



# Destructive Imported Animals Act 1932

1932 CHAPTER 12 22 and 23 Geo 5

## 6 Offences, &c.

(1) Any person who—

- (a) at a time when the importation of musk rats is prohibited absolutely, imports, or attempts to import, any musk rat into Great Britain, or at a time when such importation is prohibited except under a licence, imports or attempts to import, any musk rat into Great Britain without having in force a licence authorising him so to do; or
- (b) at a time when the keeping of musk rats is prohibited absolutely, keeps any musk rat in Great Britain, or at a time when the keeping of musk rats is prohibited except under a licence, keeps any musk rat in Great Britain without having in force a licence authorising him so to do; or
- (c) being the holder of a licence granted to him under this Act, acts in contravention of or fails to comply with any regulation made under this Act, or any term of his licence; or
- (d) turns loose any musk rat, or wilfully allows any musk rat to escape; or
- (e) obstructs any officer of, or person authorised by or employed by or on behalf of, the appropriate department, in the execution of his duty under this Act; or
- (f) fails to give a notice which he is required by subsection (2) of the last preceding section to give,

shall be guilty of an offence under this Act, and shall on summary conviction be liable—

in the case of an offence under paragraph (a), paragraph (b) or paragraph (d) of this subsection, to a penalty of [<sup>F1</sup>level 2 on the standard scale], or if the offence was committed in respect of more than four animals, to a penalty of [<sup>F2</sup>level 1 on the standard scale] in respect of each animal;

in the case of an offence under paragraph (c), to a penalty of [<sup>F1</sup>level 1 on the standard scale], and to a further penalty of forty shillings for every day on which the offence continues after conviction therefor;

in the case of an offence under paragraph (e), to a penalty of [<sup>F1</sup>level 2 on the standard scale]; and

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*Changes to legislation: There are currently no known outstanding effects for the Destructive Imported Animals Act 1932, Section 6. (See end of Document for details)*

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in the case of an offence under paragraph (f), to a penalty of [<sup>F1</sup>level 1 on the standard scale];

and the court before which any person is convicted of an offence under paragraph (a), paragraph (b) or paragraph (c) of this subsection may order any musk rats in respect of which the offence was committed to be forfeited and destroyed.

- (2) Any officer of police and any person duly authorised in that behalf by the appropriate department may seize any musk rats with respect to which he has reason to believe that an offence under paragraph (a) of the last preceding subsection has been committed, and may detain them pending the determination of any proceedings to be instituted under that subsection, or until the appropriate department are satisfied that no such proceedings are likely to be instituted.
- [<sup>F3</sup>(3) Proceedings in England and Wales for an offence under this section may be brought within the period of 6 months beginning with the date on which evidence sufficient in the opinion of the prosecutor to warrant the proceedings came to his knowledge.
- (4) But subsection (3) does not authorise the commencement of proceedings for an offence more than 2 years after the date on which the offence was committed.
- (5) For the purposes of subsection (3), a certificate signed by or on behalf of the prosecutor and stating the date on which evidence sufficient in his opinion to warrant the proceedings came to his knowledge shall be conclusive evidence of that fact.
- (6) A certificate stating that matter and purporting to be so signed shall be deemed to be so signed unless the contrary is proved.]

#### Textual Amendments

- F1** Words in s. 6(1) substituted (E.W.) by virtue of [Criminal Law Act 1977 \(c. 45, SIF 39:1\)](#), [s. 31](#), [Criminal Justice Act 1982 \(c. 48, SIF 39:1\)](#), [s. 46](#) and (S.) [Criminal Procedure \(Scotland\) Act 1975 \(c. 21, SIF 39:1\)](#), [ss. 289C](#), 289G
- F2** Words in s. 6(1) substituted (E.W.) by virtue of [Criminal Justice Act 1982 \(c. 48, SIF 39:1\)](#), [ss. 38](#), 46 and (S.) [Criminal Procedure \(Scotland\) Act 1975 \(c.21, SIF 39:1\)](#), [ss. 289F](#), 289G
- F3** S. 6(3)-(6) inserted (E.W.) (31.5.2006) by [Natural Environment and Rural Communities Act 2006 \(c. 16\)](#), [s. 107](#), [Sch. 6 para. 1](#); S.I. 2006/1382, [art. 2](#)

#### Modifications etc. (not altering text)

- C1** Certain functions of Minister of Agriculture, Fisheries and Food transferred by [S.I. 1978/272](#), [art. 2](#)
- C2** S. 6(1) excluded in part (*temp.* 1.1.1993 to 31.12.1997) by [S.I. 1992/3324](#), [art. 4](#)  
S. 6(1) excluded in part (*temp.* 1.1.1998 to 31.12.2000) by [S.I. 1997/3002](#), [art. 4](#)  
S. 6(1) excluded in part (E.) (*temp.* 1.1.2001 to 31.12.2003) by [S.I. 2000/3402](#), [art. 4](#)  
S. 6(1) excluded in part (S.) (*temp.* 1.1.2001 to 31.12.2003) by [S.S.I. 2000/400](#), [art. 5](#)  
S. 6(1) excluded in part (W.) (*temp.* 1.1.2001 to 31.12.2003) by [S.I. 2000/3340](#), [art. 4](#)
- C3** S. 6(1) excluded in part (*temp.*) (1.1.2004) by [Mink Keeping \(Scotland\) Order 2003 \(No. 528\)](#), [arts. 1\(1\)](#), [5](#)
- C4** S. 6(1) modified (24.3.2004) by [Mink Keeping \(Prohibition\) \(England\) Order 2004 \(S.I. 2004/100\)](#), [arts. 1](#), [2\(2\)\(b\)](#)
- C5** S. 6(1)(f) excluded (24.3.2004) by [Mink Keeping \(Prohibition\) \(England\) Order 2004 \(S.I. 2004/100\)](#), [arts. 1](#), [2\(2\)\(b\)](#)
- C6** S. 6(1)(f) excluded in part (W.) (1.6.2012) by [The Mink Keeping \(Prohibition\) \(Wales\) Order 2012 \(No. 1427\)](#), [arts. 1\(3\)](#), [3\(2\)\(b\)](#)

**Changes to legislation:**

There are currently no known outstanding effects for the Destructive Imported Animals Act 1932, Section 6.