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## STATUTORY INSTRUMENTS

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# 1974 No. 2211

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

### Prohibition on landing of animals in Great Britain

4.—(1) Subject to the provisions of this order, the landing in Great Britain of an animal brought from a place outside Great Britain is hereby prohibited.

[<sup>F1</sup>(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 [<sup>F2</sup>a] member State, Norway, Switzerland or Liechtenstein,
  - (ii) is subject to [<sup>F3</sup>the Trade in Animals and Related Products Regulations 2011, the Trade in Animals and Related Products (Wales) Regulations 2011 or the Trade in Animals and Related Products (Scotland) Regulations 2012], 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 [<sup>F4</sup>the Trade in Animals and Related Products Regulations 2011, the Trade in Animals and Related Products (Wales) Regulations 2011 or the Trade in Animals and Related Products (Scotland) Regulations 2012] 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 [<sup>F5</sup>Article 10] of the Pets Regulation but fails to comply with the requirements of that Article, or
  - (ii) it is an animal which is subject to [<sup>F6</sup>the Trade in Animals and Related Products Regulations 2011, the Trade in Animals and Related Products (Wales) Regulations 2011 or the Trade in Animals and Related Products (Scotland) Regulations 2012] 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 [<sup>F7</sup>the Trade in Animals and Related Products Regulations 2011, the Trade in Animals and Related Products (Wales) Regulations 2011 or the Trade in Animals and Related Products (Scotland) Regulations 2012] or the Pets Regulation, and

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(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.

[<sup>F8</sup>(e) a dog, cat or ferret which is subject to the Trade in Animals and Related Products (Scotland) Regulations 2012 and complies with the trade requirements.]]

<sup>F9</sup>(2B) .....

(3) The prohibition on landing contained in paragraph (1) above shall not apply when the landing is under the authority of a licence <sup>F10</sup>... granted by the Minister, and in accordance with the terms and conditions subject to which it was granted.

[<sup>F11</sup>(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).]

(4) [<sup>F12</sup>An animal may be landed in Great Britain only at an entry point which is specified in Schedule 2]:

Provided that nothing in this paragraph shall be construed as precluding the Minister, on his being satisfied that exceptional circumstances exist in connection with the bringing to Great Britain of a particular animal, from granting a licence for the landing of that animal [<sup>F13</sup>at a point of entry other than a designated entry point specified in Schedule 2].

[<sup>F14</sup>(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.]

[<sup>F15</sup>(4B) Notwithstanding the provisions of paragraph (4) above and Schedule 2 to this Order, animals may also be brought into England at Cheriton through the Channel Tunnel.]

(5) Nothing in paragraph (4) above shall render it unlawful (subject to the authority of an inspector first having been obtained) for an animal to which this order applies to be landed at a place in Great Britain other than the [<sup>F16</sup>designated entry point] at which the animal is licensed to be landed to which the vessel [<sup>F17</sup>, vehicle] or, as the case may be, the aircraft which is bringing the animal to Great Britain is ordered to be diverted in the interest of safety, or in the light of other exceptional circumstances.

(6) Notwithstanding the provisions of paragraph (2) above, if at any time the Minister has reason to believe that there is an outbreak of rabies in one of the countries referred to in that paragraph, and it appears to him to be necessary to act as a matter of urgency for the purpose of preventing the introduction of that disease into Great Britain, he may direct that the provisions of paragraph (1) above shall apply to animals brought to Great Britain from that country and any such direction shall remain in force for a period of 28 days unless revoked by a subsequent direction before the end of that period.

(7) Where the Minister makes a direction under paragraph (6) above, he shall take all reasonable steps to bring it to the notice of any person who is likely to be affected by it, and in any proceedings for an offence arising by virtue only of the direction, it shall be a defence that at the time when the offence was committed the accused had no reason to believe that the direction was in existence.

(8) For the purposes of this order, an animal which—

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- (a) is taken from a place in Great Britain, Northern Ireland, <sup>F18</sup>... the Channel Islands or the Isle of Man to a place outside those countries (whether or not it is landed at that place, or comes into contact with any other animal while there, or during the journey thereto or therefrom), or
  - (b) while outside Great Britain, comes into contact with an animal to which, if it were brought to Great Britain, the prohibition on landing contained in paragraph (1) above would apply,
- shall be deemed to be an animal brought from a place outside Great Britain when landed in Great Britain.

