

## 1969 No. 1737

## ANIMALS

## DISEASES OF ANIMALS

**The Exotic Animals (Importation) Order 1969**

*Made* - - - - 4th December 1969

*Laid before Parliament* 12th December 1969

*Coming into Operation* 15th December 1969

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, 27, 33, 77, 84 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 Exotic Animals (Importation) Order 1969, applies to Great Britain and shall come into operation on 15th December 1969.

*Interpretation*

2.—(1) In this order the following expressions have the following meanings respectively, that is to say—

“the Act” means the Diseases of Animals Act 1950;

“approved acclimatisation centre” means a centre approved by the Minister in writing for the purposes of this order for the acclimatisation of exotic animals imported from outside Great Britain;

“approved research establishment” means any establishment from time to time approved by the Minister in writing for the purposes of this order, being an establishment used for the carrying out in relation to imported exotic animals of medical or veterinary research, or for the manufacture or testing in connection with such animals of vaccine or serum or other pharmaceutical products;

“approved zoological establishment” means a zoological gardens or other establishment from time to time approved by the Minister in writing for the purposes of this order, being gardens or an establishment used for the exhibition of exotic animals;

“exotic animals” means, in relation to the orders of mammals mentioned in column 1 of Schedule 1 to this order, animals of the families mentioned in column 2 of that Schedule;

(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.

“inspector” has the meaning assigned to it by section 84(4) of the Act :  
“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.

(2) An approved acclimatisation centre, approved research establishment and an approved zoological establishment may be approved either unconditionally or subject to such conditions as may be specified in the document of approval.

(3) For the purposes of the Act and of this order the definition of the expression “animals” in section 84(1) is hereby extended so as to comprise exotic animals.

(4) The Animals (Importation) Order of 1930(a) shall not apply to exotic animals imported under this order.

(5) The Interpretation Act 1889(b) applies to the interpretation of this order as it applies to the interpretation of an Act of Parliament.

#### *General prohibition of landing of exotic animals*

3. Subject to the provisions of this order no exotic animal, being an animal brought from any country outside Great Britain other than Northern Ireland, the Republic of Ireland, the Channel Islands and the Isle of Man, shall be landed in Great Britain ; and accordingly Part I of Schedule 1 to the Act (which requires animals to be slaughtered on landing) shall except in so far as the Minister otherwise directs apply to any such animal.

#### *Control of importation of specified exotic animals for research or exhibition*

4.—(1) Notwithstanding article 3 above, an exotic animal to which this article applies may be landed in Great Britain without being subject to the provisions of the said Part I of Schedule 1 ; but subject to the provisions of this order Part II of the said Schedule (which requires animals to be kept in quarantine) and paragraph 1 of Part III thereof (which in the circumstances mentioned negatives any right to compensation) shall apply to any such animal allowed to be landed.

(2) The ports and airports which alone may be used by vessels and aircraft carrying exotic animals imported under this article are the ports and airports respectively prescribed in Parts I and II of Schedule 2 to this order ; and for the purpose of paragraph 1 of Part II of Schedule 1 to the Act (as applied by this order) so much of any such port or airport as is from time to time set apart by the port or airport authority for the reception of exotic animals landed from outside Great Britain shall constitute an imported animals quarantine station.

(3) Nothing in paragraph (2) above shall render it unlawful for an aircraft bringing exotic animals from outside Great Britain to be landed in Great Britain at any other airport to which the aircraft is while airborne ordered to be diverted, or at which it is otherwise expedient for the aircraft to be landed in the interests of air safety ; but no animal shall be unloaded from such an aircraft after landing except with the authority of an inspector.

(4) The exotic animals to which this article applies are animals as mentioned in sub-paragraphs (a), (b) and (c) of this paragraph in respect of which

(a) S.R. & O. 1930/922 (Rev. II, p. 331: 1930, p. 52).

