

Scottish Statutory Instrument 2003 No. 229

The Pet Travel Scheme (Scotland) Order 2003

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SCOTTISH STATUTORY INSTRUMENTS

2003 No. 229

ANIMALS

ANIMAL HEALTH

The Pet Travel Scheme (Scotland) Order 2003

<i>Made</i>	<i>31st March 2003</i>
<i>Laid before the Scottish Parliament</i>	<i>31st March 2003</i>
<i>Coming into force</i>	<i>8th April 2003</i>

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The Scottish Ministers, in exercise of the powers conferred by section 10 of the Animal Health Act 1981^[1] and of all other powers enabling them in that behalf, hereby make the following Order:

Citation, commencement and extent

1. - (1) This Order may be cited as the Pet Travel Scheme (Scotland) Order 2003 and shall come into force on 8th April 2003.

(2) Subject to paragraph (3), this Order extends to Scotland only.

(3) Insofar as it extends beyond Scotland, this Order does so only as a matter of Scots Law.

Interpretation

2. - (1) In this Order-

"airport" means the aggregate of the land, buildings and works comprised in an aerodrome within the meaning of the Civil Aviation Act 1982^[2];

"animal" means a pet cat or pet dog;

"carrier" means any undertaking carrying goods or passengers for hire by land, sea or air;

"microchip" means an electronic transponder;

"official health certificate" means a certificate prepared and distributed by the competent authority for completion and signature by an official veterinary surgeon in relation to rabies, and by a veterinary surgeon entitled to practise veterinary medicine in the country in which the treatment is administered in the case of *Echinococcus multilocularis* and ticks.

"official veterinary surgeon" means in Scotland a veterinary surgeon authorised by the Scottish Ministers for the purposes of this Order, and outside Scotland means a veterinary surgeon authorised by the competent authority to grant certification for the purposes of export of cats and dogs;

"other animal" means an animal (other than man) belonging to any of the orders of mammals specified in Parts I and II of Schedule 1 to the Rabies (Importation of Dogs, Cats and Other Mammals) Order 1974^[3], other than a pet cat or a pet dog;

"pet cat" and "pet dog" means respectively a cat of the species *Felis catus* or a dog of the species *Canis familiaris* which is not traded commercially under the provisions of article 4A of the Rabies (Importation of Dogs, Cats and Other Mammals) Order 1974;

"recognised laboratory" means a laboratory recognised in accordance with article 5.

(2) Any reference in this Order to anything done in writing or produced in written form includes a reference to an electronic communication, as defined in the Electronic Communications Act 2000^[4], which has been recorded and is consequently capable of being reproduced.

Exemption from quarantine for pet cats and pet dogs

3. - (1) A person may bring a pet cat or pet dog into Scotland on or after 8th April 2003 without complying with the provisions of the Rabies (Importation of Dogs, Cats and Other Mammals) Order 1974, if all the conditions relating to the importation of that animal in this Order are complied with.

(2) Nothing in this Order shall apply in relation to an animal brought into Scotland directly from other parts of the British Islands or from the Republic of Ireland.

Application

4. - (1) The provisions of this Order shall apply in relation to animals travelling from countries and territories listed in paragraph 1 of Schedule 1 or paragraph 1 of Schedule 5 except in so far as otherwise specified.

(2) The provisions of Schedule 1 (qualifying European countries and territories) shall apply in relation to animals travelling from countries or territories listed in paragraph 1 of Schedule 1.

(3) The provisions of Schedule 5 (qualifying non-European countries and

territories) shall apply in relation to animals travelling from countries or territories listed in paragraph 1 of Schedule 5.

Recognition of laboratories

5. - (1) The Scottish Ministers may recognise laboratories as being competent to carry out blood tests for the purposes of this Order by designating individual laboratories or a category of laboratories as so competent.

(2) The Scottish Ministers shall publish a list of recognised laboratories in such manner as they think fit.

Derogation for pet cats and pet dogs identified outside Scotland

6. - (1) This article applies where the competent authority of a country or territory specified in paragraph 1 of Schedule 1 or paragraph 1 of Schedule 5 or a body authorised by such a competent authority, operates a mandatory identification system under which animals are required to be registered and identified by tattoo and microchip or by tattoo only.

