

2011 No. 46

ANIMALS

**The Rabies (Importation of Dogs, Cats and Other Mammals)
Amendment (Scotland) Order 2011**

Made - - - - - *26th January 2011*

Laid before the Scottish Parliament *28th January 2011*

Coming into force - - - *2nd March 2011*

The Scottish Ministers make the following Order in exercise of the powers conferred by sections 1, 10, 24 and 95(1) of the Animal Health Act 1981(a) and all other powers enabling them to do so.

Citation, commencement and extent

1. This Order—

- (a) may be cited as the Rabies (Importation of Dogs, Cats and Other Mammals) Amendment (Scotland) Order 2011;
- (b) comes into force on 2nd March 2011; and
- (c) extends to Scotland only.

Amendment to the Rabies (Importation of Dogs, Cats and Other Mammals) Order 1974

2.—(1) The Rabies (Importation of Dogs, Cats and Other Mammals) Order 1974(b) is amended as follows.

(2) After article 5(2) (detention and isolation in quarantine) insert—

“(2A) Paragraph (2) shall not apply to any animal of the order *Rodentia* or *Lagomorpha* where a licence granted under article 4(3) states that it is being brought into Scotland—

- (a) for use at research premises in connection with scientific research; or
- (b) to a zoo (within the meaning of section 1(2) of the Zoo Licensing Act 1981(c)) which operates under the authority of a licence issued under that Act.”.

(a) 1981 c.22. Powers to make Orders under these sections were originally conferred on “the Ministers”, as defined in section 86(1) of the 1981 Act. The functions of the Ministers were, insofar as within devolved competence, transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998 (c.46).
(b) S.I. 1974/2211, as relevantly amended by S.I. 1977/361, 1984/1182, 1986/2062, 1990/2371, 1993/1813 and 1994/1716.
(c) 1981 c.37, as relevantly amended by the Zoo Licensing Act 1981 Amendment (Scotland) Regulations (S.S.I. 2003/174).

(3) In article 7(1) (control of movement of animals after landing), after “a licence granted under Article 4 above” insert “(other than an animal which, by virtue of article 5(2A), is exempted from the requirements of article 5(2))”.

St Andrew's House,
Edinburgh
26th January 2011

RICHARD LOCHHEAD
A member of the Scottish Executive

EXPLANATORY NOTE

(This note is not part of the Order)

This Order makes amendments to the Rabies (Importation of Dogs, Cats and Other Mammals) Order 1974 (S.I. 1974/2211, as amended) to create an exception to the quarantine requirements of that Order for animals of the order *Rodentia* (rodents such as mice and rats) and *Lagomorpha* (lagomorphs such as hares and rabbits) which are licenced to be brought into Scotland for use in scientific research at research premises or which are to be kept at a zoo.

No Business Regulatory Impact Assessment has been prepared in respect of this Order as no impact upon business, charities or voluntary bodies is foreseen.

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