

SCHEDULE

Amendments

PART 1

The Rabies (Importation of Dogs, Cats and Other Mammals) Order 1974

Amendment of the Rabies (Importation of Dogs, Cats and Other Mammals) Order 1974

1. The Rabies (Importation of Dogs, Cats and Other Mammals) Order 1974(1) is amended in accordance with this Part.

Amendment of article 2

2. In article 2—

(a) in paragraph (1), after the definition of “the Minister”, insert—

““the Pets Regulation” means Regulation (EC) No 998/2003 of the European Parliament and of the Council on the animal health requirements applicable to the non-commercial movement of pet animals and amending Council Directive 92/65/EEC(2);

“the Pets Regulation quarantine end date” means—

- (a) in the case of a cat or ferret subject to Article 5 of the Pets Regulation, the date on which the animal satisfies the requirements of that Article,
- (b) in the case of a cat or ferret subject to Article 8 of the Pets Regulation, the date on which the animal satisfies the requirements of that Article,
- (c) in the case of a dog subject to Article 5 of the Pets Regulation and Article 7 of the supplementary Regulation, the date on which the dog satisfies the requirements of both Articles,
- (d) in the case of a dog subject to Article 5 of the Pets Regulation but exempt from Article 7 of the supplementary Regulation, the date on which the dog satisfies the requirements of Article 5 of the Pets Regulation,
- (e) in the case of a dog subject to Article 8 of the Pets Regulation and Article 7 of the supplementary Regulation, the date on which the dog satisfies the requirements of both Articles,

and for the purposes of this definition “the supplementary Regulation” means Commission Delegated Regulation (EU) No 1152/2011 supplementing Regulation (EC) No 998/2003 of the European Parliament and of the Council as regards preventive health measures for the control of *Echinococcus multilocularis* infection in dogs(3),, and”, and

(b) in paragraph (2)(4), after the words “leaves or escapes from, a vessel” insert “, vehicle”.

(1) S.I. 1974/2211. Amending instruments are, in relation to Great Britain, S.I. 1977/361, 1984/1182, 1986/2062, 1990/2371, 1993/1813, 1994/1405, 1994/1716, 1995/2922 and 2002/3135; in relation to England, S.I. 2004/2364; in relation to Wales, S.I. 2002/882; and in relation to Scotland, S.S.I. 2003/229 and 2011/46.

(2) OJ No L 146, 13.6.2003, p1, as last amended by Commission Delegated Regulation (EU) No 1153/2011 (OJ No L 296, 15.11.2011, p13).

(3) OJ No L 296, 15.11.2011, p6.

(4) Paragraph (2) was amended by S.I. 1990/2371, 1993/1813 and 1994/1405.

Amendment of article 4**3. In article 4—****(a) for paragraphs (2)(5) and (2A)(6) substitute—**

“(2) The prohibition in paragraph (1) shall not apply to the landing in Great Britain of—

(a) an animal which—

(i) is brought to Great Britain from another member State, Norway, Switzerland or Liechtenstein,

(ii) is subject to Council Directive [92/65/EEC](#), and

(iii) complies with the trade requirements,

(b) an animal which—

(i) originates in, and is brought to Great Britain from, Northern Ireland, the Channel Islands or the Isle of Man, or

(ii) is subject to Council Directive [92/65/EEC](#) and was brought to Northern Ireland, the Channel Islands or the Isle of Man from a place outside those territories and subsequently brought to Great Britain,

(c) an animal which originates in, and is brought to Great Britain from, the Republic of Ireland, unless—

(i) it is an animal which is subject to Article 5 of the Pets Regulation but fails to comply with the requirements of that Article, or

(ii) it is an animal which is subject to Council Directive [92/65/EEC](#) but fails to comply with the trade requirements,

(d) an animal which—

(i) is brought to Northern Ireland, the Channel Islands, the Isle of Man or the Republic of Ireland from a place outside those countries or territories (other than Great Britain) and is subsequently brought to Great Britain,

(ii) is not subject to Council Directive [92/65/EEC](#) or the Pets Regulation, and

(iii) has been detained and isolated in quarantine in Northern Ireland, the Channel Islands, the Isle of Man or the Republic of Ireland for a period of at least four months before being brought to Great Britain.”,

(b) in paragraph (3), omit “previously”,**(c) after paragraph (3), insert—**

“(3A) But a licence may not be granted for the importation of—

(a) prairie dogs originating in or coming from the United States of America,

(b) rodents of non-domestic species and squirrels originating in or coming from a third country of the African sub-Saharan region,

(c) dogs or cats from Malaysia (Peninsula) which fail to meet the requirements in article 7 of the Pets Order (in respect of Nipah disease), or

(d) cats from Australia which fail to meet the requirements in article 8 of the Pets Order (in respect of Hendra disease).”,

(d) in paragraph (4)—

(5) Paragraph (2) was amended in relation to Great Britain by [S.I. 1994/1716](#) and in relation to England by [S.I. 2000/1298](#). Paragraph (2)(a) was subsequently substituted in relation to England by [S.I. 2004/2364](#).

