



Jersey

**DISEASES OF ANIMALS (RABIES)
(IMPORTATION OF MAMMALS)
(JERSEY) ORDER 2011**

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(IMPORTATION OF MAMMALS) (JERSEY)
ORDER 2011**

Arrangement

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Jersey

DISEASES OF ANIMALS (RABIES) (IMPORTATION OF MAMMALS) (JERSEY) ORDER 2011

THE MINISTER FOR PLANNING AND ENVIRONMENT, in pursuance of Articles 1, 3, 13, 14 and 42 of the Diseases of Animals (Jersey) Law 1956¹, (and as extended, as respects Article 13 thereof, by Articles 6 and 7 of the Diseases of Animals (Rabies) (Jersey) Law 1976².) for the purpose of preventing the introduction of rabies into Jersey, orders as follows –

Commencement [[see endnotes](#)]

1 Interpretation

(1) In this Order, unless the context otherwise requires –

“animal”, means an animal belonging to any of the orders of mammals specified in Part 1 and 2 of the Schedule except where specified otherwise in those Parts;

“authorized carrying agent” means a person authorized by the Minister under Article 8 to carry animals;

“authorized quarantine premises” means premises approved by the Minister under Article 7 for use for the detention and isolation of animals in quarantine;

“contact animal” means an animal belonging to any of the orders of mammals specified in Part 3 of the Schedule;

“Law” means the Diseases of Animals (Jersey) Law 1956³, as extended, as respects Article 13 thereof, by Articles 6 and 7 of the Diseases of Animals (Rabies) (Jersey) Law 1976⁴;

“pet animal” means an animal that is a dog, cat or ferret, such animal being a pet animal within the meaning of the Pet Travel Scheme (Jersey) Regulations 2011⁵.

(2) For the purposes of this Order and for the purposes of Articles 3, 13, 14, 34, 34A, 34B, 35, 40 and 42 of the Law insofar as they may be applicable

to the making, administration and enforcement of this Order in its application to rabies –

- (a) the definition of “animals” in Article 1 of the Law is extended to include any animal belonging to the orders of mammals specified in the Schedule except where specified otherwise in that Schedule;
 - (b) the definition of “disease” in Article 1 of the Law is extended so as to include rabies.
- (3) For the purposes of this Order, an animal shall be deemed to have been landed in Jersey immediately it is unloaded or taken out of, or in any other manner leaves or escapes from, a vessel or aircraft, and “land” and “landing” shall be construed accordingly.
 - (4) Paragraph (3) shall not apply in respect of an animal which is, under the authority of an inspector, transported by water directly from one vessel to another, without the vessel in which the animal is carried touching land, or the animal being put on land.
 - (5) Except where provided otherwise in this Order, this Order does not apply to a pet animal.
 - (6) In this Order references to a licence include any conditions subject to which the licence is granted.

2 Prohibition on landing of animals to Jersey

- (1) Subject to the provisions of this Order, the landing in Jersey of an animal brought from a place outside Jersey is prohibited, except under the authority, and in accordance with the terms and conditions, of a licence previously granted by or on behalf of the Minister.
- (2) Paragraph (1) does not apply to an animal brought to Jersey from any other part of the British Islands or the Republic of Ireland if, prior to being brought to Jersey –
 - (a) the animal has never been outside the British Islands or the Republic of Ireland; or
 - (b) the animal has been detained and isolated in quarantine for a period of at least 4 months immediately before being brought to Jersey.
- (3) No animal shall be landed in Jersey elsewhere than at the Port of St. Helier, the Port of Gorey or St. Peter’s Airport, except –
 - (a) under the authority of a licence previously granted by or on behalf of the Minister, where exceptional circumstances exist in connection with the bringing to Jersey of a particular animal; or
 - (b) under the authority of the Veterinary Officer, where the vessel or, as the case may be, the aircraft which is bringing the animal to Jersey is ordered or forced to be diverted in the interest of safety, or in the light of other exceptional circumstances; or
 - (c) if the animal is brought to Jersey under paragraph (2).
- (4) Notwithstanding paragraph (2), if at any time the Minister has reason to believe that there is an outbreak of rabies in another part of the British Islands or the Republic of Ireland, and considers it necessary to act

urgently to prevent the introduction of that disease into Jersey, the Minister may direct that paragraph (1) shall apply to animals brought to Jersey from one of those territories, 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.

