

GUERNSEY STATUTORY INSTRUMENT

2014 No. 104

The Rabies Order, 2014

ARRANGEMENT OF SECTIONS

PART I

REGULATION OF THE IMPORTATION AND EXPORTATION OF ANIMALS

1. Importation of animals.
2. Importation of animals into quarantine.
3. Importation of animals from the British Isles.
4. Importation of animals from qualifying countries or territories.
5. Importation of animals from non-qualifying countries or territories.
6. Animals in the territorial waters.
7. Animals in transit.
8. Exportation of animals.

PART II

APPROVED PREMISES, CARRYING AGENTS, CARRIERS AND ROUTES

9. Approved premises.
10. Approved carrying agents.
11. Approved carriers.
12. Approved routes.

PART III

CONTROL OF RABIES

13. Control of rabies.
14. Contact animals.

PART IV

MISCELLANEOUS PROVISIONS

15. Authorised persons.
16. Seizure of animals and carcasses.
17. Examination and tests.

18. Samples.
19. Access to vehicles and land.
20. Costs.
21. Licences.
22. Notices and other documents.
23. Falsification of documents.
24. Records and the provision of information.
25. Signs.
26. Liability.
27. Emergency powers.
28. Interpretation.
29. Extant licences.
30. Application.
31. Revocation.
32. Citation and commencement.

SCHEDULE 1

SCHEDULE 2: Approved ports of entry.

SCHEDULE 3: Qualifying Countries and Territories.

SCHEDULE 4

SCHEDULE 5: Conditions of approval for carriers.

SCHEDULE 6: Measures that may be applied in respect of an area that is declared an infected place.

SCHEDULE 7: Measures that may be applied in respect of an area that is declared an infected area.

The Rabies Order, 2014

<i>Made</i>	<i>18th December, 2014</i>
<i>Coming into force</i>	<i>29th December, 2014</i>
<i>Laid before the States</i>	<i>2015</i>

THE STATES COMMERCE AND EMPLOYMENT DEPARTMENT, in pursuance of the powers conferred upon it by sections 1 to 3 of the Rabies (Bailiwick of Guernsey) Law, 1975^a and all other powers enabling it in that behalf hereby orders:

PART I

REGULATION OF THE IMPORTATION AND EXPORTATION OF ANIMALS

Importation of animals.

1. The importation of an animal specified in Part I of Schedule 1 is prohibited.

Importation of animals into quarantine.

2. (1) Article 1 does not apply to an animal imported into the Islands under the authority of a licence issued by the Department under this article.

(2) An animal imported into the Islands under the authority of a licence issued under paragraph (1) shall be -

^a Ordres en Conseil Volume XXV, p. 368 as amended by Recueil d'Ordonnances, Tome XXIV, p. 20.

- (a) imported at an approved port of entry specified in Schedule 2,
- (b) detained by an approved carrying agent at the time and place of importation and transported directly to an approved place of quarantine by such an approved carrying agent, and
- (c) detained at such an approved place of quarantine -
 - (i) in the case of a pet cat, dog or ferret imported from a Member State of the European Union, which is not part of a consignment of five or more such animals, for such period as is necessary for such an animal to comply with the requirements of Part I of Schedule 4, or
 - (ii) in the case of any other animal -
 - (A) for a period of 4 calendar months, or
 - (B) in exceptional circumstances, for such other period as the Department may specify in writing.

(3) It shall be the duty of the owner or keeper of an animal imported into the Islands under the authority of a licence issued under paragraph (1) to present such an animal to an approved carrying agent for detention and transportation as specified in paragraph (2)(b).

(4) Notwithstanding the provisions of paragraph (2)(c), a vampire bat imported into the Islands under the authority of a licence issued under paragraph (1), shall be detained in quarantine for life at such place as the Department may authorise in writing and any progeny born to such an animal shall also be detained at such a place for life.

(5) Any progeny born to an animal held in an approved place of quarantine shall be detained at such facility for the remainder of such period of quarantine applying to the dam.

(6) The Department may specify in a licence issued under paragraph (1) that one or more animals may be held together at an approved place of quarantine subject to any additional conditions that it may attach to such a licence.

(7) An animal held in quarantine in another country or territory may be imported into the Islands under the authority of a licence issued by the Department and held at an approved place of quarantine for such period as the Department may direct, being a period of such length as to ensure that such an animal is detained and isolated in quarantine for an aggregate period of not less than 4 months from the date of its landing in such other country or territory.

(8) An animal held at an approved place of quarantine shall be vaccinated against rabies using such vaccine and in accordance with such protocols as the States Veterinary Officer shall specify in writing, regardless of whether it is vaccinated against rabies at the time of its detention.

(9) An animal held at an approved place of quarantine may not be moved from such a place before the 4 month term of quarantine expires other than -

- (a) to another approved place of quarantine,
- (b) to a place for exportation from the Islands, or
- (c) in exceptional circumstances, to a recognised veterinary surgeon, for treatment that cannot be administered at the place of quarantine.

(10) Animals moved in accordance with paragraph (9) shall be moved by an approved carrying agent under the authority of a licence issued by the Department, save that an animal that requires emergency veterinary treatment may be moved by such other means as the States Veterinary Officer may direct and subject to such conditions as he may specify.

(11) In exceptional circumstances or in an emergency, an authorised person may direct that an animal may be transported to an approved place of quarantine by such means as that person may specify.

Importation of animals from the British Isles.

3. Article 1 does not apply to an animal specified in Part I of Schedule 1 that is imported into the Islands directly from the British Isles provided that such an animal –

- (a) was born in a place in the British Isles and it has not, at any time, been to a place outside of the British Isles,
- (b) was imported into the British Isles and detained and isolated in quarantine in the British Isles for a period of not less than 4 calendar months,

- (c) is a cat or dog that was imported into the United Kingdom or Ireland from another Member State of the European Union in accordance with the provisions of Council Directive 92/65/EEC^b,
- (d) is a pet cat, dog or ferret that was imported into the British Isles from a qualifying country or territory in accordance with Regulation (EU) No 576/2013^c,
- (e) is a pet cat or dog that was imported into the British Isles from a non-qualifying country or territory in accordance with Regulation (EU) No 576/2013, or
- (f) is a pet domestic rabbit or rodent that was imported into the British Isles from a Member State of the European Union, other than the United Kingdom or Ireland,

prior to consignment to the Islands.

Importation of animals from qualifying countries or territories.

4. (1) Article 1 does not apply to the importation into the Islands of-

- (a) a pet cat, dog or ferret, not falling within subparagraph (b), that is the subject of a non-commercial movement from a qualifying country or territory specified in Schedule 3 provided that -

^b Official Journal L 268, 14. 9. 1992, p. 54.

^c Official Journal L 178, 28.06.2013, p. 1.

- (i) such an animal satisfies the requirements of Part I of Schedule 4,
 - (ii) such an animal is imported into the Islands by an approved carrier on an approved route,
 - (iii) such an animal is accompanied by its owner or keeper, and
 - (iv) the number of animals in any consignment does not exceed 5, or
- (b) a pet cat or dog that that was imported into a qualifying country or territory from a non-qualifying country or territory prior to importation into the Islands provided that such an animal satisfies the requirements of -
- (i) Part II of Schedule 4 at the time of importation into a qualifying country or territory, and
 - (ii) subparagraphs (i) to (iv) of subparagraph (a) at the time of importation into the Islands.

