
WELSH STATUTORY INSTRUMENTS

2000 No. 3340 (W. 218)

ANIMALS, WALES
DESTRUCTIVE ANIMALS

The Mink Keeping (Wales) Order 2000

Made - - - - *19th December 2000*

Coming into force - - *1 January 2001*

The National Assembly for Wales 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(1) and vested in it(2) makes the following Order:

Title, application, commencement and duration

1.—(1) This Order may be cited as the Mink Keeping (Wales) Order 2000, shall apply to Wales and shall come into force on 1st January 2001.

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

Interpretation

2. In this Order —

“the Act” (“*y Ddeddf*”) means the Destructive Imported Animals Act 1932; and

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

Keeping of mink

3. The keeping of mink is prohibited, except under a licence granted under the Act.

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

(2) The functions conferred by section 10 of the Act on the Secretary of State and the Minister of Agriculture, Fisheries and Food have been devolved to the National Assembly for Wales in so far as the functions are exercisable in relation to Wales. The functions in section 10 were transferred by virtue of article 2 of, and Schedule 1 to, the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672). The 1999 Order provides an exception to the transfer of functions under section 10 of the 1932 Act where the exercise of the functions relates to the importation of the types of animals to which that Act relates. This exception has effect so as to transfer to the Assembly only those functions conferred on the Secretary of State for Wales by the Transfer of Functions (Wales) Order 1969 (S.I. 1969/388). The 1969 Order provided for the powers in section 10 to be exercised jointly by the Secretary of State and the Minister of Agriculture, Fisheries and Food. This Order relates to the keeping of mink, not the importation of mink, so the exception in the 1999 Order does not apply.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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).

Signed on behalf of the National Assembly for Wales under section 66(1) of the Government of Wales Act 1998(3)

19th December 2000

D. Elis Thomas
The Presiding Officer of the National Assembly

EXPLANATORY NOTE

(This note is not part of the Order)

This Order continues in Wales 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. Similar Orders to continue these controls as respects Scotland and England are being made by the Scottish Ministers and the Minister of Agriculture, Fisheries and Food.

Article 1 provides the title of the order, its application to Wales, its commencement on 1st January 2001 and that it ceases to have effect on 1st January 2004. Article 2 contains a definition of the Act under which the Order is made and a definition of “mink”. Article 3 prohibits the keeping of mink except under licence.

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