(6) Paragraph (2A) was inserted in relation to England by [S.I. 2000/1298](#) and subsequently substituted by [S.I. 2004/2364](#).

- (i) for the words from “The ports and airports which alone” to “Schedule 2 to this order”, substitute “An animal may be landed in Great Britain only at an entry point which is specified in Schedule 2”,
- (ii) for “at a port or airport other than a port or airport specified in that Schedule”, substitute “at a point of entry other than a designated entry point specified in Schedule 2”,
- (e) for paragraph (4A)(7) substitute—

“(4A) The restriction in paragraph (4) does not apply to the landing in Great Britain of an animal to which, in accordance with paragraph (2), the prohibition in paragraph (1) does not apply.”,
- (f) in paragraph (5)—
 - (i) for “port or airport”, substitute “designated entry point”,
 - (ii) after “vessel”, insert “, vehicle”,
- (g) in paragraph (8)(a), omit “the Republic of Ireland,”, and
- (h) after paragraph (10) add—

“(11) In this article—

 - (a) “the trade requirements” means—
 - (i) the requirements of Council Directive [92/65/EEC](#), and
 - (ii) the requirements of the Trade in Animals and Related Products Regulations 2011(8) (in relation to England), the Trade in Animals and Related Products (Wales) Regulations 2011(9) (in relation to Wales) or the Animals and Animal Products (Import and Export) (Scotland) Regulations 2007(10) (in relation to Scotland),
 - (b) “Council Directive [92/65/EEC](#)” means Council Directive [92/65/EEC](#) laying down animal health requirements governing trade in and imports into the Community of animals, semen, ova and embryos not subject to animal health requirements laid down in specific Community rules referred to in Annex A(I) to Directive [90/425/EEC](#)(11), and
 - (c) “the Pets Order” means the Non-Commercial Movement of Pet Animals Order 2011(12).

(12) For the purposes of paragraph (11)(a), the requirements of Council Directive [92/65/EEC](#) include the requirement that animals (other than dogs, cats and ferrets) were born on a registered holding and have been kept in captivity since birth, as referred to in Article 10(4) of that Directive.”.

Revocation of articles 4A

- 4. Both articles 4A(13) are revoked.

(7) Paragraph (4A) was inserted in relation to Great Britain by [S.I. 1977/361](#).

(8) [S.I. 2011/1197](#).

(9) [S.I. 2011/2379](#).

(10) [S.S.I. 2007/194](#), as amended by [S.S.I. 2007/375](#), [2008/155](#), [2009/227](#), [2010/343](#) and [2011/171](#).

(11) OJ No L 268, 14.9.1992, p.54, as last amended by Commission Regulation (EU) No 176/2010 (OJ No L 52, 3.3.2010, p.14).

(12) [S.I. 2011/2883](#).

(13) Article 4A was inserted in relation to Great Britain by [S.I. 1994/1716](#). This provision continues to apply to Scotland and Wales, but, in relation to England, Article 4A was substituted by [S.I. 2004/2364](#).

Revocation of article 4B

5. Article 4B(14) is revoked.

Revocation of article 4C

6. Article 4C(15) is revoked.

Amendment of article 5

7. In article 5—

- (a) for paragraph (2) and both paragraphs (2A)(16), substitute—

“(2) Where an animal specified in Part 2 of Schedule 1 is landed in Great Britain in accordance with a licence granted under article 4(3) it must be immediately detained and isolated in quarantine at its owner’s expense at such premises and subject to such conditions as may be specified in the licence.

(2A) But paragraph (2) does not apply to an animal of the order *Rodentia* or *Lagomorpha* where the licence states that it is being brought into Great Britain—

- (a) for use at research premises in connection with scientific research, or
(b) to an establishment licensed as a zoo under section 1 of the Zoo Licensing Act 1981(17).