(2) If a consignment of the animals specified in paragraph (1) exceeds five in number, the animals must comply with the requirements of Directive 92/65/EEC.

(3) Article 1 does not apply to the importation into the Islands of a pet domestic rabbit or rodent that is the subject of a non-commercial movement from a Member State of the European Union, other than the United Kingdom or

Ireland, provided that the number of animals in any consignment does not exceed 5 and such an animal is accompanied by its owner or keeper.

Importation of animals from non-qualifying countries or territories.

5. Article 1 does not apply to a pet cat, dog or ferret that is the subject of a non-commercial movement, imported into the Islands directly from a non-qualifying country or territory, provided that -

- (a) such an animal satisfies the requirements of Part II of Schedule 4,
- (b) such an animal is imported into the Islands by an approved carrier on an approved route, and
- (c) the number of animals in any consignment does not exceed 5.

Animals in the territorial waters.

6. (1) Despite article 1 an animal may be transported in a ship within the territorial waters adjacent to the Islands, or such a ship moored or at anchor in such waters or moored in any of the harbours in the Islands, where an animal is not an animal to be imported in accordance with the provisions of articles 2 to 5, provided that it -

- (a) is, at all times, confined within a totally enclosed part of the ship from which it cannot escape,
- (b) does not come into contact with any animal in the Islands, and

(c) in no circumstances is permitted to land in the Islands.

(2) If an animal to which paragraph (1) applies is -

(a) lost from a ship in a harbour in the Islands or in the territorial waters adjacent to the Islands, the person in charge or having control of the ship shall immediately notify an authorised person of such loss, or

(b) involved in an incident whereby the rabies virus could, if present in that animal, be transmitted to a person or another animal (other than another animal being transported on the same ship), the owner or keeper of the animal shall immediately notify an authorised person of such an incident,

and such an authorised person may seize and detain such an animal.

(3) No person shall permit any animal specified in Schedule 1 born in the Islands or imported into the Islands in accordance with the provisions of this Order to board a ship on which any animals specified in paragraph (1) are being transported.

(4) The provisions of paragraphs (2)(b) and (3) shall not apply in the case of the use on board a ship in a harbour in the Islands or in the territorial waters adjacent to the Islands of a dog belonging to the Guernsey Police or the Guernsey Border Agency, provided that such a dog is kept under the constant control of a trained handler whilst on board such a ship.

Animals in transit.

7. The provisions of article 1 shall not apply to an animal that is imported into the Islands under the authority of a licence issued by the Department granting permission for such an animal to be landed in the Islands and transported to another port for exportation, provided that such an animal is -

- (a) landed at an approved port of entry specified in Schedule 2,
- (b) transported by an approved carrying agent whilst in the Islands, and
- (c) held at approved premises if there is any delay between the time of importation and exportation.

Exportation of animals.

8. (1) A person shall not export a pet cat, dog or ferret that is the subject of a non-commercial movement from the Islands to a Member State of the European Community other than the United Kingdom or Ireland unless such an animal satisfies the requirements of Part I of Schedule 4 which shall apply to an animal falling within this paragraph, as it applies to a pet cat, dog or ferret to be imported into the Islands from a qualifying country or territory, with any necessary modifications.

(2) An animal specified in Part I of Schedule 1 held at an approved place of detention or quarantine may be exported from the Islands provided that such an animal is transported from such a place of detention or quarantine to a place of exportation and loaded on a vehicle by an approved carrying agent.

PART II
APPROVED PREMISES, CARRYING AGENTS, CARRIERS AND ROUTES

Approved premises.

9. (1) Premises shall not be used for the -

- (a) detention or isolation in quarantine, or
- (b) temporary detention,

of an animal specified in Part I of Schedule 1 other than under the authority of a licence issued by the Department.

(2) A licence issued by the Department under the provisions of paragraph (1) may include conditions relating to -

- (a) the construction and layout of the premises,
- (b) the management and operation of a quarantine or detention facility, and
- (c) any other matters relating to the quarantine or detention facility that the Department considers necessary to minimise any risk of the spread of rabies.

Approved carrying agents.

10. No person shall transport any animal specified in Part I of Schedule 1 that -

- (a) has been imported into the Islands under the authority of a licence issued under article 2,
- (b) is to be moved from approved premises to other approved premises in the Islands,
- (c) notwithstanding the provisions of article 2(9), has to be moved from approved premises for veterinary treatment,
- (d) is in transit in accordance with the provisions of article 7,
- (e) has been seized under the provisions of this Order and is to be transported to approved premises, or
- (f) is to be taken from approved premises to a place for exportation from the Islands,

unless such a person has been licensed by the Department as an approved carrying agent.

Approved carriers.

11. (1) No person shall transport animals specified in articles 4 or 5 to the Islands other than under the authority of a licence issued by the Department.

(2) The Department shall not issue a licence specified in paragraph (1) unless it is satisfied that -

- (a) an applicant can comply with the conditions set out in Part I of Schedule 5, and

(b) the written procedures and contingency plans specified in Part I of Schedule 5 are considered by the Department to be adequate to achieve the purposes set out in that Part.

(3) A licence issued under paragraph (1) shall specify -

(a) the checks that must be carried out by the licence holder,

(b) the approved route to be used by the licence holder for the transportation of the animals specified in articles 4 or 5, and

(c) any other conditions the Department considers appropriate.

(4) It is the duty of an approved carrier to comply with the requirements of Part II of Schedule 5.

Approved routes.

12. A licence issued under article 11(1) shall specify the place from which an approved carrier may transport the animals specified in articles 4 or 5 to the Islands and the approved port of entry in the Islands where such animals shall be landed.

PART III
CONTROL OF RABIES

Control of rabies.

13. (1) Any person who has reasonable grounds to believe that an animal -

- (a) has been imported into the Islands contrary to the provisions of this Order,
- (b) is, or may be, infected with rabies,
- (c) has or may have died from rabies,
- (d) has or may have been exposed to infection by rabies, or
- (e) has or may have escaped from approved premises or an approved carrying agent,

shall immediately notify the Department of such fact and if such a person is the owner or keeper of such an animal, or the carcase of such an animal, that person shall keep the animal or carcase isolated from other animals and other persons.

(2) Where the Department has reasonable grounds to believe that an animal-

- (a) is, or may be, infected with rabies,
- (b) has or may have died from rabies, or

- (c) has or may have been exposed to infection by rabies,

it may declare the premises at which such an animal, or the carcass of such an animal, is found to be an infected place and it may implement any of the measures specified in Schedule 6 in respect of such an infected place.

(3) A declaration that premises are an infected place shall remain in force until the Department gives notice that such a declaration shall cease to have effect.