(2) In such a case and after an animal has been identified in accordance with such a requirement, it may be brought into Scotland, notwithstanding the requirements of paragraph 3(1) and (2) of Schedule 1, if it is vaccinated and subsequently blood sampled for rabies in accordance with any or all of the requirements of paragraph 3(2)(a) and (b) and (3)(a) of Schedule 1 before it has been implanted with a microchip.

Carriers

7. - (1) The Scottish Ministers may approve a carrier in writing under this article to transport animals under this Order, which approval may be subject to conditions over and above the requirements of Schedule 4, if they are satisfied that-

- (a) the carrier complies with the requirements in Schedule 4;
- (b) the written procedures and contingency plans required in that Schedule are adequate; and
- (c) the carrier will comply with this Order, the written procedures and contingency plans required in Schedule 4 and any additional conditions of the approval.

(2) The approval shall specify-

- (a) where checks must be carried out;
- (b) the routes to be used by the approved carrier to bring an animal into Scotland; and
- (c) any additional conditions which the Scottish Ministers consider appropriate.

(3) The carrier shall provide such information to the Scottish Ministers as they may reasonably require, for the purposes of considering an application for approval and enforcing an approval granted under paragraph (1).

(4) Before making a decision in respect of an application for the approval of a carrier under paragraph (1), the Scottish Ministers shall give the applicant an opportunity of making representations in that regard within such time and in such form as they think fit and shall consider any such representations before making the decision in the case.

Duties of approved carriers

8. - (1) Before bringing an animal into Scotland a carrier approved under article 7 shall check, in respect of each animal that it carries under this Order, the two health certificates required under paragraph 4(1) of Schedule 1 and the declaration required under paragraph 4(5) of that Schedule and shall satisfy itself that-

- (a) the animal has been implanted with a microchip;
- (b) the number of the microchip corresponds with the number of the microchip recorded in the two certificates and the declaration;
- (c) the certificates relating to rabies and to *Echinococcus multilocularis* and ticks show that-
 - (i) they are current;
 - (ii) they have been signed by an official veterinary surgeon in relation to rabies and by a veterinary surgeon entitled to practise veterinary medicine in the country in which the treatment was administered in relation to *Echinococcus multilocularis* and ticks; and
 - (iii) the animal has been vaccinated against rabies, has been blood tested and has been treated against *Echinococcus multilocularis* and ticks in accordance with this Order; and
- (d) the declaration relating to the animal's place of residence in the previous six months has been signed by the person accompanying the animal.

(2) The checks shall be carried out in the place and in the manner as may be specified in the approval.

(3) If the checks are carried out before the animal is taken on to the means of transport, the approved carrier shall not bring an animal into Scotland under this Order unless it has carried out the checks in paragraph (1) and is satisfied that the animal complies with the provisions of that paragraph.

(4) If the checks are carried out during transport or after an animal has landed in Scotland-

- (a) the approved carrier shall keep possession of the animal at the place of arrival until it has carried out the checks required under this Order and it is satisfied that the animal has been identified, vaccinated and blood tested in accordance with this Order; and
- (b) if the carrier is not satisfied that the animal has been identified,

vaccinated and blood tested in accordance with this Order, it shall ensure that the animal is transferred immediately to quarantine facilities in accordance with the Rabies (Importation of Dogs, Cats and Other Mammals) Order 1974 or is otherwise dealt with under that Order.

(5) If, after carrying out the check under paragraph (1) (whether the check is carried out before the animal is taken on to the means of transport, during transport or after landing), the carrier is satisfied that an animal may be brought into Scotland in accordance with this Order, the carrier shall-

(a) in the case of an animal being brought in by a foot passenger or a passenger of an aircraft, issue a certificate to the person accompanying the animal, signed and dated by a representative of the carrier, certifying that the animal complies with this Order and attach a label to the collar of the animal or to its carrying container, if there is one, showing the date of importation and stating that the animal complies with the provisions of this Order; or

(b) in the case of an animal being brought in by car or other motor vehicle, give the person a sticker or hanger suitable for displaying on the windscreen and indicating that the vehicle is carrying an animal which has been checked and found to comply with the provisions of this Order.

