). (**c**) S.I. 1970/358 (1970 I, p. 1275).
(**d**) S.I. 1970/441 (1970 I, p. 1514). (**e**) 1889 c. 63.

(2) Nothing in this article shall authorise the resumption of landing of canine animals other than domestic dogs, or of feline animals other than domestic cats.

Resumption of six months' period of detention

5.—(1) Article 2(1) of the principal order (which as amended requires an imported canine or feline animal for a period of twelve calendar months after its landing in Great Britain to be detained at the expense of its owner at a place of detention) shall have effect as respects domestic dogs and cats landed in Great Britain after the second specified date as if for the reference therein to a period of twelve calendar months there were substituted a reference to six calendar months.

(2) Accordingly—

(*a*) in article 3(iii) of the principal order (which enables rules to be made and conditions to be inserted in licences granted under the principal order for the purpose of regulating the movement of canine and feline animals during a period of twelve calendar months after landing), and

(*b*) in paragraphs (1)(a) and (b) and (3) of article 4 of the principal order (which in prescribing the action which may be taken in the case of illegal landing or other default refer to periods of twelve calendar months),

for the reference in each case to twelve calendar months there shall, as respects such domestic dogs and cats, be substituted references to six calendar months.

(3) This article has effect subject to the provisions of article 6 below.

Extension of period of detention on outbreak of rabies

6. Notwithstanding anything in this order the period of detention of a domestic dog or cat detained in a place of detention in which an outbreak of rabies occurs while it is detained there under the principal order may be extended for such further period or periods as the Minister may from time to time direct; and where any such direction is given the principal order shall have effect as if for any reference therein (in consequence of this order) to a period of nine or six calendar months (as the case may be) there were substituted a reference to the aggregate period which by reason of any such direction as aforesaid the animal is required to be detained.

Vaccination during detention

7. In article 3 of the principal order (which enables the Minister to make rules and insert in licences granted by him under that order conditions for the purposes specified in that article), after paragraph (v) thereof there shall be inserted the following paragraph—

" (va) in the case of a domestic dog or domestic cat (as respectively defined in the Importation of Dogs and Cats (Amendment) (No. 3) Order 1970), for securing that the dog or cat detained and isolated under this order is at the expense of its owner, or the person landing it in Great Britain, vaccinated against rabies in such manner, on such number of occasions and at such intervals as may be required by the Minister; ".

Records

8. The veterinary surgeon in whose occupation or under whose control a place of detention has been approved by the Minister under article 2 of the principal order shall—

(*a*) keep such record in relation to dogs and cats required pursuant to this order to be vaccinated as may from time to time be required by the

Minister, and shall on demand by an inspector produce such record for his inspection, and shall permit him to make a copy thereof or of any entry therein; and

(*b*) within 48 hours of his being requested by the Minister so to do send the Minister a copy of any such entry as the Minister may require, certified by him to be a true copy of such entry.

Notices

9. Notice of any vaccination requirement under article 3(3) above or of any direction under article 6 above shall be served in the manner provided in section 77(4) of the Diseases of Animals Act 1950 on—

(*a*) the occupier of the place of detention where the dog or cat is detained ;

(*b*) (if not also the occupier) the veterinary surgeon under whose control the place of detention has been approved by the Minister, and

(*c*) the owner of the dog or cat or his agent.

Saving

10. Nothing in this order shall authorise vaccination for the purposes thereof to be carried out other than by a person who is registered in the register of veterinary surgeons or in the supplementary veterinary register under the Veterinary Surgeons Act 1966(**a**).

In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 24th August 1970.

(L.S.) *J. M. L. Prior*,
Minister of Agriculture, Fisheries and Food.

Given under the Seal of the Secretary of State for Scotland on 26th August 1970.

(L.S.) *Gordon Campbell*,
Secretary of State for Scotland.

(a) 1966 c. 36.

EXPLANATORY NOTE

(This note is not part of the Order.)

This order removes the total ban on the importation into Great Britain of canine and feline animals and reduces the period of quarantine of those animals which were in quarantine when the ban took effect (in March 1970) from 12 months to 9 months. The earliest date on which such animals may be released from quarantine is 7th September 1970, but domestic dogs and cats which have not on that date completed a period of 9 months' quarantine may only be released thereafter when (i) they have completed a period of 9 months' quarantine; (ii) they have been vaccinated against rabies; and (iii) a period of not less than 28 days has elapsed since the first vaccination.

With effect from 16th September 1970 domestic dogs and cats may again be landed in Great Britain under licence which may henceforth include as a term of the licence a condition requiring the dog or cat to be vaccinated while in quarantine. The new period of quarantine is (as originally under the Importation of Dogs and Cats Order of 1928) 6 months; but if an outbreak of rabies should occur in a quarantine kennels the Minister of Agriculture, Fisheries and Food, or in Scotland the Secretary of State may by direction extend this period in relation to dogs and cats detained there when the outbreak occurs.

Vaccination under the order must be carried out in the manner and on the number of occasions (with appropriate intervals) required by the Minister or the Secretary of State, and the veterinary surgeon in charge of the quarantine kennels must keep appropriate records.

The ban on the importation of canine animals (other than domestic dogs) and feline animals (other than domestic cats) continues.

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