- (5) The Minister shall take all reasonable steps to bring any direction made under paragraph (4) 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.
- (6) For the purposes of this Order, an animal which –
- (a) is taken from a place in the British Islands or the Republic of Ireland, to a place outside those territories (whether or not it is landed at that place, or comes into contact with any animal while there, or during the journey thereto or therefrom); or
 - (b) while outside Jersey, comes into contact with an animal to which, if it were brought to Jersey, the prohibition on landing contained in Article 2(1) would apply,

shall, when landed in Jersey, be deemed to be an animal brought from a place outside those territories.

3 Detention and isolation in quarantine

- (1) Where an animal specified in Part 1 of the Schedule is landed in Jersey in accordance with a licence granted under Article 2, it shall, after being so landed, be immediately detained and isolated in quarantine at its owner's expense for the rest of its life, at such premises and subject to such conditions as may be specified in the licence; and any animal so specified which is born in Jersey (whether or not its parents or any one of them was brought from a place outside Jersey) shall similarly be detained and isolated in quarantine for life.
- (2) Where an animal specified in Part 2 of the Schedule is landed in Jersey in accordance with a licence granted under Article 2, it shall, after being so landed, be immediately detained and isolated in quarantine at its owner's expense –
- (a) for a period of 4 months; or
 - (b) in the case of an animal brought to Jersey from another place in the British Islands or the Republic of Ireland before the end of a period of detention and isolation in quarantine in that place for such period as will ensure that the animal is detained and isolated in quarantine for an aggregate period of not less than 4 months from the date of its landing in that place,

at such premises and subject to such conditions as may be specified in the licence; and any offspring which is born to any such animal during the period of its detention and isolation in quarantine shall similarly be detained and isolated at its owner's expense for the remainder of the

period applying in respect of its dam, or for such shorter period, and at such premises and subject to such conditions, as the Veterinary Officer may in any particular case direct.

- (3) However, paragraph (2) does not apply to any animal of the Orders Rodentia and Lagomorpha where a licence granted under Article 2 states that it is being brought into Jersey –
 - (a) for use at research premises in connection with scientific research;
or
 - (b) to the Durrell Wildlife Conservation Trust.
- (4) The Minister may by licence permit 2 or more animals required to be detained under paragraph (1) or (2) to be kept together in quarantine, subject to such conditions as may be specified in the licence, provided that the period of quarantine referred to in paragraph (2), unless the Veterinary Officer otherwise directs, is computed in respect of all the animals to which the licence relates by reference to the latest date on which any such animal was landed in Jersey.
- (5) The Minister, if satisfied that exceptional circumstances exist, may by licence permit other animals to be kept with animals being detained in quarantine under paragraph (1) or (2), subject to compliance with such conditions as may be specified in the licence; and where an animal to which such a licence relates has been in contact with an animal detained under those paragraphs, it shall remain in quarantine at its owner's expense for the remainder of the period applying in respect of the animal with which it has been in contact, or for such shorter period as the Minister may in any particular case direct, and be treated for the purposes of this Order as an animal which has been brought to Jersey from a place outside it.
- (6) Notwithstanding paragraphs (1), (2), (4) and (5), if an outbreak of rabies occurs at authorized quarantine premises, or the Minister has reason to suspect that an animal detained or previously detained at such premises may be or may have been affected with that disease, the Minister may, without prejudice to the Rabies (Control) (Jersey) Order 1976⁶, by notice served on the person supervising the premises, and (where practicable) on the owner of any animal detained there, require that any such animal be detained and isolated at its owner's expense for such longer period as may be specified in the notice, and subject to such conditions as may be so specified.

4 Release or waiver from quarantine

The Minister may grant a licence releasing from detention and quarantine under Article 3 any animal, or waiving its period of quarantine, if satisfied that such release or waiver will give rise to a negligible risk of the introduction of rabies into Jersey or the spread of rabies.

5 Vaccination of dogs and cats in quarantine

During the period of its detention and isolation in quarantine under Article 3(2), every dog and cat shall, at its owner's expense, be vaccinated against rabies with a vaccine approved for the purpose by the Minister, in such manner, and on such number of occasions and at such intervals, as the Veterinary Officer may require either generally, or in a particular case.