(b) 1889 c. 63.

the Minister has granted a licence authorising them to be imported into Great Britain, that is to say—

- (a) exotic animals of the kinds specified in Part I of Schedule 1 to this order, being animals which the Minister is satisfied are intended for general medical or veterinary research or are to be used in connection with the manufacture or testing of vaccine or serum or other pharmaceutical products ; or
- (b) exotic animals of the kinds specified in Part II of that Schedule, being animals which it is expedient in the opinion of the Minister as an exceptional measure to authorise their importation into Great Britain for the purposes of research of a kind which cannot be suitably carried out in relation to animals of the kinds specified in Part I of that Schedule ; or
- (c) exotic animals (whether of the kinds specified in Part I or Part II of that Schedule) which the Minister is satisfied are intended only for exhibition at an approved zoological establishment.

*Control of movement of exotic animals after landing*

5.—(1) Subject to article 6 of this order, an exotic animal to which article 4 of this order applies shall not after being landed at an imported animals quarantine station be moved otherwise than subject to the terms of a licence granted under article 7 below and to the conditions respectively applicable to such animal by virtue of paragraphs (2) and (3) of this article.

(2) In the case of exotic animals other than animals intended for exhibition, the animals shall not be moved except—

- (a) from an imported animals quarantine station to an approved acclimatisation centre or to an approved research establishment ; or
- (b) from an approved acclimatisation centre to another such centre or to an approved research establishment ; or
- (c) from an approved research establishment to another such establishment.

(3) In the case of exotic animals intended for exhibition, paragraph (2) above shall have effect with the substitution, for the references to an approved research establishment, of references to an approved zoological establishment.

*Export of exotic animals previously imported*

6. Notwithstanding anything contained in this order an exotic animal which is landed in Great Britain may at any time be moved in accordance with a licence granted under article 7 below to a port or airport, to be specified in the licence, with a view to the animal being exported from that port or airport.

*Licences*

7.—(1) A licence granted under any provision of this order shall be granted by the Minister and shall contain such conditions, to be specified in the licence, as in the opinion of the Minister are necessary or expedient for the purpose of in any manner preventing the introduction or spreading of any disease to which the Act applies or is from time to time extended.

(2) Any such licence may at any time be cancelled, or its conditions varied, but without prejudice to anything lawfully done pursuant to the licence before the cancellation or variation took effect.

(3) Any such licence shall accompany the animals to which it relates while the animals are being landed or moved.

(4) Breach of any condition of a licence shall be an offence against the Act.

#### *Records*

8.—(1) The person in charge of an approved acclimatisation centre, approved research establishment or of an approved zoological establishment shall adopt such system for the identification of every exotic animal received at such centre or establishment, and shall keep such record in relation to its receipt, treatment and subsequent despatch (or death) and other matters, as may be required by the Minister either generally or in relation to any particular case.

(2) Every entry in such a record shall be made in ink or indelible pencil within 36 hours of the event which is required by this article to be recorded.

(3) Every entry in such a record shall be retained by the person whose duty it is to keep such record for a period of at least twelve months from such event, and shall be produced by him for inspection at all reasonable times on demand to an inspector, who shall be entitled to make a copy of such entry.

(4) A local authority may supply forms of record for the purposes of this article to any person in the district of the local authority.

#### *Detention of exotic animals illegally imported*

9.—(1) If any exotic animal is imported into Great Britain in contravention of this order, then without prejudice to the provisions of Part I of Schedule 1 to the Act relating to slaughter (as applied by this order) the Minister or an inspector may serve on any person appearing to him to have the control or custody of the animal a notice in writing requiring him at the expense of the owner of the animal or the person on whom the notice was served to detain or isolate the animal subject to any conditions imposed by the notice and to subject it, or to permit it to be subjected to, such examinations and tests as the Minister or the inspector may require; 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, without prejudice to any proceedings for an offence arising out of such default, to seize the animal in respect of which the notice was served, and to detain or isolate it and subject it to such examinations and tests as he may determine.

(3) A person 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) above; and the reasonable expenses incurred by such an inspector in exercising the said power shall be recoverable as a civil 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 Act.

