

## SCHEDULE 3

### PART II

#### SUPPLEMENTARY CONTROL OVER ANIMALS

##### **Extent**

1. This Part does not extend to France.

##### **Interpretation**

2. In this Part “animal” means a four-footed mammal capable of carrying the rabies virus, except one which—

- (a) is lawfully being transported through the tunnel system, or
- (b) enters the tunnel system for purposes connected with law enforcement or security and is under the control of a person approved in writing by the appropriate Minister,

and “tunnel”, except in the expression “tunnel system”, means a tunnel mentioned in section 1(7)(a) of the Channel Tunnel Act 1987.

##### **Duties of Concessionaires**

3. The Concessionaires shall—
  - (a) construct and maintain the installations described in paragraph 4, and
  - (b) comply with the requirements imposed by paragraph 5.

##### **Installations**

4. The installations mentioned in paragraph 3(a) are—
  - (a) a grid at the entrance to each tunnel of such a size, so positioned and electrified at such a voltage as to ensure, so far as is practicable, that an animal cannot cross it or go round it, and
  - (b) fencing around each such entrance, except at places where gaps are necessary to allow the passage of vehicles through the tunnel, of such material and of such a height above and depth below the surface of the ground as to ensure, so far as is practicable, that an animal cannot cross it.

##### **Requirements**

5. The requirements mentioned in paragraph 3(b) are—
  - (a) to ensure, so far as is practicable, that any animal which has entered a tunnel is removed from the tunnel system,
  - (b) to operate a system of surveillance that will ensure, so far as is practicable, that the passage of any animal through a tunnel is detected,
  - (c) to take effective measures for the control of rodents, including monitoring each tunnel for the presence of rodents and laying poisoned bait for them,
  - (d) so far as is practicable, to keep each tunnel free of waste food, urine, faeces and every other substance likely to attract animals,

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- (e) to ensure that all points of access to a tunnel, other than the entrance to the tunnel and any ventilation shafts, are sealed when not in use,
- (f) to ensure that all tunnel ventilation shafts are so constructed as effectively to deter animals from passing through them, and
- (g) to keep records of the taking of any bait laid as mentioned in sub—paragraph (c) and of the detection of the presence of any animal in a tunnel or within the fencing described in paragraph 4(b).

### **Unauthorised interference**

- 6. Unless authorised in writing by the Concessionaires, no person shall intentionally—
  - (a) remove or in any way impair the effectiveness of any installation described in paragraph 4, or
  - (b) do anything which might in any way impair the effectiveness of any measures taken to comply with the requirements described in paragraph 5.

### **Enforcement**

- 7. A person authorised by the appropriate Minister may, on producing, if required to do so, some duly authenticated document showing his authority—
  - (a) enter any part of the tunnel system for the purpose of ascertaining whether there is or has been any breach of a requirement or prohibition imposed by this Part, and
  - (b) for that purpose inspect any relevant document or computer record.

### **Offences**

- 8. A person who contravenes any of paragraphs 3 to 6 or obstructs the exercise of powers by an authorised person under paragraph 7 shall be guilty of an offence and shall be liable—
  - (a) on conviction on indictment to a fine, and
  - (b) on summary conviction to a fine not exceeding the statutory maximum.