6 Control of movement of animals after landing

- (1) When an animal is landed in Jersey in accordance with a licence granted under Article 2 (other than an animal brought into Jersey that is exempted from quarantine by Article 3(3)), the person in charge of the animal at the time of landing shall hand it over immediately to the authorized carrying agent named in the licence, who shall forthwith remove the animal to the authorized quarantine premises specified in the licence.
- (2) Subject to paragraph (3), an animal shall not be moved from the authorized quarantine premises specified in the licence during the period of its detention and isolation in quarantine except to other authorized quarantine premises, or to a vessel or aircraft for exportation, and in either case only by an authorized carrying agent, and in accordance with the terms and conditions of a further licence granted by the Minister.
- (3) If the Veterinary Officer is satisfied that an animal is in urgent need of veterinary treatment of a kind which cannot be administered at the authorized quarantine premises where the animal is, the Veterinary Officer may authorize the movement of the animal by an authorized carrying agent to a place at which such treatment can be administered, subject to compliance with such conditions as he or she may consider appropriate; and the person supervising the authorized quarantine premises where the animal is shall ensure that all such conditions are complied with.

7 Authorized quarantine premises

- (1) No premises shall be used for the detention and isolation in quarantine of an animal to which this Order applies except with the approval of, and subject to such terms and conditions as may be determined by, the Minister and unless they are under the supervision of a person authorized to act in that behalf by the Minister.
- (2) The Minister may at any time withdraw an approval or authorization given under paragraph (1), or vary the terms or conditions subject to which it was given, but without prejudice to anything lawfully done pursuant thereto before such withdrawal or variation takes effect.

8 Authorized carrying agents

- (1) The Minister may in writing authorize any person as carrying agent for the purposes of this Order, and any such authorization may be issued for

such period, and given subject to such terms and conditions, as may be specified therein.

- (2) An authorization given by the Minister under paragraph (1) may relate generally to the movement of animals to which this Order applies, or to any class or species of such animals, or to the movement of a specified animal or specified animals on an occasion or on occasions so specified.
- (3) The Minister may at any time withdraw an authorization given under paragraph (1), or vary the terms and conditions subject to which it was given, but without prejudice to anything lawfully done pursuant thereto before such withdrawal or variation takes effect.

9 Records

- (1) The person in charge of authorized quarantine premises shall adopt such system for the identification of animals received at such premises, and shall keep such records in relation to their receipt, treatment and subsequent release, or death, and other matters, as may be required by the Minister, either generally or in a particular case.
- (2) Every entry in such a record shall be made in a permanent and legible form within 36 hours of the event which is required by this Article to be recorded.
- (3) Every entry in such a record shall be retained by the person whose duty it is to keep such records for a period of at least 12 months from such event, and shall be produced by the person for inspection at all reasonable times on demand to an inspector, who shall be entitled to take a copy of such entry.

10 Detention of animals on board vessels in harbour

- (1) The person having charge or control of a vessel in a port in Jersey shall ensure that a foreign animal 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 Jersey; and
 - (c) is in no circumstances permitted to land, unless the landing is –
 - (i) in accordance with a licence granted under Article 2, or
 - (ii) is otherwise permitted under Article 2.
- (2) If a foreign animal is lost from a vessel in a port in Jersey, the person having charge or control of that vessel shall forthwith give notice of the loss to an inspector, a police officer, or an officer of the Impôts.
- (3) If a foreign animal is involved in an incident whereby the 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 Jersey) the person for the

time being in charge of the foreign animal shall forthwith give notice of the incident to the Veterinary Officer who, on receipt of such notice, may, if the Veterinary Officer thinks fit, require (in the case of an animal which would otherwise not be permitted to land under this Article) that the foreign animal shall not leave Jersey until after it has undergone detention and isolation in quarantine, at such premises, for such period (not exceeding 4 calendar months) and subject to such conditions, as the Veterinary Officer may direct.