<sup>F19</sup>(9) Subject to paragraph (10) below, where an animal landed in Great Britain is brought into Great Britain from a place other than a country outside Great Britain, the prohibition on landing contained in paragraph (1) above shall apply to that animal if while outside Great Britain it has been or may have been in contact with an animal to which, if it were brought into Great Britain, the prohibition on landing contained in paragraph (1) above would apply.

(10) The prohibition on the landing of an animal brought into Great Britain from a place other than a country outside Great Britain contained in paragraph (9) above shall not apply to a dog belonging to the police, Her Majesty's Customs and Excise or Her Majesty's Forces which is kept under the constant control of a trained handler while outside Great Britain.]

<sup>F20</sup>(11) In this article—

(a) “the trade requirements” means—

<sup>F21</sup>(i) . . . . .

(ii) the requirements of the Trade in Animals and Related Products Regulations 2011 (in relation to England), the Trade in Animals and Related Products (Wales) Regulations 2011 (in relation to Wales) or the <sup>F22</sup>Trade in Animals and Related Products (Scotland) Regulations 2012] (in relation to Scotland),

<sup>F23</sup>(b) . . . . .

(c) “the Pets Order” means the Non-Commercial Movement of Pet Animals Order 2011.

(12) For the purposes of paragraph (11)(a), the requirements of <sup>F24</sup>the Trade in Animals and Related Products Regulations 2011, the Trade in Animals and Related Products (Wales) Regulations 2011 or the Trade in Animals and Related Products (Scotland) Regulations 2012] include <sup>F25</sup>a requirement] that animals (other than dogs, cats and ferrets) were born on a registered holding and have been kept in captivity since birth<sup>F26</sup>....]

Textual Amendments	
<b>F1</b>	Art. 4(2) substituted for art. 4(2)(2A) (1.1.2012) by <a href="#">The Non-Commercial Movement of Pet Animals Order 2011 (S.I. 2011/2883)</a> , art. 1(3), <b>Sch. para. 3(a)</b> (with art. 19)
<b>F2</b>	Word in art. 4(2)(a)(i) substituted (31.12.2020) by <a href="#">The Trade in Animals and Related Products (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/782)</a> , regs. 1, <b>2(2)(a)(i)</b> ; 2020 c. 1, Sch. 5 para. 1(1)
<b>F3</b>	Words in art. 4(2)(a)(ii) substituted (31.12.2020) by <a href="#">The Trade in Animals and Related Products (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/782)</a> , regs. 1, <b>2(2)(a)(ii)</b> ; 2020 c. 1, Sch. 5 para. 1(1)
<b>F4</b>	Words in art. 4(2)(b)(ii) substituted (31.12.2020) by <a href="#">The Trade in Animals and Related Products (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/782)</a> , regs. 1, <b>2(2)(a)(ii)</b> ; 2020 c. 1, Sch. 5 para. 1(1)
<b>F5</b>	Words in art. 4(2)(c)(i) substituted (31.12.2020) by <a href="#">The Animals, Aquatic Animal Health, Invasive Alien Species, Plant Propagating Material and Seeds (Amendment) (EU Exit) Regulations 2020 (S.I. 2020/1388)</a> , regs. 1(2)(c), <b>35(3)</b>