(6) If the carrier does not have a reader capable of reading the microchip, no person shall bring an animal into Scotland unless that person provides a reader for the microchip at the time the carrier checks the identity of the animal.

(7) If the carrier does not have a reader capable of reading the microchip, that carrier shall take all reasonable steps to bring that fact to the notice of any person who is likely to be affected by it.

(8) It shall be a defence to a criminal prosecution for a contravention of paragraph (6) or paragraph 2(2) of Schedule 5 that the accused had reasonable grounds for believing that the carrier had available to it, a reader capable of reading the microchip.

Powers of officers of the Scottish Ministers and local authorities

9. An officer of the Scottish Ministers or a local authority may stop any vehicle displaying a windscreen sticker or hanger indicating that an animal is being carried, or any other vehicle in which that officer reasonably suspects that an animal is being carried, or any person in possession of an animal or whom that officer suspects to be in possession of an animal, at any place-

(a) in the case of transport by ferry, in the port area;

(b) in the case of air transport, in the airport,

and may carry out any checks and searches which may be necessary for the purposes of the enforcement of this Order.

Approvals

10. - (1) Approvals of a carrier under this Order may be amended, suspended or revoked by notice in writing at any time, and in particular may be

suspended or revoked if the Scottish Ministers are reasonably of the opinion that the provisions of this Order are not being complied with or that the written procedures and contingency plans produced under Schedule 4 have not been complied with.

(2) Before making a decision to amend, suspend or revoke an approval of a carrier under paragraph (1), the Scottish Ministers shall-

- (a) give the carrier a written notification of that intention and an explanation of the reasons for intending to do so;
- (b) afford the carrier an opportunity of making representations in that regard within such time and in such form as they think fit; and
- (c) consider any such representations in making their decision in the case.

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

11. - (1) The Rabies (Importation of Dogs, Cats and Other Mammals) Order 1974^[5] is amended by adding the following provisions.

(2) After article 4B there shall be added-

" The Pet Travel Scheme (Scotland) Order 2003

4C. The provisions of this Order shall not apply in relation to pet cats or pet dogs (within the meaning of the Pet Travel Scheme (Scotland) Order 2003) and brought into Scotland in accordance with the provisions of that Order."

(3) After article 5B there shall be added-

" Release from quarantine in Scotland

5C. - (1) Subject to paragraph (2) below, if a pet cat or pet dog is in quarantine in Scotland, or has been brought into Scotland and taken into quarantine, the Scottish Ministers may grant a licence authorising its release if they are satisfied that-

(a) it has been implanted with a microchip, vaccinated against rabies and blood tested in accordance with the Pet Travel Scheme (Scotland) Order 2003 ("the 2003 Order");

(b) at least 6 months have elapsed since the blood sample required by the 2003 Order was taken, provided that where that blood sample was taken-

(i) at least twenty four hours before release it has been treated by a veterinary surgeon against *Echinococcus multilocularis* and ticks, using a veterinary medicine with a marketing authorisation at an appropriate dosage; and

(ii) in the case of treatment against *Echinococcus multilocularis*, the medicine must contain praziquantel as the active ingredient;

(c) it has not been out of the British Islands, the Republic of Ireland, or the countries or territories listed in Schedule 1 to the 2003 Order in the six months prior to the proposed release date; and

(d) in the case of a pet cat or pet dog brought from a country or territory listed in Schedule 5 to the 2003 Order-

(i) it arrived in Scotland in a sealed container with the seal intact;

(ii) the container was sealed by an official authorised by the competent authority of the exporting country;

(iii) that official has written the number of the seal on the import licence granted by the Scottish Ministers under article 4(3) above and has stamped the licence with their official stamp; and

(iv) the number on the seal is the same as the number on the licence.

(2) If the Scottish Ministers are satisfied that the pet cat or pet dog was not exposed to risk of infection of rabies during its journey, they may authorise the release of the pet cat or pet dog from quarantine notwithstanding that the requirements of paragraph (1)(d) above have not been complied with.