- (4) No person shall cause or permit a native animal or a native contact animal other than –
- (a) a dog belonging to the States of Jersey Police Force or Agent of the Impôts which is kept under the constant control of a trained handler while on board; or
 - (b) an animal or contact animal which is loaded on board a vessel in a port in Jersey for exportation from Jersey on that vessel,
- to go on board a vessel in a port in Jersey on which there is a foreign animal.
- (5) An inspector or a police officer may seize, or cause to be seized –
- (a) any foreign animal in relation to which there has been a contravention of any provision of this Article; and
 - (b) any native animal or native contact animal in relation to which there has been a contravention of paragraph (4).
- (6) Where an animal or contact animal has been seized under paragraph (5), an inspector may, without prejudice to Article 12, or to any proceedings arising in connection with such contravention or failure to comply –
- (a) move the animal or cause it to be moved to authorized quarantine premises for the purposes of detention and isolation in quarantine for a period of 4 calendar months, or for such shorter period as the inspector may direct; or
 - (b) in the case of a foreign animal, export it from Jersey or cause it to be so exported.
- (7) The owner of an animal shall be liable for the cost of the animal's detention and isolation in quarantine under paragraph (3) or of any action taken by an inspector under paragraph (6).
- (8) References in this Article to an animal, other than to a foreign animal, include a pet animal.
- (9) In this Article –
- “foreign animal” means an animal which has, within the preceding 4 calendar months, been in a place outside the British Islands or the Republic of Ireland;
- “native animal” means an animal which has at no time within the preceding 4 months been in a place outside the British Islands or the Republic of Ireland;

“native contact animal” means a contact animal which is ashore in Jersey, whether or not it has been landed from a vessel.

11 Action in case of illegal landing or breach of quarantine

- (1) An inspector or a police officer may seize, or cause to be seized –
 - (a) any animal which is required to be detained and isolated in quarantine under this Order, or under a licence granted or notice served hereunder, and which has not been so detained or isolated; or
 - (b) any animal which there is reason to believe has been landed in Jersey in contravention of this Order, or of a licence granted under this Order.
- (2) Subject to paragraph (3), where an animal has been seized under paragraph (1), an inspector may, without prejudice to Article 12, or to any proceedings arising from any such default or contravention –
 - (a) move the animal, or cause it to be moved, to authorized quarantine premises for purposes of detention and isolation in quarantine for a period of 4 calendar months, or for such shorter period as the inspector may direct; or
 - (b) export it from Jersey, or cause it to be exported.
- (3) Nothing in this Article shall affect the powers of the officers of the Impôts to seize or detain as liable to forfeiture under the Customs and Excise (Jersey) Law 1999⁷ an animal which is landed in Jersey in contravention of this Order or of a licence granted hereunder, or to institute legal proceedings under that Law in respect of such contravention.
- (4) The owner of an animal shall be liable for the cost of any action taken by an inspector under paragraph (2).

12 Power to destroy imported animals

The Minister may cause to be destroyed any animal landed in Jersey in contravention of this Order, or of a licence granted hereunder, or any animal in respect of which there is, after it has been landed, a contravention of any such licence, and may recover any expenses reasonably incurred in so doing from the owner of the animal on demand as a civil debt.

13 Contact animals

- (1) Except as otherwise provided in this Order, where an animal or contact animal comes into contact with an animal –
 - (a) which is being or should be detained and isolated in quarantine under this Order or under the Pet Travel Scheme (Jersey) Regulations 2011, or which has escaped from such detention and isolation;
 - (b) which is awaiting exportation from a port or airport in Jersey;

- (c) which is on board a vessel in a port in Jersey in circumstances to which Article 10 applies; or
- (d) which has been, or is suspected of having been, landed in Jersey in contravention of this Order, or of a licence granted hereunder,

an inspector or a police officer may seize the animal or contact animal, or cause it to be seized, and, where an animal or contact animal has been so seized, the inspector may treat it according to such of the provisions of this Order as the inspector thinks fit.

- (2) An inspector or a police officer shall have powers to carry out all checks, searches and examinations that may be necessary or expedient including in particular, requiring the production of any document or record and copying any document or record for the purpose of ascertaining whether an animal falls within any sub-paragraph of paragraph (1) and for exercising any powers under that paragraph.

14 General powers to stop and search

- (1) An inspector shall, on producing if required to do so, a duly authenticated document showing the person's authority, have a right at all reasonable hours (including the time of an animal's landing in Jersey) to –
 - (a) enter any land or premises;
 - (b) stop any person or vehicle,for the purpose of administering and enforcing this Order.
- (2) A person searching a person under this Order shall not be entitled to require a person to remove any of his or her clothing other than an outer coat, jacket, headgear, gloves and footwear.
- (3) A search of a person under this Order must be carried out by someone of the same sex.
- (4) In this Order "premises" includes any vessel, boat, aircraft or vehicle of any other description but does not include premises used exclusively as a dwelling house.

15 Offences and penalties

Any person who contravenes any provision of this Order or any licence under this Order shall be guilty of an offence and liable to imprisonment for a term of 12 months and a fine.