(2B) The period of quarantine required under paragraph (2) is—

- (a) in the case of an animal subject to Article 5 or 8 of the Pets Regulation, the period ending with the Pets Regulation quarantine end date,
(b) in any other case, subject to paragraph (2C), four months.

(2C) The Secretary of State (in England), the Scottish Ministers (in Scotland) or the Welsh Ministers (in Wales) may authorise release of an animal which is not subject to Article 5 or 8 of the Pets Regulation from quarantine or waive its period of quarantine if satisfied that such release will present negligible risk of the introduction of rabies into or spread of rabies within Great Britain.

(2D) Any offspring born to an animal during its quarantine must be kept in quarantine for the remainder of the period of the dam’s quarantine, unless the release of either animal is authorised under paragraph (2C).”, and

- (b) in paragraph (3), for “referred to in that paragraph shall, unless the Minister” substitute “referred to in paragraph (2B) shall, unless the animals are subject to Article 5 or 8 of the Pets Regulation or the Minister”.

Revocation of article 5A

8. Article 5A(18) is revoked.

(14) Article 4B was inserted, in relation to England, by S.I. 1999/3443 and subsequently substituted by S.I. 2004/2364.

(15) Article 4C was inserted, in relation to Scotland, by S.S.I. 2003/229.

(16) Paragraph (2A) was inserted in relation to England by S.I. 2004/2364; a corresponding provision was inserted in relation to Scotland by S.S.I. 2011/46.

(17) 1981 c.37. Section 1 was amended in relation to England by S.I. 2002/3080; in relation to Wales by S.I. 2003/992 and the Local Government (Wales) Act 1994 (c. 19), Schedule 16, paragraph 62(1), and Schedule 18; and in relation to Scotland by S.S.I. 2003/174 and the Local Government etc (Scotland) Act 1994 (c.39), Schedule 13, paragraph 124.

(18) Article 5A was inserted in relation to England by S.I. 1999/3443 and subsequently substituted by S.I. 2004/2364.

Revocation of article 5B

9. Article 5B(19) is revoked.

Revocation of article 5C

10. Article 5C(20) is revoked.

Amendment of article 6

11. In article 6—

- (a) for both headings(21), substitute “Vaccination of dogs and cats in quarantine”, and
- (b) for both paragraphs (3)(22), substitute—

“(3) This article does not apply to a dog or cat which is subject to Article 5 or 8 of the Pets Regulation.”.

Amendment of article 7

12. In article 7—

(a) in paragraph (1)(23)—

(i) for the words from “Where an animal” to “it shall be the duty”, substitute “Where an animal is landed in Great Britain in accordance with a licence granted under article 4(3) (other than an animal exempted from quarantine under article 5(2A)), it shall be the duty”,

(ii) in sub-paragraph (b), for “port or airport” substitute “designated entry point”,

(b) in paragraphs (2) and (5), for “port or airport” substitute “designated entry point”, and

(c) in paragraph (3), after “vessel”, insert “, vehicle”.

Amendment of article 8

13. In article 8—

(a) in paragraph (3)(24), for “port or airport for exportation” substitute “port, airport or such other place as may be specified in the licence”,

(b) in paragraph (5)(25), for “six”, substitute “four”, and

(c) after paragraph (7), insert—

“(8) This article does not apply to the landing of an animal which is subject to Article 5 or 8 of the Pets Regulation.”.

Amendment of article 12

14. In article 12(26)—

(19) Article 5B was inserted in relation to Wales by S.I. 2002/882.

(20) Article 5C was inserted in relation to Scotland by S.S.I. 2003/229.

(21) Article 5C was inserted in relation to Scotland by S.S.I. 2003/229.

(22) Paragraph (3) was inserted in relation to England by S.I. 1999/3443 and subsequently substituted by S.I. 2004/2364; a corresponding provision was inserted in relation to Scotland by S.S.I. 2003/229.

(23) Paragraph (1) was amended in relation to England by S.I. 2004/2364; a corresponding amendment was made in relation to Scotland by S.S.I. 2011/46.

(24) Paragraph (3) was amended in relation to Great Britain by S.I. 1984/1182.

(25) Paragraph (5) was amended in relation to Great Britain by S.I. 1977/361.

(26) Article 12 was substituted in relation to Great Britain by S.I. 1977/361.

Status: This is the original version (as it was originally made).