(3) The Scottish Ministers may-

(a) grant a licence under paragraph (1) unconditionally, or subject to such terms and conditions as may be specified therein; and

(b) on cause shown, withdraw or revoke such a licence or vary the terms and conditions subject to which it was granted, but without prejudice to anything lawfully done pursuant thereto before such withdrawal, revocation or variation took effect.

(4) In this article, "pet cat", "pet dog" and "microchip" have the same meaning as they have in the 2003 Order."

(4) After paragraph (2) of article 6 there shall be added-

" (3) The requirement to vaccinate against rabies in paragraph (1) above shall not apply in any case where the Scottish Ministers are satisfied that-

(a) the pet cat or pet dog (within the meaning of the Pet Travel Scheme (Scotland) Order 2003) has been resident for the six months preceding entry into quarantine in the British Islands, the

Republic of Ireland or the territories set out in Schedule 1 to that Order; and

(b) that pet cat or pet dog has been vaccinated against rabies and blood tested in accordance with the requirements of that Order and the period of cover of the vaccination has not expired."

Enforcement

12. This Order shall, except where otherwise provided, be executed and enforced by the local authority.

ROSS FINNIE

A member of the Scottish Executive

St Andrew's House, Edinburgh
31st March 2003

SCHEDULE 1

Article 4(2)

QUALIFYING EUROPEAN COUNTRIES AND TERRITORIES AND REQUIREMENTS RELATING TO THESE

1. The qualifying European countries and territories are:-

Andorra

Austria

Belgium

Cyprus. Note: the animal may come from any part of the Island of Cyprus. All certification must be issued by the government of the Republic of Cyprus

Denmark

Finland

France (except Martinique, Guadeloupe, French Guyana, La Réunion, French Polynesia, Wallis and Fortuna, Mayotte, St Pierre and Miquelon and New Caledonia)

Germany

Gibraltar

Greece

Iceland

Italy

Liechtenstein

Luxembourg

Malta

Monaco

Netherlands

Norway (except for Svalbard)

Portugal (including Madeira and the Azores)

San Marino

Spain (including the Canary Islands but excluding Ceuta and Melilla)

Sweden

Switzerland

Vatican City.

2. - (1) The animal must be brought into Scotland using a carrier approved under article 7, travelling directly from one of the countries or territories in paragraph 1 of this Schedule, without leaving the vessel or aircraft in which it is travelling between its departure from one of those countries or territories and its arrival in Scotland.

(2) For the purposes of paragraph (1), in the event of an aircraft being diverted from its scheduled destination, the carrier shall transport the animal to the scheduled destination at its own expense.

3. - (1) Any animal before being brought into Scotland in terms of this Order must be identifiable by means of a microchip implanted into its body.

(2) Before being brought into Scotland, but after it has been implanted with a microchip, the animal must-

(a) have been vaccinated against rabies in a country or territory specified in paragraph 1 of this Schedule or paragraph 1 of Schedule 5 or in another part of the British Islands or in the Republic of Ireland after the age of three months by injection of an inactivated vaccine approved by the competent authority of the country in which the vaccination takes place; and

(b) have had any necessary booster injections in a country or territory specified in paragraph 1 of this Schedule or paragraph 1 of Schedule 5 or in such parts of the British Islands or in the Republic of Ireland at intervals specified by the manufacturer of the vaccine.

(3) After it has been vaccinated against rabies, and at least six months before it is brought into Scotland, a blood sample must have been taken from the animal and the blood sample must thereafter be tested for rabies antibodies using a virus neutralisation test at a recognised laboratory, with the result of

that test demonstrating a protective antibody titre of at least 0.5 international units per millilitre.

(4) Not less than 24 hours and not more than 48 hours before embarkation for Scotland the animal must have been treated by a veterinary surgeon entitled to practise veterinary medicine in the country in which the treatment is administered against *Echinococcus multilocularis* and ticks, using veterinary medicines with marketing authorisations for these purposes in the country in which they are administered and at an appropriate dosage; which

(a) in the case of treatment against *Echinococcus multilocularis* the medicine must contain praziquantel as the active ingredient, and

(b) in the case of an animal coming in from Malta or Cyprus, the treatment against ticks must contain fipronil as the active ingredient.