16 Revocation of Rabies (Importation of Dogs, Cats and other Mammals) (Jersey) Order 1976

The Rabies (Importation of Dogs, Cats and other Mammals) (Jersey) Order 1976⁸ is revoked.

17 Saving

Notwithstanding Article 16, any licence granted under the Rabies (Importation of Dogs, Cats and other Mammals) (Jersey) Order 1976⁹ shall be deemed to granted under this Order and anything done under that Order, including any approval or authorization, shall be treated as if it were done under this Order.

18 Citation

This Order may be cited as the Diseases of Animals (Rabies) (Importation of Mammals) (Jersey) Order 2011.

SCHEDULE

(Article 1)

ANIMALS TO WHICH ORDER APPLIES

PART 1

ANIMALS SUBJECT TO QUARANTINE FOR LIFE

<i>Order</i>		<i>Common names of some species</i> (see note below)
Chiroptera	Desmodontidae only	Vampire bats.

PART 2

ANIMALS SUBJECT TO 4 MONTHS' QUARANTINE

<i>Order</i>		<i>Common names of some species</i> (see note below)
Carnivora		Dogs, cats, jackals, foxes, wolves, bears, racoons, coatis, pandas, otters, weasels, martens, polecats, badgers, skunks, mink, ratels, genets, civets, linsangs, mongooses, hyaenas, ocelelets, pumas, cheetahs, lions, tigers, leopards.
Chiroptera	All families except Desmodontidae	Bats, flying foxes.
Dermoptera		Flying lemurs.
Edentata		Anteaters, sloths, armadillos.
Hyracoidea		Hyraxes.
Insectivora		Solenodons, tenrecs, otter shrews, golden moles, hedgehogs, elephant shrews, shrews, moles, desmans.
Lagomorpha		Pikas, rabbits, hare.
Marsupialia		Opossums, marsupial mice, dasyures, marsupial moles, marsupial anteaters, bandicoots, rat opossums, cuscuses, phalangers, koalas, wombats, wallabies,

		kangaroos.
Primates	All families except Hominidae (Man)	Tree-shrews, lemurs, indrises, sifakas, aye-ayes, lorises, bush-babies, tarsiers, titis, uakaris, sakis, howlers, capuchins, squirrel monkeys, marmosets, tamarins, macaques, mangabeys, baboons, langurs, gibbons, great apes.
Rodentia	All families and species (except coypus, grey squirrels and muskrats)	Gophers, red squirrels, chipmunks, marmots, scaly-tailed squirrels, pocket mice, kangaroo-rats, beavers, mountain beavers, springhaas, mice, rats, hamsters, lemmings, voles, gerbils, water rats, dormice, jumping mice, jerboas, porcupines, cavies (including guinea-pigs), capybaras, chinchillas, spiny rats, gundis.

PART 3

ADDITIONAL ANIMALS FOR CONTACT PURPOSES

<i>Order</i>	<i>Common names of some species</i> (see note below)
Artiodactyla	Pigs, peccaries, hippopotamuses, camels, llamas, chevrotains, deer, giraffes, pronghorns, cattle, antelopes, duikers, gazelles, goats, sheep.
Monotremata	Echidnas, duck-billed platypuses.
Perissodactyla	Horses, asses, zebras, tapirs, rhinoceroses.
Pholidota	Pangolins.
Proboscidea	Elephants.
Tubulidentata	Aardvarks.

Note: some of the common names of animals included in this Schedule are set out opposite the appropriate reference. This list is for guidance only and does not form part of the Order.

ENDNOTES

Table of Legislation History

Legislation	Year and No	Commencement
Diseases of Animals (Rabies) (Importation of Mammals) (Jersey) Order 2011	R&O.170/2011	1 January 2012

Table of Renumbered Provisions

Original	Current
None	

Table of Endnote References

<i>1</i>	<i>chapter 02.400</i>
<i>2</i>	<i>chapter 02.500</i>
<i>3</i>	<i>chapter 02.400</i>
<i>4</i>	<i>chapter 02.500</i>
<i>5</i>	<i>chapter 17.245.13</i>
<i>6</i>	<i>chapter 02.400.68</i>
<i>7</i>	<i>chapter 24.660</i>
<i>8</i>	<i>R&O.6296 (chapter 02.400.70)</i>
<i>9</i>	<i>former chapter 02.400.70</i>