#### *Transshipment in ports and airports*

10. Nothing in this order shall operate to prevent the transshipment in a port or airport in Great Britain of an exotic animal brought from outside Great Britain where such transshipment takes place with the written authority of the Minister or an officer of Customs and Excise and subject to such conditions (if any) as may be specified in such authority.

*Enforcement*

11. This order shall, except where it is otherwise provided, be executed and enforced by the local authority.

In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 4th December 1969.

(L.S.)

*Cledwyn Hughes,*  
Minister of Agriculture, Fisheries  
and Food.

Given under the Seal of the Secretary of State for Scotland on 4th December 1969.

(L.S.)

*William Ross,*  
Secretary of State for Scotland.

## SCHEDULE 1

## EXOTIC ANIMALS TO WHICH THE ORDER APPLIES

## PART I

*Exotic animals which may (subject to the terms of the Order)  
be landed in Great Britain*

Order of mammals Column 1	Family Column 2	Common name (see note below)
PRIMATES	Cebidae	Douroucouli (owl monkeys or night apes) Titis Uakaris Sakis Howlers Capuchins Squirrel Monkeys Spider Monkeys Woolly Monkeys Goeldi's Monkeys
	Callithricidae	Marmosets Tamarins
	Cercopithecidae	Macaques Mangabeys Baboons Guenons Langurs Colobus Monkeys, etc.

## PART II

*Exotic animals generally prohibited (except for exhibition) from being landed in Great Britain*

Order of mammals Column 1	Family Column 2	Common name (see note below)
PRIMATES	Tupaidae	Tree-shrews
	Lemuridae	Lemurs
	Indriidae	Indrises and Sifakas
	Daubentoniidae	Aye-Ayes
	Lorisidae	Lorises Bushbabies, etc.
	Tarsiidae	Tarsiers
	Pongidae	Gibbons Orang-Utans Chimpanzees Gorillas
CARNIVORES	Procyonidae	Raccoons Coatis Kinkajous Olingos
	Mustelidae (except sub-family Lutrinae (otters) and Mustela Vison (American mink))	Stoats Weasels Ferrets Polecats Martens Wolverines Ratels (Honey badgers) Badgers Skunks
	Viverridae	Genets Civets Linsangs Mongoose
MARSUPIALS	Didelphidae	Opossums
RODENTS	Sciuridae	Squirrels Chipmunks Marmots
	Geomyidae	Gophers
	Anomaluridae	Scaly-tailed Squirrels
CHIROPTERA	All families	Bats

NOTE: Some of the common names of animals included in this Schedule are set out opposite the appropriate reference. The list is for guidance only and does not form part of the order. Not all the common names are listed, and some of the listed names can also be applied to animals which are not subject to the order.

## SCHEDULE 2

PORTS AND AIRPORTS AT WHICH AUTHORISED LANDINGS OF  
EXOTIC ANIMALS MAY TAKE PLACE

## PART I

*Ports*Port of London  
Liverpool

Southampton

## PART II

*Airports*Heathrow Airport, London  
Gatwick Airport, LondonManchester  
Prestwick

## EXPLANATORY NOTE

*(This Note is not part of the Order.)*

This order extends the application of the Diseases of Animals Act 1950 so as to include prescribed exotic animals, imposes a general prohibition on the importation of such animals (other than from Northern Ireland, the Republic of Ireland, the Channel Islands and the Isle of Man) and thereby in general requires any such animals which are brought to Great Britain from overseas in contravention of such prohibition to be slaughtered on landing. Exceptions are made for certain kinds of prescribed animals (e.g. monkeys) which may be imported under licence where the importation is for research purposes ; but such animals may only be landed at prescribed ports and airports from which they may be moved, again only under licence, directly or indirectly to approved research establishments. Other exotic animals, which are prescribed, may also be imported under licence (subject to the above conditions) where as an exceptional measure it is judged expedient to allow them to be imported to enable research to be carried out of a kind for which the first category of exotic animals is considered unsuitable.

The order also contains provision for the importation under licence (subject to similar conditions) of exotic animals of both categories where the purpose of importation is for exhibition in an approved zoo.

The order contains default powers.