(5) The treatment against ticks must not be by means of a collar impregnated with acaricide.

(6) The animal must not have been outside the other parts of the British Islands, the Republic of Ireland or the countries or territories in paragraph 1 of this Schedule or paragraph 1 of Schedule 5 for the period of six months immediately preceding the date it is brought into Scotland.

4. - (1) Any animal brought into Scotland must be accompanied by two official health certificates, one relating to rabies vaccination and one relating to treatment for *Echinococcus multilocularis* and ticks.

(2) The official health certificates-

(a) shall be signed in relation to rabies by an official veterinary surgeon of a country specified in paragraph 1 of this Schedule 1 or paragraph 1 of Schedule 5, the British Islands or the Republic of Ireland certifying that the certificate is accurate and shall be stamped by the official veterinary surgeon with an official stamp indicating that that person is an official veterinary surgeon;

(b) shall be signed in relation to *Echinococcus multilocularis* and ticks by a veterinary surgeon entitled to practise veterinary medicine in the country in which the treatment is administered.

(3) The official health certificate relating to rabies vaccination shall contain the information specified in Schedule 2.

(4) The official health certificate relating to *Echinococcus multilocularis* and ticks shall state-

(a) the date and time of the treatment; and

(b) the treatment used.

(5) In addition to the official health certificates, the person bringing the

animal into Scotland in accordance with this Order shall, at the time the animal is brought in, carry a written, signed declaration in English in, or as near as may be to, the form set out in Part I of Schedule 3 that the animal has not been outside the territories set out in Part II of that Schedule in the period of six months immediately preceding the date on which it is brought into Scotland.

5. - (1) A person bringing an animal into Scotland in a vehicle on a ferry in accordance with this Order shall display the sticker or hanger given to that person by the carrier, in a prominent position on the windscreen of that vehicle until the vehicle leaves the confines of the port of arrival.

(2) A person who is a foot passenger on a ferry or a passenger on an aircraft bringing an animal into Scotland in accordance with this Order shall not remove the label attached by the carrier to the collar or carrying cage until that person responsible leaves the confines of the port or airport of arrival.

(3) A person bringing an animal into Scotland in accordance with this Order shall-

(a) produce on demand by an officer of the Scottish Ministers or the local authority-

(i) in the case of transport by ferry, in the port area;

(ii) in the case of air transport, in the airport,

the two health certificates required under paragraph 4(1) and the declaration required under paragraph 4(5) and, in the case of a foot passenger, the certificate of entry given to that person by the carrier under article 8(5); and

(b) make that animal available for checking by such an officer for the purposes of the execution and enforcement of this Order.

SCHEDULE 2

Schedule 1, paragraph 4(3)

INFORMATION TO BE CONTAINED IN THE OFFICIAL HEALTH CERTIFICATE RELATING TO RABIES VACCINATION

1. The period of validity of the certificate, calculated on the basis that the certificate shall become valid on the day on which it is completed or six months after the date on which the sample was taken (whichever is the later) and shall cease to be valid on the date of expiry of the current vaccination.

2. The microchip number and the location of the microchip.

3. A declaration that:

- the official veterinary surgeon has seen a record of rabies vaccination for

the animal, which identifies the microchip number, indicates that the animal was vaccinated against rabies after the microchip was implanted, and (in the case of re-vaccination) indicates that the latest vaccination was carried out before the previous vaccination had expired in accordance with the recommendation in the manufacturer's data sheet and indicates that the latest vaccination is valid;

- the official veterinary surgeon has seen a record (certified by the laboratory carrying out the test) of the result of a serological test for the animal, carried out on a blood sample taken on a date after the first vaccination referred to above, and in a laboratory recognised by the Scottish Ministers in accordance with article 5 for the purpose, which states that the rabies neutralising antibody titre was equal to or greater than 0.5 IU/ml; and

- the animal showed no clinical signs of rabies at the time of certification.