(4) Where the Department has reasonable grounds to believe that an animal -

- (a) is, or may be, infected with rabies,
- (b) has or may have died from rabies,
- (c) has or may have been exposed to infection by rabies,
or
- (d) has or may have escaped from approved premises or an approved carrying agent,

and such an animal has, or may have been, in contact with any other animals specified in Schedule 1 in the Islands, it may declare that any area in the Islands is an infected area and it may implement any of the measures specified in Schedule 7 in respect of such an infected area.

(5) A declaration that an area is an infected area shall remain in force until the Department gives notice that such a declaration shall cease to have effect.

Contact animals.

14. (1) Any person who has reasonable grounds to believe that an animal specified in Schedule 1 has been, or may have been, in contact with -

- (a) an animal in transit in accordance with the provisions of article 7,
- (b) an animal specified in Part I of Schedule 1, that is awaiting transportation to approved premises,
- (c) an animal specified in Part I of Schedule 1 that has escaped from approved premises,
- (d) an animal specified in Part I of Schedule 1 that has been imported into the Islands in contravention of this Order, or
- (e) an animal specified in Part I of Schedule 1 where there is any risk of spread of rabies,

shall immediately notify the Department of such fact and if such a person is the owner, or in possession, of such an animal or the carcase of such an animal, that person shall keep the animal or carcase isolated from other animals and other persons.

(2) On receipt of a notification specified in paragraph (1), the Department may implement any of the provisions of articles 13(2) or (4) as it considers necessary to minimise the risk of the spread of rabies.

PART IV
MISCELLANEOUS PROVISIONS

Authorised persons.

15. (1) A person may be authorised by the Minister or Deputy Minister of the Department, in writing, to perform any of the functions of an authorised person specified in this Order and such authorisation shall specify those functions in respect of which each authorisation is made.

(2) An authorised person shall, at any time during the performance of any of their functions, produce, on demand, evidence of the written authorisation provided for in paragraph (1).

Seizure of animals and carcasses.

16. (1) An authorised person may seize and detain an animal specified in Schedule 1 if that person has reasonable grounds to believe that such an animal -

- (a) has been imported into the Islands in contravention of this Order or any conditions specified in a licence issued under this Order,
- (b) is, or may be, infected with rabies,
- (c) has or may have died from rabies,
- (d) has or may have been exposed to infection by rabies,
or
- (e) has or may have escaped after having been -

- (i) seized under the provisions of this Order,
- (ii) escaped from approved premises, or
- (iii) escaped during transportation by an approved carrying agent.

(2) An authorised person may seize and detain an animal specified in Schedule 1 if the owner or keeper of such an animal fails to comply with any notice issued or direction made under the provisions of this Order.

(3) An authorised person may seize and detain the carcase of an animal specified in Schedule 1 if that person has reasonable grounds to believe that the animal, when alive -

- (a) may have been infected with rabies, exposed to infection with rabies or in contact with an animal infected or suspected of being infected with rabies, or
- (b) was imported into the Islands in contravention of this Order or contrary to any conditions attached to a licence issued under this Order.

(4) An authorised person may -

- (a) transport a seized animal to an approved place of detention or to approved premises,
- (b) transport a seized carcase to a place of holding pending examination or tests or to a place for disposal or destruction,

- (c) direct that a seized animal be transported to an approved place of detention or to approved premises by such other person as the authorised person may specify,
- (d) direct that a seized carcass be transported to a place of holding or a place for disposal or destruction by such other person as the authorised person may specify,
- (e) direct that a seized animal or carcass be held at an approved place of detention or at approved premises for such period and under such conditions as the authorised person may specify, and
- (f) direct that a seized animal be exported from the Islands by such means as the authorised person may specify.

(5) If the owner or keeper of a seized animal cannot, after reasonable enquiry, be identified within 28 days of such seizure, the Department may direct that the animal be disposed of in such manner as it may specify or exported from the Islands.

Examination and tests.

17. The States Veterinary Officer may direct that -

- (a) a seized animal shall be -

- (i) examined or tested in such manner as he may specify,
 - (ii) vaccinated or subjected to such other treatment as he may specify, or
 - (iii) compulsorily euthanised and the carcase disposed of in such manner as he may specify, and
- (b) a seized carcase shall be -
- (i) examined or tested in such manner as he may specify, or
 - (ii) disposed of at such place and in such manner as he may specify.

Samples.

18. An authorised person may take samples from a seized animal or carcase for the purpose of examination and scientific analysis and shall give a part of the sample, or a similar sample, to the owner or keeper of the animal, if, before the sample is taken, he is requested to do so by the owner or keeper.

Access to vehicles and land.

19. (1) Where an authorised person has reasonable grounds to believe that an animal -

- (a) has been imported into the Islands in contravention of this Order,

- (b) is, or may be, infected with rabies,
- (c) has or may have died from rabies, or
- (d) has or may have been exposed to infection by rabies,

that person may, subject to paragraph (5), enter any vehicle used to transport such an animal or any land at which an animal or the carcass of an animal is found or at which it is being held.

(2) An authorised person entering land or a vehicle may take with them, or be accompanied by -

- (a) such equipment as is necessary to carry out an inspection of an animal or carcass or such other persons who have knowledge, skill or equipment relevant to such an inspection, or
- (b) such equipment as is necessary to seize and detain any animal or such other persons who have knowledge, skill or equipment to seize and detain a particular type of animal.

(3) If the Department directs that specified wild animals in an infected area shall be captured, vaccinated or otherwise treated or destroyed, an authorised person may, subject to paragraph (5), enter any land in such an area for the purpose of carrying out such a direction and that person may take with them or be accompanied by -

- (a) such equipment as is necessary to capture, vaccinate or treat or destroy specified wild animals, and

- (b) such other persons who have knowledge, skill or equipment relevant to the capture, vaccination or treatment or destruction of specified wild animals.

(4) Where an animal that is required to be confined in an infected place or an infected area is found to be at large or not under the control of an owner or keeper, an authorised person may, subject to paragraph (5), enter any land in order to seize such an animal and if circumstances prevent such seizure, to destroy it.

(5) The powers of entry under this article shall not be exercisable (other than in the case of an emergency) by an authorised person in the case of a vehicle or land, or part of the same, used as a dwelling unless -

- (a) upon information laid before the Bailiff on oath by an authorised person, the Bailiff has issued a warrant under this article authorising an authorised person so to enter, and
- (b) the authorised person executing the warrant produces that warrant, if requested to do so, upon seeking to enter the dwelling.

Costs.

20. All reasonable costs associated with the -

- (a) seizure, transportation, detention or isolation of an animal, or

- (b) euthanasia of an animal or destruction and disposal of a carcass,

shall, where appropriate, be borne by the owner or person who has responsibility for such an animal or the carcass of an animal.

Licences.

21. (1) A person who requires a licence, or the renewal of a licence, shall apply to the Department in such form as the Department may specify.

(2) The Department may -

- (a) issue a licence and attach such conditions to that licence as it considers necessary,
- (b) notify the applicant of any requirements that have to be met before a licence will be issued, or
- (c) reject the application.

(3) In the case of the rejection of an application or the granting of a licence subject to conditions, notification of the rejection, or conditional grant, shall be accompanied by an explanation of the reasons for that rejection or the imposing of the condition, as the case may be.