- (a) in paragraph (1), for “6”, substitute “four”,
- (b) for paragraph (3)(27), substitute—
 - “(3) Paragraph (2)(c) shall not apply to an animal which is landed—
 - (a) in accordance with article 4(2)(a),
 - (b) in accordance with a licence granted under article 4(3), or
 - (c) in the circumstances referred to in article 8.”
- (c) in paragraph (5), for “six”, substitute “four”,
- (d) after paragraph (5), insert—
 - “(5A) But—
 - (a) where an animal is subject to Article 5 or 8 of the Pets Regulation, the period of quarantine under paragraph (5) must end on the Pets Regulation quarantine end date,
 - (b) where an animal is not subject to Article 5 or 8 of the Pets Regulation, the Secretary of State (in England), the Scottish Ministers (in Scotland) or the Welsh Ministers (in Wales) may authorise release of the animal from quarantine or waive its period of quarantine if satisfied that such release will present negligible risk of the introduction of rabies into or spread of rabies within Great Britain.”
- (e) in paragraph (8)(ii), for “six”, substitute “four”, and
- (f) after paragraph (8), insert—
 - “(8A) But—
 - (a) where an animal is subject to Article 5 or 8 of the Pets Regulation, the period of quarantine under paragraph (8)(ii) must end on the Pets Regulation quarantine end date,
 - (b) where an animal is not subject to Article 5 or 8 of the Pets Regulation, the Secretary of State (in England), the Scottish Ministers (in Scotland) or the Welsh Ministers (in Wales) may authorise release of the animal from quarantine or waive its period of quarantine if satisfied that such release will present negligible risk of the introduction of rabies into or spread of rabies within Great Britain.”

Amendment of article 13

15. In article 13—

- (a) in paragraph (1)(ii)(28), for “six”, substitute “four”,
- (b) after paragraph (1), insert—
 - “(1A) But where an animal is subject to Article 5 or 8 of the Pets Regulation, the period of quarantine under paragraph (1) must end on the Pets Regulation quarantine end date (and notice given under that paragraph ceases to have effect on that date).”
- (c) in paragraph (3), for “six”, substitute “four”, and
- (d) after paragraph (3), insert—
 - “(3A) But—
 - (a) where an animal is subject to Article 5 or 8 of the Pets Regulation, the notice may not be terminated under paragraph (3) before the Pets Regulation quarantine end date,

(27) Paragraph (3) was amended in relation to Great Britain by [S.I. 1994/1716](#).

(28) Paragraph (1) was amended in relation to Great Britain by [S.I. 1990/2371](#).

- (b) where an animal is not subject to Article 5 or 8 of the Pets Regulation, the Secretary of State (in England), the Scottish Ministers (in Scotland) or the Welsh Ministers (in Wales) may, if satisfied that release of the animal from quarantine or waiver of its quarantine period will present negligible risk of the introduction of rabies into or spread of rabies within Great Britain, terminate the operation of the notice by notice given to the person in charge of the animal.”.

Amendment of article 14

16. In article 14(29)—

- (a) renumber the provision as paragraph (1), and
- (b) after paragraph (1), insert—

“(2) But, where the animal is subject to Article 8 of the Pets Regulation, paragraph (1) is subject to Article 14(c) of the Pets Regulation.”.

Amendment of article 16

17. In article 16, after paragraph (2), insert—

“(3) This article does not apply to the landing or attempted landing of an animal subject to Article 5 of the Pets Regulation brought directly into Great Britain from a place in the Republic of Ireland.”.

Amendment of article 17

18. In article 17—

- (a) renumber the provision as paragraph (1), and
- (b) after paragraph (1), insert—

“(2) This article does not apply to the landing or attempted landing of an animal subject to Article 5 of the Pets Regulation brought directly into Great Britain from a place in the Republic of Ireland.”.

Amendment of Schedule 2

19. In Schedule 2(30)—

- (a) for the heading, substitute “Designated Entry Points”,
- (b) in Part 1—
 - (i) insert the heading “Ports”,
 - (ii) omit “Southampton”,
- (c) in Part 2—
 - (i) insert the heading “Airports”,
 - (ii) omit “Birmingham”, and
- (d) after Part 2, insert—

(29) Article 14 was amended in relation to Great Britain by [S.I. 1977/361](#).

(30) Schedule 2 was substituted in relation to Great Britain by [S.I. 1977/361](#); subsequent amendments were made in relation to Great Britain by [S.I. 1984/1182](#) and [1986/2062](#) and in relation to England by [S.I. 2004/2364](#).

Status: This is the original version (as it was originally made).

“Part 3

Other Designated Entry Points

Eurotunnel Folkestone Terminal”.