WELSH STATUTORY INSTRUMENTS

2002 No. 2304

The Disease Control (Interim Measures) (Wales) (No. 2) Order 2002

Hunting

5.—(1) Subject to the following provisions of this article, no person may take part in hunting.

(2) Nothing in paragraph (1) shall make it unlawful for—

(a) the occupier of any land or any group of not more than three persons who are authorised by the occupier or are members of his or her household to use any dog in connection with the killing on that land of any fox, hare, mink, or rabbit found thereon provided that this shall not be taken to authorise the pursuit of any such quarry using dogs outside the boundaries of that land; or

(b) a person to take part in hunting under the authority of a permit granted by a veterinary inspector and subject to any conditions that may be specified therein.

(3) Paragraph (1) shall not apply to any person who takes part in hunting under the authority and in accordance with the conditions of a permit issued after the coming into force of this Order under article 36(2)(d) of the Foot-and-Mouth Disease Order 1983 but if such a permit shall cease to be valid by reason of the revocation of a controlled area order it shall instead continue to have effect as if it were a permit issued under paragraph (2)(b).

(4) In deciding whether to issue a permit under paragraph (2)(b) a veterinary inspector shall comply with any instructions which may have been issued by the National Assembly for Wales or the Secretary of State in relation to the issue of such permits.

(5) Subject to paragraph (6), where a permit is issued under paragraph (2)(b) as a general permit, a veterinary inspector may by notice prohibit any person from taking part in or organising hunting under the authority of that permit.

(6) A veterinary inspector may only issue a notice under paragraph (5) if he is of the opinion that—

(a) the provisions of this Order or of the aforesaid general permit are or have not been complied with by the person on whom the notice is served or by persons taking part in any hunt which that person has organised; and

(b) the service of such a notice is necessary to prevent a possible spread of disease.