(4) The Department may amend, suspend or revoke a licence at any time by written notification of such amendment, suspension or revocation to the holder of the licence.

(5) A licence issued under the provisions of this Order shall be valid for such period as the Department may specify in that licence.

Notices and other documents.

22. (1) If premises are declared to be an infected place, written notice of such declaration and a statement of any of the measures specified in Schedule 6 that shall apply to the infected place shall be served by the Department on the owner or occupier of the relevant premises.

(2) If an area is declared to be an infected area, notice of such a declaration and a statement of any of the measures specified in Schedule 7 that shall apply to the infected area shall be published in La Gazette Officielle or by such other means as the Department considers appropriate.

(3) A notice issued under paragraph (1) or (2) may be superseded by a subsequent notice.

(4) Any notice or other document issued, or direction made, by the Department under this Order may be given -

- (a) to an individual, by being delivered to that person, or being left at, or sent by post or transmitted to, that person's last known place of abode,
- (b) to a body corporate with a registered office in the Islands, by being left at, or sent by post or transmitted to, that office,
- (c) to a body corporate without a registered office in the Islands, by being left at, or sent by post or transmitted to, its principal or last known place of business, or

(d) to an unincorporated body, by being given to a partner, member, manager or officer thereof in accordance with subparagraph (a), or being left at, or sent by post or transmitted to, the body's principal or last known place of business.

(5) In paragraph (4) the expression "by post" means by special delivery post, recorded delivery service, or ordinary letter post and the expression "transmitted" means transmitted by facsimile transmission, electronic mail or other similar means which produce or enable the production of a document containing the text of the communication in which event the document shall be regarded as served when it is received.

(6) Where the name or address of any person to whom a notice or other document is to be given under this Order cannot, after reasonable enquiry, be effected in accordance with this Order, the document may be served -

- (a) by being published by the Department in such manner as it considers appropriate, or
- (b) by publication in La Gazette Officielle on two occasions falling in successive weeks,

and a document served under this paragraph is sufficient if addressed to the person for whom it is intended.

(7) Paragraphs (4) to (6) are without prejudice to any lawful method of service.

Falsification of documents.

23. (1) A person shall not -

- (a) forge or copy, or
- (b) falsify, modify or in any other way alter any information contained in,

any document specified in this Order.

(2) A person shall not use or attempt to use any document that is specified in this Order -

- (a) that has been forged or copied, or
- (b) in which any information contained in such a document has been falsified, modified or in any other way altered,

other than where any copy or any modification or alteration of information contained in a document has been endorsed by the Department.

Records and the provision of information.

24. (1) A person shall, on request by an authorised person provide to the authorised person any information in their possession relating to the movement of any animal specified in Schedule 1 that -

- (a) has been imported into the Islands,
- (b) is, or which there are reasonable grounds to believe may be, infected with rabies,

- (c) has or which there are reasonable grounds to believe may have died from rabies, or
- (d) has or which there are reasonable grounds to believe may have been exposed to infection by rabies.

(2) Notwithstanding the provisions of paragraph (1), a person shall provide an authorised person with any information that might reasonably be requested and which is relevant to the execution of the functions of an authorised person.

(3) Where the conditions of any notice or licence issued under this Order specify that records shall be maintained, such records shall be held by the person to whom the notice or licence was issued for a period of 1 year and such records shall be made available for inspection by an authorised person on demand.

(4) A statement made by a person in response to a requirement imposed under this article or otherwise under this Order -

- (a) may be used in evidence against him in proceedings other than criminal proceedings,
- (b) may not be used in evidence against him in criminal proceedings except -
 - (i) where evidence relating to it is adduced, or a question relating to it is asked, in the proceedings by or on behalf of that person, or
 - (ii) in proceedings for -

- (A) an offence in relation to a contravention of, or failure to comply with this article or article 23,
- (B) some other offence where, in giving evidence, he makes a statement inconsistent with it, but the statement is only admissible to the extent necessary to establish the inconsistency,
- (C) perjury, or
- (D) perverting the course of justice.

Signs.

25. (1) The Department may place, or cause to be placed, signs giving notice that a place has been declared an infected place or an area has been declared an infected area on any land that it considers appropriate for the purposes of informing the public of such declarations.

(2) A person shall not remove, alter or deface any signs erected by the Department, or pursuant to a direction of the Department, giving notice that a place is an infected place or an area is an infected area.

Liability.

26. No liability shall be incurred or civil action lie against the States of Guernsey or any person in respect of anything done or omitted to be done in the discharge or purported discharge of any function under this Order unless the thing is done or omitted to be done in bad faith except that this article does not operate to prevent an award of damages in respect of an act or omission on the ground that it

was unlawful as a result of section 6(1) of the Human Rights (Bailiwick of Guernsey) Law, 2000^d.

Emergency powers.

27. (1) Where there are reasonable grounds to believe that an animal has been infected with rabies and there is an immediate risk that such an animal will spread the disease to humans or other animals, an authorised person may euthanise such an animal or cause it to be euthanised.

(2) In the event of an outbreak of rabies in a place in the British Isles or a qualifying country or territory, the Department may direct that the importation of animals specified in Schedule 1 into the Islands from such a place, country or territory shall be prohibited for such period as it may direct.

(3) The Department shall publish a direction made under the provisions of paragraph (2) and notice that any such direction shall cease to have effect, in La Gazette Officielle or in such other manner as it considers appropriate.

Interpretation.

28. (1) In this Order, unless the context requires otherwise -

"**animal**" means any animal of a species listed in Schedule 1 that is wild, domesticated or held in captivity,

"**approved carrier**" means a person licensed as the same under article 11(1),

^d Ordres en Conseil Vol. XL p. 396 as amended by Order in Council No. I of 2005; Recueil d'Ordonnances Tome XXVIII, p. 493; Tome XXIX, p. 406; Tome XXXIII, p. 617; and G.S.I. No. 27 of 2006.

"approved carrying agent" means a person licensed as the same under article 10,

"approved laboratory" means a laboratory approved by the European Community in accordance with Article 3 of Council Decision 2000/258/EC,

"approved place of detention" means premises licensed under article 9 for use for the detention of an animal,

"approved place of quarantine" means premises licensed under article 9 for use for the detention or isolation in quarantine of an animal,

"approved port of entry": see article 2(2)(a),

"approved premises" means premises licensed under article 9(1),

"approved route": see article 12,

"authorised person": see article 15(1),

"authorised veterinary surgeon" means a veterinary surgeon authorised by the competent authority in a country or territory to practice as such in that country or territory,

"Bailiff" means the Bailiff, Deputy Bailiff, Judge of the Royal Court, Lieutenant-Bailiff or Juge Délégué,

"British Isles" means Great Britain and Northern Ireland, Ireland, Alderney, Sark, the Isle of Man and the Bailiwick of Jersey including the off-lying islands and islets of the same,

"Commission Decision 2004/824/EC" means Commission Decision of 1 December 2004 establishing a model health certificate for non-commercial movements of dogs, cats and ferrets from third countries into the Community^e,

"Council Decision 2000/258/EC" means Council Decision of 20 March 2000 designating a specific institute responsible for establishing the criteria necessary for standardising the serological tests to monitor the effectiveness of rabies vaccines^f,

"Council Directive 92/65/EEC" means Council Directive 92/65/EEC of 13th July 1992 laying down animal health requirements governing trade in and imports into the Community of animals, semen, ova and embryos not subject to animal health requirements laid down in specific Community rules referred to in Annex A(1) to Directive 90/425/EEC,

"Commission Implementing Regulation (EU) No 577/2013" means Commission Implementing Regulation (EU) No 577/2013 of 28 June 2013 on the model identification documents for the non-commercial movement of dogs, cats and ferrets, the established list of territories and third countries and the format, layout and language requirements for the declarations attesting compliance with certain conditions provided for in Regulation (EU)

^e O.J. L 358, 03.12.2004, p. 12.