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- F6** Words in art. 4(2)(c)(ii) substituted (31.12.2020) by The Trade in Animals and Related Products (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/782), regs. 1, **2(2)(a)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F7** Words in art. 4(2)(d)(ii) substituted (31.12.2020) by The Trade in Animals and Related Products (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/782), regs. 1, **2(2)(a)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F8** Art. 4(2)(e) inserted (S.) (1.1.2024) by The Importation of Animals and Related Products (Miscellaneous Amendment and Revocation) (Scotland) Order 2023 (S.S.I. 2023/391), arts. 1(1), **2(2)**
- F9** Art. 4(2B) revoked (E.) (1.10.2004) by The Rabies (Importation of Dogs, Cats and Other Mammals) (England) (Amendment) Order 2004 (S.I. 2004/2364), arts. 1, **2(2)(c)**
- F10** Word in art. 4(3) omitted (1.1.2012) by virtue of The Non-Commercial Movement of Pet Animals Order 2011 (S.I. 2011/2883), art. 1(3), **Sch. para. 3(b)** (with art. 19)
- F11** Art. 4(3A) inserted (1.1.2012) by The Non-Commercial Movement of Pet Animals Order 2011 (S.I. 2011/2883), art. 1(3), **Sch. para. 3(c)** (with art. 19)
- F12** Words in art. 4(4) substituted (1.1.2012) by The Non-Commercial Movement of Pet Animals Order 2011 (S.I. 2011/2883), art. 1(3), **Sch. para. 3(d)(i)** (with art. 19)
- F13** Words in art. 4(4) substituted (1.1.2012) by The Non-Commercial Movement of Pet Animals Order 2011 (S.I. 2011/2883), art. 1(3), **Sch. para. 3(d)(ii)** (with art. 19)
- F14** Art. 4(4A) substituted (1.1.2012) by The Non-Commercial Movement of Pet Animals Order 2011 (S.I. 2011/2883), art. 1(3), **Sch. para. 3(e)** (with art. 19)
- F15** Art. 4(4B) added (E.) (17.1.2000) by The Pet Travel Scheme (Pilot Arrangements) (England) Order 1999 (S.I. 1999/3443), arts. 1(1), **13(2)** (with arts. 1(2), 15)
- F16** Words in art. 4(5) substituted (1.1.2012) by The Non-Commercial Movement of Pet Animals Order 2011 (S.I. 2011/2883), art. 1(3), **Sch. para. 3(f)(i)** (with art. 19)
- F17** Word in art. 4(5) inserted (1.1.2012) by The Non Commercial Movement of Pet Animals Order 2011 (S.I. 2011/2883), art. 1(3), **Sch. para. 3(f)(ii)** (with art. 19)
- F18** Words in art. 4(8)(a) omitted (1.1.2012) by virtue of The Non Commercial Movement of Pet Animals Order 2011 (S.I. 2011/2883), art. 1(3), **Sch. para. 3(g)** (with art. 19)
- F19** Art. 4(9)(10) inserted (1.9.1984) by The Rabies (Importation of Dogs, Cats and Other Mammals) (Amendment) Order 1984 (S.I. 1984/1182), arts. 1, **2(a)**
- F20** Art. 4(11)(12) added (1.1.2012) by The Non-Commercial Movement of Pet Animals Order 2011 (S.I. 2011/2883), art. 1(3), **Sch. para. 3(h)** (with art. 19)
- F21** Art. 4(11)(a)(i) omitted (31.12.2020) by virtue of The Trade in Animals and Related Products (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/782), regs. 1, **2(2)(b)(i)**; 2020 c. 1, **Sch. 5 para. 1(1)**
- F22** Words in art. 4(11)(a)(ii) substituted (1.7.2012) by The Trade in Animals and Related Products (Scotland) Regulations 2012 (S.S.I. 2012/177), reg. 1(b), **sch. 4 para. 7** (with reg. 3)
- F23** Art. 4(11)(b) omitted (31.12.2020) by virtue of The Trade in Animals and Related Products (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/782), regs. 1, **2(2)(b)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F24** Words in art. 4(12) substituted (31.12.2020) by The Trade in Animals and Related Products (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/782), regs. 1, **2(2)(c)(i)**; 2020 c. 1, Sch. 5 para. 1(1)
- F25** Words in art. 4(12) substituted (31.12.2020) by The Trade in Animals and Related Products (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/782), regs. 1, **2(2)(c)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F26** Words in art. 4(12) omitted (31.12.2020) by virtue of The Trade in Animals and Related Products (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/782), regs. 1, **2(2)(c)(iii)**; 2020 c. 1, Sch. 5 para. 1(1)

#### Commencement Information

- I1** Art. 4 in force at 5.2.1975, see **art. 1**

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