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STATUTORY INSTRUMENTS

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**2000 No. 3402**

**ANIMALS, ENGLAND**

**DESTRUCTIVE ANIMALS**

**The Mink Keeping (England) Order 2000**

*Approved by both Houses of Parliament*

	<i>22nd November</i>
<i>Made</i> - - - -	<i>2000</i>
<i>Laid before Parliament</i>	<i>23rd November 2000</i>
<i>Coming into force</i> - -	<i>1st January 2001</i>

The Minister of Agriculture, Fisheries and Food, being satisfied with respect to the non-indigenous mammalian species which are the subject of this Order that by reason of their destructive habits it is desirable to control the keeping of them and to destroy any which may be at large, in exercise of the powers conferred by section 10(1) of the Destructive Imported Animals Act 1932<sup>(1)</sup> and vested in him<sup>(2)</sup>, hereby makes the following Order:

**Title, extent, commencement and duration**

1.—(1) This Order may be cited as the Mink Keeping (England) Order 2000, shall extend to England and shall come into force on the day after the day on which it is approved by resolution of each House of Parliament or on 1st January 2001, whichever is the later.

(2) This Order shall cease to have effect on 1st January 2004.

**Interpretation**

2. In this Order—

“the Act” means the Destructive Imported Animals Act 1932; and

“mink” means the animal of the species *Mustela vison*.

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<sup>(1)</sup> 1932 c. 12; section 11 (interpretation) was amended by S.I. 1992/3302.

<sup>(2)</sup> As respects Scotland and Wales, the functions in relation to the keeping of animals conferred by section 10 of the Act on the Secretary of State for Scotland and the Minister of Agriculture, Fisheries and Food have been devolved; the relevant enactments are section 53 of the Scotland Act 1998 (c. 46) and article 2 of, and Schedule 1 to, the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672). As respects England, by article 2(1) of, and the Schedule to, the Transfer of Functions (Agriculture and Food) Order 1999 (S.I. 1999/3141) the functions of the Secretary of State jointly exercisable with the Minister of Agriculture, Fisheries and Food under section 10 of the Act were transferred to the Minister.

### **Keeping of mink**

3.—(1) The keeping of mink is prohibited absolutely on any off-shore island of England other than the Isle of Wight.

(2) The keeping of mink within the remainder of England is prohibited, except under a licence granted under the Act.

### **Exceptions to application of the Act**

4. In the application of the Act in relation to mink, there shall be omitted section 5(2) and, in section 6(1), paragraph (f) and the reference to a penalty in the case of an offence under paragraph (f).

22nd November 2000

*Elliot Morley*  
Parliamentary Secretary Ministry of Agriculture,  
Fisheries and Food

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## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order renews in England the controls imposed in Great Britain by the Mink Keeping Order 1997 (S.I.1997/3002), which ceases to have effect on 1st January 2001.

The Order prohibits absolutely the keeping of mink on off-shore islands of England other than the Isle of Wight and prohibits the keeping of mink in the remainder of England except under licence. The Order ceases to have effect on 1st January 2004.

Subject to the exceptions and modifications made by article 4, the provisions of the Destructive Imported Animals Act 1932 are renewed to apply in England to mink until this Order ceases to have effect on 1st January 2004. These exceptions and modifications relate to the duty on occupiers of land to give notice of the presence on their land of mink not kept under a licence.

No regulatory impact assessment has been prepared in respect of this Order.