^f O J L 079, 30. 03. 2000, p. 40.

No 576/2013 of the European Parliament and of the Council^g,

"**customs officer**" means an officer within the meaning of section 1(1) of the Customs and Excise (General Provisions) (Bailiwick of Guernsey) Law, 1972^h,

"**Department**" means the States of Guernsey Commerce and Employment Department,

"**direct**" means direct in writing,

"**domestic**" means a pet animal born and held in captivity for all of its life and does not include animals taken from the wild and related expressions shall be construed accordingly,

"**enactment**" means any Law, Ordinance or subordinate legislation,

"**export**" means to send or cause to be sent from a place in the Islands to a place outside of the Islands and related expressions shall be construed accordingly,

"**feral**" means a domesticated animal that has returned to the wild,

^g O.J. L 178, 28.06.13, p. 109.

^h Ordres en Conseil Vol. XXIII, p. 573 as amended by Ordres en Conseil Vol. XXIV, p. 87, Vol. XXXI, p. 278, Vol. XXXIII, p. 217, Order in Council No. X of 2004, No. XIV of 2007, No. II of 2010, No. XV of 2012, Recueils d'Ordonnances Tome XXIX p. 406 and Tome XXXII, p. 668 and to which there are other amendments not relevant to this Order.

"Guernsey Border Agency" means the organisation also known or referred to as "the Customs and Excise and Immigration and Nationality Service" including –

- (a) its Chief Officer and any officer acting by or under the Chief Officer's authority, and
- (b) any other individual working, including on a temporary basis, for such organisation whether under a contract of employment, a contract for services or otherwise,

"Guernsey Police" means the organisation also known or referred to as "the Island Police Force" including -

- (a) its Chief Officer and any other member of the salaried police force of the Island of Guernsey,
- (b) any member of the special constabulary of the Island of Guernsey, and
- (c) any other individual working, including on a temporary basis, for such organisations whether under a contract of employment, a contract for services or otherwise,

"imported" means landed in the Islands by any means and related expressions shall be construed accordingly,

"infected place" means premises declared to be an infected place under article 13(2) or paragraph 18 of Schedule 7,

"Islands" means Guernsey, Herm and Jethou and includes all islets and rocks lying adjacent to the same whether or not attached at low water,

"keeper" means a person, other than the owner of an animal, who cares for or is responsible for an animal,

"licence" means a licence issued under this Ordinance,

"non-commercial movement" means any movement of a pet animal which, directly or indirectly, does not involve or aim at a financial gain or a transfer of ownership,

"non-qualifying country or territory" means a place other than the British Isles which is not a country or territory listed in Schedule 3,

"notice" means notice in writing,

"notify" means notify in writing and related expressions are construed accordingly,

"pet" means an animal which is accompanying -

- (a) an individual who is its owner, or
- (b) its keeper,

and the owner or keeper is responsible for the animal, during the time that they are travelling,

"police officer" means a member of the salaried police force of the Island of Guernsey and in relation to Guernsey, Herm and Jethou, and within the limits of their jurisdiction, a member of the special constabulary of the Island of Guernsey,

"qualifying country or territory" means a country or territory listed in Schedule 3,

"recognised assistance dog" means a dog which has been specifically trained to assist a disabled person and which has been qualified by one of the charitable organisations registered as a member of Assistance Dogs UK,

"Regulation (EU) No 576/2013" means Regulation (EU) No 576/2013 of the European Parliament and of the Council of 12th June, 2013 on the non-commercial movement of pet animals and repealing Regulation (EC) No. 998/2003,

"recognised veterinary surgeon" has the meaning in section 8 of the Veterinary Surgery and Animal Welfare Ordinance, 1987ⁱ,

"rodent" means an animal of the order rodentiae,

"ship" includes every description of vessel used in navigation,

"specify" means specify in writing,

ⁱ Recueil d'Ordonnances Tome XXIV, p. 51 as amended by Ordres en Conseil Vol. XXXI, p. 278 and Ordinance No. III of 2012.

"**States Veterinary Officer**" means the States Veterinary Officer or, if he is not available, any recognised veterinary surgeon,

"**subordinate legislation**" means any regulation, rule, order, rule of court, resolution, scheme, byelaw or other instrument made under any enactment and having legislative effect,

"**transponder**" means a read-only passive radio frequency identification device,

"**vehicle**" means any ship, aircraft or other means of transport and includes trailers, and

"**wild**" includes feral.

(2) The Interpretation (Guernsey) Law, 1948^j applies to the interpretation of this Order.

(3) Any reference in this Order to an enactment or to European Community legislation is a reference thereto as from time to time amended, re-enacted (with or without modification), extended or applied.

Extant licences.

29. A licence issued in respect of approved premises, an approved carrying agent or an approved carrier under the Rabies Order, 2004^k or the Rabies Order, 2011^l and in force immediately before the commencement of this Order shall

^j Ordres en Conseil Vol. XIII p. 355.

^k G. S. I. No. 38 of 2004.

^l G.S.I. No. 46 of 2011.

be deemed to be a licence for the relevant premises, carrying agent or carrier, as the case may be, issued under article 9(1), 10 or 11 of this Order, as they case may be.

Application.

30. This Order shall apply in the Islands and in the territorial waters adjacent thereto.

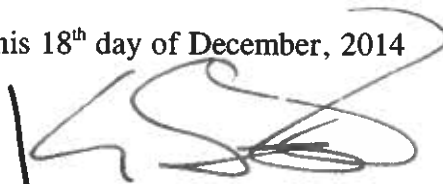
Revocation.

31. The Rabies Order, 2011 is revoked.

Citation and Commencement.

32. This Order may be cited as the Rabies Order, 2014 and shall come into force on the 29th day of December, 2014.

Dated this 18th day of December, 2014

A handwritten signature in black ink, appearing to be 'K.A. Stewart', written over a horizontal line.

Deputy K.A. Stewart

Minister of the States Commerce and Employment Department

For and on behalf of the Department

EXPLANATORY NOTE

(This note is not part of the Order)

This Order revokes and replaces the Rabies Order, 2011. The main changes from the 2011 Order are that it updates the technical conditions under which animals that are susceptible to rabies may be imported into the Islands to conform with updated movement rules in the United Kingdom and other neighbouring European Union countries.

