
STATUTORY INSTRUMENTS

1974 No. 2211

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

[^{F1}Detention of animals on board vessels in harbour

12.—(1) Paragraph (2) below shall apply to an animal which has, within the preceding [^{F2}four] calendar months, been in a place outside Great Britain, Northern Ireland, the Republic of Ireland, the Channel Islands and the Isle of Man.

(2) Subject to paragraph (3) below, it shall be the duty of the person having charge or control of a vessel in harbour in Great Britain to ensure that an animal to which this paragraph applies which is on board that vessel—

- (a) is at all times restrained, and kept securely confined within a totally enclosed part of the vessel from which it cannot escape;
- (b) does not come into contact with any other animal or any contact animal (other than an animal or contact animal with which it has been transported to Great Britain); and
- (c) is in no circumstances permitted to land.

(3) [^{F3}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.]

(4) If an animal to which paragraph (2) above applies is lost from a vessel in harbour in Great Britain, the person having charge or control of that vessel shall forthwith give notice of the loss to an inspector, a constable or an officer of Customs and Excise.

(5) If an animal to which paragraph (2) above applies is involved in an incident whereby rabies virus could, if present in that animal, be transmitted to a human being, or to another animal or a contact animal (other than an animal or contact animal with which it has been transported to Great Britain), the person for the time being in charge of the animal shall forthwith give notice of the incident to an inspector; and on receipt of such notice, the inspector may, if he considers it expedient so to do, require (in the case of an animal which would otherwise not be permitted to land under this Article) that the animal shall not leave Great Britain until after it has undergone detention and isolation in quarantine at its owner's expense, at such premises, for such period (not exceeding [^{F4}four] calendar months) and subject to such conditions, as the inspector may direct.

[^{F5}(5A) But—

- (a) where an animal is subject to [^{F6}Article ^{F7}... 10] 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 [^{F6}Article ^{F8}... 10] 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.]

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(6) Subject to paragraph (7) below, no person shall cause or permit a native animal or a native contact animal to go on board a vessel in harbour in Great Britain on which there is an animal to which paragraph (2) above applies; and for the purposes of this paragraph and paragraph (8) below—

- (a) ‘native animal’ means an animal to which paragraph (2) above does not apply; and
- (b) ‘native contact animal’ means a contact animal which is ashore in Great Britain, whether or not it has been landed from a vessel.

(7) Paragraph (6) above shall not apply to—

- (a) the use on board a vessel in harbour in Great Britain of dogs belonging to the police, Her Majesty's Customs and Excise or Her Majesty's Forces, so long as such dogs are kept under constant control of a trained handler while on board; or
- (b) the loading on board a vessel in harbour in Great Britain of any animal or contact animal intended for exportation from Great Britain on that vessel.

(8) An inspector or a constable may seize or cause to be seized—

- (a) any animal to which paragraph (2) above applies in relation to which there has been a contravention of or failure to comply with any provision of that paragraph; and
- (b) any native animal or native contact animal in relation to which there has been a contravention of or failure to comply with the provisions of paragraph (6) above;

and where an animal or contact animal has been seized in accordance with the foregoing provisions of this paragraph, an inspector or a constable may—

- (i) destroy it or cause it to be destroyed;
- (ii) move it or cause it to be moved to authorised quarantine premises for the purposes of detention and isolation in quarantine at its owner's expense for a period of [^{F9}four] calendar months, or for such shorter period as an inspector may direct; or
- (iii) in the case of an animal to which paragraph (2) above applies, export it from Great Britain or cause it to be so exported:

and Provided that, where an animal or a contact animal to which this paragraph applies has been seized by a constable, it shall only be dealt with in accordance with sub-paragraph (ii) or sub-paragraph (iii) above with the agreement of an inspector.

[^{F10}(8A) But—

- (a) where an animal is subject to [^{F11}Article ^{F12}... 10] 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 [^{F11}Article ^{F13}... 10] 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.]

(9) The reasonable expenses incurred by an inspector or a constable in exercising the powers conferred on him by paragraph (8) above shall be recoverable on demand by the Minister, the local authority or, as the case may be, the police authority as a civil debt from the owner of the animal or contact animal.]

Textual Amendments

- F1** Art. 12 substituted (28.3.1977) by [The Rabies \(Importation of Dogs, Cats and Other Mammals\) \(Amendment\) Order 1977 \(S.I. 1977/361\)](#), arts. 1, **3(6)**

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- F2** Word in art. 12(1) substituted (1.1.2012) by The Non-Commercial Movement of Pet Animals Order 2011 (S.I. 2011/2883), art. 1(3), **Sch. para. 14(a)** (with art. 19)
- F3** Art. 12(3) substituted (1.1.2012) by The Non-Commercial Movement of Pet Animals Order 2011 (S.I. 2011/2883), art. 1(3), **Sch. para. 14(b)** (with art. 19)
- F4** Word in art. 12(5) substituted (1.1.2012) by The Non-Commercial Movement of Pet Animals Order 2011 (S.I. 2011/2883), art. 1(3), **Sch. para. 14(c)** (with art. 19)
- F5** Art. 12(5A) inserted (1.1.2012) by The Non-Commercial Movement of Pet Animals Order 2011 (S.I. 2011/2883), art. 1(3), **Sch. para. 14(d)** (with art. 19)
- F6** Words in art. 12(5A)(a)(b) substituted (29.12.2014) by The Non-Commercial Movement of Pet Animals (Amendment) Order 2014 (S.I. 2014/3158), art. 1(3), **Sch. para. 7**
- F7** Words in art. 12(5A)(a) omitted (31.12.2020) by virtue of The Animals, Aquatic Animal Health, Invasive Alien Species, Plant Propagating Material and Seeds (Amendment) (EU Exit) Regulations 2020 (S.I. 2020/1388), regs. 1(2)(c), **35(4)(d)**
- F8** Words in art. 12(5A)(b) omitted (31.12.2020) by virtue of The Animals, Aquatic Animal Health, Invasive Alien Species, Plant Propagating Material and Seeds (Amendment) (EU Exit) Regulations 2020 (S.I. 2020/1388), regs. 1(2)(c), **35(4)(d)**
- F9** Word in art. 12(8)(ii) substituted (1.1.2012) by The Non-Commercial Movement of Pet Animals Order 2011 (S.I. 2011/2883), art. 1(3), **Sch. para. 14(e)** (with art. 19)
- F10** Art. 12(8A) inserted (1.1.2012) by The Non-Commercial Movement of Pet Animals Order 2011 (S.I. 2011/2883), art. 1(3), **Sch. para. 14(f)** (with art. 19)
- F11** Words in art. 12(8A)(a)(b) substituted (29.12.2014) by The Non-Commercial Movement of Pet Animals (Amendment) Order 2014 (S.I. 2014/3158), art. 1(3), **Sch. para. 7**
- F12** Words in art. 12(8A)(a) omitted (31.12.2020) by virtue of The Animals, Aquatic Animal Health, Invasive Alien Species, Plant Propagating Material and Seeds (Amendment) (EU Exit) Regulations 2020 (S.I. 2020/1388), regs. 1(2)(c), **35(4)(d)**
- F13** Words in art. 12(8A)(b) omitted (31.12.2020) by virtue of The Animals, Aquatic Animal Health, Invasive Alien Species, Plant Propagating Material and Seeds (Amendment) (EU Exit) Regulations 2020 (S.I. 2020/1388), regs. 1(2)(c), **35(4)(d)**

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