SCHEDULE 3

Schedule 1, paragraph 4(5)

PART I

DECLARATION FOR COMPLETION BY THE PERSON BRINGING THE ANIMAL INTO SCOTLAND

I declare that the animal(s) that I am presenting today for travel to Scotland,

with microchip number(s)	<input type="text" value="?"/>	<input type="text" value="?"/>
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has/have not been outside the qualifying counties of the Pet Travel Scheme in the six months before today's date

Name:	<input type="text" value="?"/>
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Permanent Address:	<input type="text" value="?"/>	Address in UK: (if different)	<input type="text" value="?"/>
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Vehicle registration (if applicable)	<input type="text" value="?"/>
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Signature:	<input type="text" value="?"/>	Date:	<input type="text" value="?"/>
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It is an offence to bring an animal into Scotland under the Pet Travel Scheme if the animal has been outside the qualifying countries within the previous six months.

PART II

**QUALIFYING COUNTRIES FOR THE BRINGING INTO SCOTLAND OF
ANIMALS UNDER THE PET TRAVEL SCHEME**

Andorra	Germany	Portugal (c)
Antigua and Barbuda	Gibraltar	Republic of Ireland
Ascension Island	Greece	St Helena
Australia	Hawaii	St Kitts and Nevis
Austria	Iceland	St Vincent
Bahrain	Italy	San Marino
Barbados	Jamaica	Singapore
Belgium	Japan	Spain(d)
Bermuda	Liechtenstein	Sweden
British Islands and Republic of Ireland		
Canada	Luxembourg	Switzerland
Cayman Islands	Malta	
The Island of Cyprus (Note: the animal may come from any part of the Island of Cyprus. All certification must be issued by the government of the Republic of Cyprus.)	Mauritius	Channel Islands and
Denmark	Monaco	Isle of Man
Falkland Islands	Montserrat	United States of America(e)
Fiji	Netherlands	Vanuatu
Finland	New Zealand	Vatican City
France(a)	Norway(b)	

(a) For the purpose of this Declaration, France includes French Polynesia, Guadeloupe, La Réunion, Martinique, Mayotte, New Caledonia and Wallis and Fortuna but excludes French Guyana, and St Pierre and Miquelon.

(b) For the purpose of this Declaration, Norway excludes Svalbard.

(c) For the purpose of this Declaration, Portugal includes the Azores and Madeira.

(d) For the purpose of this Declaration, Spain includes the Canary Islands but excludes Ceuta and Melilla.

(e) For the purpose of this Declaration United States of America means

the coterminous United States and Alaska but excludes Hawaii and any dependencies or other territories.

SCHEDULE 4

Article 7(1)(c)

CONDITIONS OF APPROVAL FOR CARRIERS

1. Staff having contact with passengers who may be travelling with animals or involved in checking animals under this Order shall be appropriately trained.
2. Written procedures shall be set out to ensure that an animal presented for travel under this Order is-
 - (a) directed to an appropriate checking point;
 - (b) checked under this Order;
 - (c) transported in an appropriate part of the vessel or aircraft in appropriate conditions.
3. Written procedures shall be set out in respect of the appropriate steps if an animal presented for travel fails to comply with this Order, or if an animal is discovered that the carrier reasonably suspects is intended to be transported to Scotland without being presented to the carrier for checking.
4. Written contingency plans shall be set out for dealing with emergencies, including plans for vessels being diverted to another place of landing.
5. Adequate facilities for checking animals under this Order shall be provided, which shall be adequately equipped, manned and maintained.
6. Appropriate arrangements for the provision of veterinary assistance shall be provided where this proves necessary.

SCHEDULE 5

Article 4(3)

QUALIFYING NON-EUROPEAN COUNTRIES AND TERRITORIES AND REQUIREMENTS RELATING TO THESE

1. - (1) Subject to paragraph (2), the Qualifying non-European countries and territories are-

Antigua	Fiji	Mayotte
---------	------	---------

and Barbuda		
Ascension Island	French Polynesia	Montserrat
Australia	Guadeloupe	New Caledonia
Bahrain	Hawaii	New Zealand
Barbados	Jamaica	St Helena
Bermuda	Japan	St Kitts and Nevis
Canada	La Réunion	St Vincent
Cayman Islands	Martinique	Singapore
Falkland Islands	Mauritius	United States of America (which in this Schedule means the coterminous United States and Alaska but excludes Hawaii and any dependencies or other territories)
		Vanuatu
		Wallis and Fortuna

(2) A cat which was resident in Australia before departure must-

(a) at no time have been on a holding where Hendra virus has been confirmed during the 60 days prior to departure; and

(b) be accompanied by a certificate issued by the Australian Veterinary Authorities confirming this,

but cats which pass through Australia on the way to Scotland do not need this certificate provided they do not leave the perimeter of an airport while in Australia.