In particular, it provides for a new format of pet passport for dogs, cats and ferrets. The Order also carries forward, with minor amendments, the powers available to the Department to deal with an outbreak or suspected outbreak of rabies in the Islands.

SCHEDULE 1

articles 3, 6, 8, 9, 10,
14, 16, 24, 27, and 28

PART I

Order	Common Names
Carnivora	including dogs, cats, jackals, foxes, wolves, bears, racoons, coatis, pandas, otters, weasels, martens, polecats, badgers, skunks, mink, ratels, genets, civets, linsangs, mongooses, hyaenas, ocelots, pumas, cheetahs, lions, tigers and leopards.
Chiroptera	bats and flying foxes.
Dermoptera	flying lemurs.
Endenta	anteaters, sloths and armadillos.
Hyracoidean	hyraxes.
Insectivora	including solenodons, tenrecs, otter shrews, golden moles, hedgehogs, elephant shrews, shrews, moles and desmans.
Lagomorpha	rabbits, hares and pikas.
Marsupialia	including opossums, marsupial mice, dasyures, marsupial moles, marsupial anteaters, bandicoots, rat opossums,

cuscuses, phalangers, koalas, wombats, wallabies and kangaroos.

Primates including tree shrews, lemurs, indrises, sifakas, aye ayes, lorises, bushbabies, tarsiers, titis, uakaris, sakis, howlers, capuchins, squirrel monkeys, marmosets, tamarins, macaques, mangabeys, baboons, langurs, gibbons and great apes and excluding man.

Rodentia including gophers, squirrels, chipmunks, marmots, scaly-tailed squirrel, pocket mice, kangaroo rats, beavers, mountain beavers, springhaas, mice, rats, hamsters, gerbils, water rats, dormice, jumping mice, jerboas, porcupines, cavies (including guinea pigs), capybaras, chinchillas, spiny rats and gundis.

PART II

Order	Common Names
Artiodactyla	pigs, peccaries, hippopotamuses, camels, llamas, chevrotain, deer, giraffes, pronghorns, cattle, antelopes, duikers, gazelles, goats and sheep.
Monotremata	echidnas and duck billed platypuses.
Perissodactyla	horses, asses, zebras, tapirs and rhinoceroses.
Pholidota	pangolins.
Proboscidea	elephants.

Tubilidentata armadillos.

Note: the lists of common names are not intended to be exhaustive.

SCHEDULE 2

articles 2(2) and 7(a)

APPROVED PORTS OF ENTRY

La Villiaze Airport

St. Peter Port Harbour

Such other place as the Department may, in exceptional circumstances, specify in writing, or in any licence issued under article 2 of this Order.

SCHEDULE 3

articles 4(1) and 28

QUALIFYING COUNTRIES AND TERRITORIES

PART I

European Union countries

Included Territories

Austria

Belgium

Bulgaria

Croatia

Cyprus¹

Czech Republic

Denmark

The Faroe Islands and Greenland

Estonia

Finland

France

French Guiana, Guadeloupe², Martinique and Réunion

Germany

Gibraltar

Greece

Hungary

Italy

Latvia

Lithuania

Luxembourg

Malta

Netherlands

Poland
Portugal The Azores and Madeira
Romania
Slovakia
Slovenia
Spain The Balearic Islands, the Canary Islands, Ceuta and Melilla
Sweden

¹ Does not include north Cyprus (the area north of the Buffer Zone).

² Includes St Barthelemy and St Martin (French part of the island).

PART II

Qualifying non-EU countries and territories

Andorra
Antigua and Barbuda
Argentina
Aruba
Ascension Island
Australia
Bahrain
Barbados
Belarus
Bermuda
BES Islands Bonair, Saint Eustatius and Saba.
Bosnia-Hertzevovina
British Virgin Islands
Canada
Cayman Islands

Chile
Curacao
Falkland Islands
Fiji
French Polynesia
Guam
Hawaii
Hong Kong
Iceland
Japan
Leichtenstein
Malaysia
Mexico
Monaco
Monserrat
New Caledonia
New Zealand
Norway
Russian Federation
Saint Maarten
San Marino
Singapore
St. Helena
St. Kitts and Nevis
St. Lucia
St. Pierre and Miquelon
St. Vincent and The Grenadines
Switzerland
Taiwan
Trinidad and Tobago

United Arab Emirates

Abu Dhabi, Dubai, Al Sharjah, Ras Al Khaimah, Ajman, Umm Al Quwain, and Al Fujairah.

USA

The United States of America as well as American Samoa, Guam, Northern Mariana Islands, Puerto Rico and the US Virgin Islands.

Vanuatu

Vatican City

Wallis and Futuna

SCHEDULE 4

articles 2(2)(c), 4(1)(a) and (b), 5(a),
8 and Schedule 5, paragraph 7

PART I

1. A pet cat, dog or ferret imported into the Islands from a qualifying country or territory must have a valid -

- (a) identification,
- (b) vaccination against rabies, and
- (c) identification document.

2. For the purposes of -

- (a) paragraph 1(a), an identification is valid if consists of-
 - (i) a transponder that complies with ISO (International Standards Organisation) standard 11784 and applies HX or FDX-B technology and is capable being read by a device that is compatible with ISO Standard 11785,
 - (ii) a transponder that does not comply with the requirements of subitem (i) provided that the owner or keeper provides the means necessary

for reading the device at the time of any inspection, or

(iii) a clearly readable tattoo that was applied before 3 July 2011,

(b) paragraph 1(b), an anti-rabies vaccination is valid if -

(i) it is not a live modified vaccine and falls within one of the following categories -

(A) an inactivated vaccine of at least one antigenic unit per dose (recommended by the World Health Organisation), or

(B) a recombinant vaccine expressing the immunising glycoprotein of the rabies virus or in a live virus vector,

(ii) where the vaccine has been administered in a Member State of the European Union, it has a valid marketing authorisation in accordance with -

(A) Article 5 of Directive 2001/82/EC of the European Parliament and of the Council of 6th November, 2001 on the

Community code relating to veterinary medicinal products^m, or

- (B) Article 3 of Regulation (EC) No 726/2004 of the European Parliament and of the Council of 31st March, 2004 laying down Community procedures for the authorisation and supervision of medicinal products for human and veterinary use and establishing a European Medicines Agencyⁿ, and
- (iii) where the vaccine has been administered in a country or territory other than a Member State of the European Union -
- (A) it has been granted an approval or a licence by the relevant competent authority in such country or territory, and
 - (B) it meets at least the requirements laid down in the relevant Chapter concerning rabies in the Manual of Diagnostic Tests and Vaccines for

^m OJ L 311, 28.11.2001, p. 1.

ⁿ OJ L 136, 30.4. 2004, p. 1.

