

EXPLANATORY MEMORANDUM TO THE

Rabies (Importation of Dogs, Cats and Other Mammals) (England) (Amendment) Order 2004 No.2364

1. This explanatory memorandum has been prepared by the Department for Environment, Food and Rural Affairs and is laid before Parliament by Command of Her Majesty.

2. Description

2.1 This SI amends the Rabies (Importation of Dogs, Cats and Other Mammals) Order 1974 (S.I. 1974/2211 as amended) (RIO). It will:

- Legislate for consequential amendments to our existing national legislation arising from EC Regulation 998/2003 which lays down the rules for the non-commercial movement of pet animals.
- Revise import conditions to exempt rodents/lagomorphs (rabbits, hares and pikas) from undergoing six months quarantine if they meet specified conditions on the import licence.
- Delete Norwich Airport from list of ports/airports authorised to land quarantine animals.

3. Matters of special interest to the Joint Committee on Statutory Instruments

3.1 None.

4. Legislative Background

4.1 This amendment is being made under the Animal Health Act 1981.

4.2 Further domestic legislation is necessary to fully implement EC Regulation 998/2003 on the non-commercial movement of pet animals. This is being done through the Non-Commercial Movement of Pet Animals (England) Regulations 2004 (NCMPAR), which has been laid simultaneously with this Order, details of which can be found in Explanatory Memorandum 2004 No.2363.

4.3 The effect of the two instruments together is to replace the current exemption from the rabies importation and quarantine rules enjoyed by pets which comply with the Pet Travel Scheme (Pilot Arrangements) (England) Order 1999 (S.I. 1999/3443 as amended) with an exemption for pets which comply with EC Regulation 998/2003 and the NCMPAR.

5. Extent

5.1 This instrument applies to England only.

6. European Convention on Human Rights

6.1 No matters of importance to raise.

7. Policy background

7.1 Most of the SI maintains the current policy of exempting pet animals which comply with certain veterinary conditions from the licensing and quarantine requirements of the RIO. These conditions are, until 1 October 2004, set out in the Pet Travel Scheme (Pilot Arrangements) (England) Order 1999 and from that date in EC Regulation 998/2003 and the NCMPAR. A full explanation of the policy background to those veterinary conditions is set out in the Explanatory Memorandum to the latter instrument 2004 No.2363

7.2 Defra reviewed the requirement for six month quarantine for rodents and lagomorphs (rabbits, hares and pikas) as it puts an excessive burden on UK research establishments and zoos/wildlife parks. Following a risk assessment by the Veterinary Laboratories Agency which showed that the risk of rabies being imported via rodents and lagomorphs was low, Defra undertook to revise this requirement in consultation with stakeholders.

7.3 This SI revises the import requirements for live rodents and lagomorphs imported into research establishments and zoos/wildlife parks by exempting them from six months quarantine provided they meet specific conditions laid out in the import licence.

7.4 Norwich Airport is listed in Schedule 2 Part II of the Rabies (Importation of Dogs, Cats and Other Mammals) Order 1974; this allows animals imported into quarantine to be landed there. However, Norwich Airport have decided not to allow animals subject to quarantine to land there. Therefore we are amending the legislation, with their consent, to remove Norwich Airport from the list of authorised rabies airports.

8. Impact

8.1 A Regulatory Impact Assessment has not been prepared for this instrument, as it has no adverse impact on business, charities or voluntary bodies. Part of this instrument deregulates, as far as possible, imports for the research and zoo/wildlife park industries whilst maintaining adequate protection of the UK's rabies-free status.

9. Contact

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