Identification

2. - (1) The animal shall be identified by means of a microchip implanted into its body.

(2) If the carrier does not have a reader capable of reading the microchip, no person shall bring an animal into Scotland unless that person provides a reader for the microchip at the time the carrier checks the identity of the animal.

Health status

3. - (1) Prior to being brought into Scotland, the animal shall be vaccinated against rabies as specified in paragraph 3(2) of Schedule 1, and a blood sample from the animal shall be taken and tested in accordance with paragraph 3(3) of Schedule 1.

(2) If the animal is brought into Scotland from Canada or the United States of America it shall be treated against *Echinococcus multilocularis* and ticks in the country of export as specified in paragraphs 3(4) and 3(5) of Schedule 1.

(3) If the animal is brought into Scotland from a country or territory listed in

paragraph 1 of this Schedule other than Canada or the United States of America, it shall be treated against *Echinococcus multilocularis* and ticks in the country of export, as specified in paragraphs 3(4) and 3(5) of Schedule 1, except that the treatment for ticks must contain fipronil as the active ingredient.

(4) The animal shall not have been outside the countries or territories listed in paragraph 1 of Schedule 1 or paragraph 1 of this Schedule in the period of six months immediately preceding the date on which the animal is brought into Scotland.

Documentation

4. The provisions of paragraph 4(2) to (5) of Schedule 1 shall apply to animals brought into Scotland from a country or territory listed in paragraph 1 to the extent that the animal shall be accompanied by-

(a) an official health certificate relating to rabies vaccination as specified in paragraph 4(2)(a) and (3) of Schedule 1, except that the certificate shall be signed either by an official veterinary surgeon of one of the countries or territories listed in paragraph 1 of Schedule 1 or by an official veterinary surgeon of one of the countries or territories listed in paragraph 1 of this Schedule;

(b) an official health certificate relating to treatment against *Echinococcus multilocularis* and ticks as specified in paragraph 4(2)(b) and (4) of Schedule 1; and

(c) a written declaration by the person importing the animal that it has not been outside the countries and territories set out in Part II of Schedule 3 in the period of six months immediately preceding the date on which the animal is brought into Scotland as specified in paragraph 4(5) of Schedule 1.

Means of transport

5. An animal must be transported to Scotland by air (except an animal from Ascension Island, the Falkland Islands or St Helena, which may be transported by sea) by a carrier approved under article 7 from one of the countries or territories in paragraph 1 of this Schedule.

Official seals

6. - (1) No animal may be transported to Scotland by air, unless the container in which the animal is transported is sealed by an official authorised by the competent authority of the exporting country with the official seal of that authority.

(2) For the purposes of paragraph (1), the construction of the container and the location of the seal shall be such that the container cannot be opened without breaking the seal.

(3) The official applying the seal shall write the number of the seal on the health certificate relating to treatment for *Echinococcus multilocularis* and ticks, sign it and stamp it with the official stamp of the competent authority.

(4) If, during transport, the official seal is broken, it must, before the animal is brought into Scotland be replaced by an official authorised by the competent authority of the country or territory in which the seal is broken with the official seal of that authority, who shall certify in writing that, between the time that the

original seal was broken and the replacement applied, the animal did not come into contact with any other animal.

Arrival in Scotland by air

7. - (1) On arrival in Scotland, the carrier shall examine the seal on the animal's container.

(2) If the seal is unbroken (or the container has been re-sealed under paragraph 6(4) and there is a certificate to that effect in accordance with that paragraph accompanying the animal) and its number corresponds to the number of the seal entered on the certificate, the carrier shall check the microchip and the documentation required under paragraphs 2 and 4 in the manner specified in article 8(1) (and, in the case of a cat arriving from Australia, the certificate relating to the Hendra virus required under paragraph 1(2)), and shall comply with the provisions of article 8(4) and 8(5)(a).