Terrestrial Animals of the World
Organisation on Animal Health,

- (iv) it was administered by an authorised veterinary surgeon after a pet cat, dog or ferret was identified,
- (vi) the animal was at least 12 weeks old at the date on which the vaccine was administered,
- (vii) the date of administration was recorded by such authorised veterinary surgeon in the valid identification document of the animal concerned,
- (viii) the date of administration does not precede the
 - (A) date of application of the transponder or tattoo, or
 - (B) the date of reading of the transponder or the tattoo,recorded in the appropriate section of the valid identification document,
- (ix) the period of validity of the vaccination starts from the establishment of protective immunity, which shall not be less than 21 days from the completion of the vaccination

protocol required by the manufacturer for the primary vaccination and continues until the end of the period of protective immunity as prescribed in -

(A) the technical specification of the marketing authorisation referred to in subitem (ii), or

(B) the approval or licence referred to in subitem (iii),

for the anti-rabies vaccine in the Member State of the European Union or other country or territory where the vaccine is administered, and

(x) the period of validity of the vaccination was recorded by an authorised veterinarian in the appropriate section of the valid identification document,

(c) paragraph 1(c) and 2(b) and subject to paragraph 5, an identification document is valid if -

(i) it has been issued by a veterinary surgeon who is authorised for that purpose by the relevant competent authority of the country or territory concerned, and

- (ii) it conforms to the model passport in Commission Implementing Regulation (EU) No 577/2013 and the information specified therein has been completed and signed by the owner of a cat, dog or ferret and an authorised veterinary surgeon as the case may be.

3. For the purpose of paragraph 2(b)(ix) –

- (a) if the data sheet provided by the manufacturer of a rabies vaccine requires more than one vaccination to complete the primary course of vaccinations, the 21 day period applies from the date of the final vaccination of that course,
- (b) the 21 day period does not apply when an animal is re-vaccinated, provided that such re-vaccination is carried out before the expiry, according to the manufacturer's data sheet, of a prior vaccination, and
- (c) a revaccination must be considered a primary vaccination if it was not carried out within the period of validity of the previous vaccination referred to in paragraph 2(b)(ix).

4. The Department may, in exceptional circumstances, exempt in writing pet cats, dogs or ferrets under 12 weeks of age or which do not meet the requirements of paragraph 2(b)(ix) at the time of importation from the requirements specified in paragraph 1(b) or 6(b) provided that -

- (a) the owner or keeper provides proof that such an animal has remained at its place of birth without contact with wild animals of susceptible species likely to have been exposed to rabies, and
- (b) the animal is dependent on and accompanied by its mother and documentary evidence is provided by the owner or keeper that the mother received an anti-rabies vaccination that complied with the requirements of paragraph 2(b) before the birth of any progeny.

5. An identification document issued in the Islands, or a qualifying country or territory, that conforms to the requirements of the Rabies Order, 2011 and is in force immediately before the commencement of this Order is deemed to be a valid identification document for the purposes of paragraphs 1(c), 2(b) or 6(d) until -

- (a) the death of the animal to which it relates, or
- (b) all of the space on the document for recording relevant treatments is used,

whichever first occurs.

PART II

6. A pet cat, dog or ferret imported into the Islands from a non-qualifying country or territory must have a valid -

- (a) identification,
- (b) vaccination against rabies,
- (c) subject to paragraph 8, rabies antibody titration test result, and
- (d) identification document.

7. For the purposes of -

- (a) paragraph 6(a), an identification is valid if complies with the requirements of paragraph 2(a),
- (b) paragraph 6(b), a rabies vaccination is valid if it complies with the requirements of paragraph 2(b),
- (c) paragraph 6(c), a rabies antibody titration test result is valid if-
 - (i) after identification of an animal, a blood sample was taken by an authorised veterinary surgeon not less than 30 days after the pet cat, dog or ferret was vaccinated against rabies and not less than 3 calendar months prior to -

- (A) importation into the Islands, or
 - (B) exportation from, or transit through, the Islands to a non-qualifying country or territory, and
- (ii) the blood sample was subjected to an antibody titration test at an approved laboratory which measured a level of neutralising antibody to rabies virus in serum equal to, or greater than, 0.5 international units per millilitre and using a method prescribed in the relevant part of the Chapter concerning rabies in the Manual of Diagnostic Tests and Vaccines for Terrestrial Animals of the World Organisation for Animal Health,
- (d) paragraph 6(d), an identification document is valid if it conforms to the –
- (i) model passport in Commission Implementing Regulation (EU) No 577/2013 and the information specified therein has been completed by the owner of a cat, dog or ferret or an authorised veterinary surgeon as the case may be, or
 - (ii) model health certificate in Commission Implementing Regulation (EU) No 577/2013 and the information specified therein has been completed by the owner of a cat, dog or ferret

or an authorised veterinary surgeon as the case may be.

8. For the purpose of paragraph 7(b), if the data sheet provided by the manufacturer of a rabies vaccine requires more than one vaccination to complete the primary course of vaccinations, the 30 day period applies from the date of the final vaccination of that course.

9. If the result of a rabies antibody titration test conforms to the requirements of paragraph 7(c)(ii), the test need not be repeated provided that an animal is revaccinated in accordance with paragraph 2(b).

SCHEDULE 5

article 11

PART I

CONDITIONS OF APPROVAL FOR CARRIERS

1. Staff of the carrier having contact with passengers who are travelling with pet cats, dogs and ferrets and involved in carrying out the checks required by this Order shall be appropriately trained.

2. The carrier shall set out in writing procedures to ensure that a cat, dog or ferret presented for travel to the Islands under the provisions of this Order is

- (a) directed to an appropriate checking point,
- (b) checked in accordance with the requirements of this Order, and
- (c) transported in an appropriate part of a vehicle in acceptable conditions.

3. The carrier shall set out in writing procedures for action if a cat, dog or ferret presented for travel fails to comply with the requirements of this Order or if the carrier reasonably suspects it is intended to be transported to the Islands without being presented for checking.

4. The carrier shall set out in writing contingency procedures for dealing with emergencies including plans for vehicles being diverted to another place of landing.

5. The carrier shall provide adequate facilities for carrying out the checks required by this Order and shall ensure that such facilities are adequately equipped, manned and maintained.

6. The carrier shall make arrangements for veterinary assistance to be provided where necessary.

PART II DUTIES OF APPROVED CARRIERS

7. An approved carrier shall ensure, by means of checks on every animal that, in the case of a pet cat, dog or ferret that is transported by that carrier, that -

- (a) the transponder in the animal can be located and read and that the code number identifying any particular animal corresponds with the number reproduced in the valid identification document referred to in Schedule 4, and
- (b) each animal is accompanied by the valid identification document specified in paragraphs 1(c) or 6(d), as the case may be, of Schedule 4.

8. Where the checks specified in paragraph 7 are carried out prior to the transportation of a pet cat, dog or ferret to the Islands, such an animal shall not be embarked for such transportation unless the requirements specified in the said paragraph are met.

9. Where the checks specified in paragraph 7 are carried out on arrival in the Islands, a pet cat, dog or ferret shall not be released from the place of landing unless the requirements specified in the said paragraph are met and the approved carrier shall immediately notify an authorised person of any failure to meet such requirements.

10. Where an approved carrier is satisfied that a cat, dog or ferret meets the requirements specified in paragraph 7, it shall issue the person accompanying the animal with a sticker or hanger, to be displayed in such manner as the Department may direct, indicating that -

- (a) the animal meets such requirements, or
- (b) the vehicle in question contains an animal which meets such requirements.

11. Where an approved carrier carried out the checks specified in paragraph 7 of the Schedule at the place of loading and a cat, dog or ferret which has not been presented for such checks is discovered by the carrier during transport to the Islands, the Captain or person in charge of the vehicle on which the animal is travelling shall immediately notify the Department and a customs officer of that fact.

SCHEDULE 6

articles 13 and 22 and paragraph
18 of Schedule 7

MEASURES THAT MAY BE APPLIED IN RESPECT OF A PLACE THAT IS DECLARED AN INFECTED PLACE

1. Any animal infected, or suspected of being infected, with rabies and any animal that may have been in contact with such an infected or suspected animal shall be detained in such part of an infected place as an authorised person or the States Veterinary Officer may direct.

2. No person shall enter an infected place other than –

- (a) the owner, occupier or persons normally resident at such a place,
- (b) an authorised person or the States Veterinary Officer, or
- (c) a person authorised in writing by the Department to enter such a place and subject to any conditions attached to such an authorisation.

3. No person shall have access to or contact with any animal detained in an infected place other than –

- (a) an authorised person or the States Veterinary Officer,

- (b) the person approved by an authorised person or States Veterinary Officer to tend to the dietary and other needs of such an animal,
- (c) a veterinary surgeon approved by the States Veterinary Officer to provide veterinary care for such an animal, or
- (d) under the authority of an authorisation issued by the Department and subject to any conditions attached to such an authorisation.

4. No animal may be moved into or out of an infected place other than under the authority of an authorisation issued by the Department and subject to any conditions attached to such an authorisation.

5. No carcase of an animal shall be removed from an infected place other than under the direction of the States Veterinary Officer subject to any conditions specified by that Officer.

6. An authorised person or the States Veterinary Officer shall immediately be notified of the death of any animal in an infected place.

7. Nothing that has or is suspected of being in contact with an infected or suspected animal or another animal which has been or is suspected of being in contact with such an infected or suspected animal, can be removed from an infected place other than with the approval of the States Veterinary Officer and subject to any conditions specified by that Officer.

8. The carcase of any animal and anything falling within paragraph 7 that is removed from an infected place shall be disposed of or treated or otherwise cleansed in such a manner as is specified by the States Veterinary Officer.

9. The States Veterinary Officer may direct that any part of an infected place be cleansed and disinfected by such person and in such manner as that Officer may specify.

10. The Department may direct that notices indicating that premises are an infected place be prominently displayed at such premises.

11. The States Veterinary Officer may direct that any animal in an infected place be -

(a) vaccinated or subjected to such other treatment, or

(b) subjected to such tests,

as that Officer may specify.

12. The Department may direct that any animal that is infected or suspected of being infected with rabies or which has been or is suspected of being exposed to infection with rabies, be euthanised and the carcase disposed of in a manner specified by the States Veterinary Officer.

13. The States Veterinary Officer may direct that any persons entering or leaving an infected place take such precautions as that Officer may direct in order to prevent the spread of rabies.

14. In the case of an outbreak or suspected outbreak of rabies at an approved place of quarantine, the Department shall suspend such approval for such

period as it may direct and any animals held at such a place shall be detained at the premises for such period and subject to such conditions as the States Veterinary Officer may specify.

SCHEDULE 7

articles 13(4), 22(2) and 28(1)

MEASURES THAT MAY BE APPLIED IN RESPECT OF AN AREA THAT IS DECLARED AN INFECTED AREA

1. No animal may be moved into or out of an infected area or from one premises in an infected area to other premises in such an area other than under the authority of a written authorisation issued by the Department and subject to any conditions attached to such an authorisation.

2. The Department may direct that the owner or person responsible for any animals that are normally kept at any premises in an infected area shall, for the duration of an infected area declaration, ensure that such animals are securely confined on such premises and do not come into contact with any other animals except those that are normally kept on the same premises.

3. Notwithstanding the provisions of paragraph 2 an animal that is normally exercised outside of the premises at which it is kept may be so exercised provided that it –

- (a) is securely controlled and restrained by the owner or keeper at all times and not allowed to run free,
- (b) is prevented from coming into contact with any other animal other than an animal which is normally kept on the same premises, and
- (c) in the case of a dog, is securely muzzled.

4. The Department may exempt recognised assistance dogs from the provisions of paragraph 2, on the advice of the States Veterinary Officer and such exemption shall be made in writing to the owner or keeper of such a dog and may include such conditions as the Department may specify.

5. An authorised person may seize and detain any animal, in respect of which a direction has been issued under paragraph 2, which is found not to be confined or under the control of an owner or keeper.

6. Animals seized in accordance with paragraph 5 shall be held at such place, under such conditions and for such period as the States Veterinary Officer may direct and during detention may -

- (a) be subjected to examination by the said Officer,
- (b) have samples taken from them by an authorised person or the said Officer for scientific examination or analysis, and
- (c) be vaccinated or subjected to such other treatment as the said Officer may direct.

7. Animals seized under the provisions of paragraph 5 shall only be returned to the owner or keeper with the approval of the States Veterinary Officer.

8. Where the ownership of or responsibility for a seized animal cannot be established within 21 days of seizure, such animal shall be disposed of by such means as the Department may direct.

9. Where circumstances prevent an animal which is liable to be seized under the provisions of paragraph 5 from being so seized an authorised person or a police officer may destroy such an animal without so seizing it.

10. The Department may direct that an animal of any description or species in an infected area shall be compulsorily vaccinated against rabies and such vaccination shall be carried out -

- (a) at such place and by such persons, and
- (b) using such vaccine,

as it may specify.

11. The Department may direct that vaccinated animals be identified in such manner as it may specify.

12. The Department may direct that specified wild animals in an infected area shall be -

- (a) captured and detained,
- (b) vaccinated or otherwise treated, or
- (c) destroyed,

by such persons and using such methods as it may specify.

13. The Department shall take all reasonable steps to notify landowners and the occupiers or users of land in the infected area of a direction made under

paragraph 12 and such notification shall include the methods of destruction specified.

14. The carcasses of wild animals destroyed in accordance with a direction made under paragraph 12 shall be removed and disposed of by such persons and in such manner as the States Veterinary Officer may specify.

15. The Department may direct that -

- (a) any sporting or recreational activity,
- (b) any show, competition or other event involving specified animals,
- (c) any gathering of specified animals, or
- (d) the hunting of any animals by any means,

shall be prohibited in an infected area, other than under the authority of a licence issued by the Department, and shall publish notice of such a direction in La Gazette Officielle or by such other means as the Department considers appropriate.

16. The Department may erect, or direct the erection of, signs on the boundaries of an infected area indicating that such an area is an infected area for purposes connected with the control and eradication of rabies.

17. Any person who has reasonable grounds to believe that an animal in an infected area is or is suspected of being infected with rabies or has died or is suspected of having died from rabies shall immediately notify an authorised person of that fact.

18. The Department may declare premises in an infected area to be an infected place and may apply the provisions of Schedule 6 to such premises.