(3) If the seal is missing or is broken (other than in the circumstances described in paragraph 6(4)) or if the number on the seal does not correspond to the number of the seal entered on the certificate, the carrier shall ensure that the animal is taken into quarantine in accordance with article 8(4)(b); but if the Scottish Ministers are satisfied, after the animal has been taken into quarantine, that the animal was not exposed to risk of infection of rabies during its journey, they may notwithstanding the requirements of the Rabies (Importation of Dogs, Cats and Other Mammals) Order 1974 subsequently authorise the release of the animal from quarantine.

Arrival in Scotland by sea

8. - (1) If an animal is brought in by sea from Ascension Island, the Falkland Islands or St Helena the carrier shall check the microchip and the documentation required by paragraphs 2 and 4 of this Schedule in the manner specified in article 8(1).

(2) If the carrier is satisfied that the documentation is correct and that, throughout the voyage, the animal has had no contact with any other animal, and has not been put ashore at any point, it shall release the animal to its owner or to a representative of the owner.

(3) If the carrier is not so satisfied, the carrier shall ensure that the animal is taken into quarantine in accordance with article 8(4)(b).

EXPLANATORY NOTE

(This note is not part of the Order)

This Order, which extends to Scotland only, creates, in limited circumstances, a Pet Travel Scheme similar to that already in place in England. The Scheme provides for exemptions from the requirement that pet cats and pet dogs imported into Scotland must be placed in quarantine under the Rabies (Importation of Dogs, Cats and Other Mammals) Order 1974, S.I. 1974/2211.

The Order draws a distinction between qualifying European and non-European countries and territories, and makes provision for animals entering Scotland from each (Article 4 and Schedules 1 and 5.) In the case of qualifying European countries and territories, the animal must be transported by a carrier authorised

by the Scottish Ministers. It must be identified by a microchip, vaccinated against rabies, and must have had a blood sample taken and tested demonstrating that the vaccination was successful. There must have been a six-month delay between the date the sample was taken and importation. All this must have been carried out in one of the countries or territories specified in Schedule 1. The animal must have been vaccinated against ticks and the tapeworm *Echinococcus multilocularis* in accordance with the Order, and must not have left the territories specified in Schedule 1 in the preceding six months. The animal must be accompanied by two official health certificates relating to rabies vaccination and treatment for *Echinococcus multilocularis* and ticks, and a declaration to the effect that the animal has not been outside the countries covered by the Pet Travel Scheme in the previous six months.

Similar provisions apply to non-European countries and territories (Schedule 5).

The Scottish Ministers will approve a transport undertaking as a carrier under this Order if they are satisfied that the carrier is able to comply with the Order, and in particular with the conditions in Schedule 4 (article 7(1)(c)). A carrier is under a duty to check that the correct documentation is carried and that the animal is imported in accordance with the Order (article 8).

The Order imposes duties on passengers bringing in cats and dogs during the journey and on arrival (article 4 and Schedules 1 and 5) and gives powers to officers of the Scottish Ministers and local authorities to stop vehicles and carry out searches (article 9).

The Order makes consequential amendments to the Rabies (Importation of Dogs, Cats and Other Mammals) Order 1974.

Failure to comply with a condition of the Order relating to importation of an animal is an offence under the Rabies (Importation of Dogs, Cats and Other Mammals) Order 1974. Breach of the Order otherwise is an offence under section 72 of the Animal Health Act 1981.

Notes:

[1] 1981 c.22. See Section 86(1) for the definition of "the Ministers". The functions of the Ministers of the Crown were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998 (c.46).[back](#)

[2] 1982 c.16.[back](#)

[3] S.I. 1974/2211 as relevantly amended in relation to Scotland by 1977/361, 1984/1182, 1986/2062 and 1994/1405 and 1716. Article 4A was added by S.I. 1994/1716.[back](#)

[4] 2000 c.7.[back](#)

[5] For the purposes of the amendments in Article 11(2) to (4), see S.I. 1999/3443, S.I. 2001/6 and S.I. 2002/882.[back](#)

ISBN 0 11062324 X

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Prepared 10 April 2003