

GUILDFORD  
STATUTORY INSTRUMENT

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THE RABIES ORDER, 1976  
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GUERNSEY

STATUTORY INSTRUMENT

1976 No. 1

THE RABIES ORDER, 1976

THE STATES COMMITTEE FOR AGRICULTURE, in pursuance of the powers conferred upon it by section one, two and three of the Rabies (Bailiwick of Guernsey) Law, 1975 (a), and of all other powers enabling it in that behalf hereby orders:-

PART I

IMPORTATION OF ANIMALS

Prohibition on landing of animals in the Islands.

1. (1) Subject to the provisions of this Order, the landing in the Islands of an animal brought from a place outside the Islands is hereby prohibited.
- (2) The prohibition on landing contained in subsection (1) of this section shall not apply to an animal brought to the Islands from a place in the United Kingdom, the Republic of Ireland, the Island of Alderney, the Bailiwick of Jersey or the Isle of Man:

Provided that, where an animal has been brought to that place from a place outside those countries (other than a place in the Islands), the said prohibition shall apply to that animal unless it has been detained and isolated in quarantine in one or more of the said countries for a period of, or consecutive periods amounting in the aggregate to, not less than six calendar months, in accordance with the requirements of the law in force in such country or countries relating to quarantine for the prevention and control of rabies, before being landed in the Islands.

- (3) The prohibition on landing contained in subsection (1) of this section shall not apply when the landing is under the authority of a licence previously granted by the Committee, and in accordance with the terms and conditions subject to which it was granted.
- (4) The ports and airports which alone may be used for the landing of animals, other than animals exempted from the prohibition on landing contained in subsection (1) of this section by the provisions of subsection (2) thereof, in the Islands are the ports and airports respectively specified in Part I and Part II of Schedule 2 of this Order:

Provided that nothing in this subsection shall be construed as precluding the Committee, on being satisfied that exceptional circumstances exist in connection with the bringing to the Islands of a particular animal, from granting a licence for the landing of that animal at a port or airport other than a port or airport specified in that Schedule.

- (5) Nothing in subsection (4) of this section shall render it unlawful (subject to the authority of a revenue officer first having been obtained) for an animal to which this Order applies to be landed at a place in the Islands other than the port or airport at which the animal is licensed to be landed to which the vessel or, as the case may be, the aircraft which is bringing the animal to the Islands is ordered to be diverted in the interests of safety, or in the light of other exceptional circumstances.
- (6) Notwithstanding the provisions of subsection (2) of this section, if at any time the Committee has reason to believe that there is an outbreak of rabies in one of the countries referred to in that subsection, and it appears to it to be necessary to act as a matter of urgency for the purpose of preventing the introduction of that disease into the Islands, the Committee may direct that the provisions of subsection (1) of this section shall apply to animals brought to the Islands from that country and any such direction shall remain in force until revoked by the Committee.
- (7) Where the Committee makes a direction under the provisions of subsection (6) of this section, the Committee shall take all reasonable steps to bring it 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.
- (8) For the purposes of this Order, an animal which -
- (a) is taken from a place in the Islands, the United Kingdom, the Republic of Ireland, the Island of Alderney, the Bailiwick of Jersey or the Isle of Man to a place outside those countries (whether or not it is landed at that place, or comes into contact with any other animal while there, or during the journey thereto or therefrom), or
  - (b) while outside the Islands, comes into contact with an animal to which, if it were brought to the Islands, the prohibition on landing contained in subsection (1) of this section would apply,
- shall be deemed to be an animal brought from a place outside the Islands when landed in the Islands.

Detention and isolation in quarantine.

2. (1) Where an animal specified in Part I of Schedule 1 to this Order is landed in the Islands in accordance with a licence granted under the provisions of section one of this Order, 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 in the event of such an animal being born in the Islands (whether or not its parents or any one of them was brought from a place outside the Islands) it shall, for the purposes of this Order, be deemed to be an animal brought from a place outside the Islands, and the foregoing provisions of this subsection with regard to detention and isolation in quarantine for life shall apply to that animal.
- (2) Where an animal specified in Part II of Schedule 1 to this Order is landed in the Islands in accordance with a licence granted under the provisions of section one of this Order it shall, after being so landed, be immediately detained and isolated in quarantine at its owner's expense -
- (a) for a period of six calendar months, or

- (b) in the case of an animal brought to the Islands from the United Kingdom, the Republic of Ireland, the Island of Alderney, the Bailiwick of Jersey or the Isle of Man before the end of a period of detention and isolation in quarantine in that country, for such period as the Committee may specify as will ensure that the animal is detained and isolated in quarantine for an aggregate period of not less than six calendar months from the date of its landing in that country,

at such premises and subject to such conditions as may be specified in the licence; and in the event of any offspring being born to any such animal during the period of its detention and isolation in quarantine, such offspring shall be similarly 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 Committee may in any particular case direct.

- (3) The Committee may by licence permit two or more animals required to be detained under the foregoing provisions of this section to be kept together in quarantine, subject to such conditions as may be specified in the licence:

Provided that, where the licence is granted in respect of two or more animals to which subsection (2) of this section applies, the period of quarantine referred to in that subsection shall, unless the Committee otherwise directs, be 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 the Islands.

- (4) Where the Committee is satisfied that exceptional circumstances exist, it may by licence permit other animals to be kept with animals being detained in quarantine under the foregoing provisions of this section, 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 the foregoing provisions of this section, 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 Committee may in any particular case direct, and shall be treated for the purposes of this Order as an animal which has been brought to the Islands from a place outside the Islands.
- (5) Notwithstanding the foregoing provisions of this section, where an outbreak of rabies occurs at authorised quarantine premises, or where the Committee has reason to suspect that an animal detained or previously detained at such premises may be or may have been affected with that disease, it may, by notice in writing served on the veterinary surgeon or authorised medical practitioner supervising the premises, and (where practicable) on the owner of any animal detained thereat, 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.

Vaccination of dogs and cats in quarantine.

3. (1) During the period of its detention and isolation in quarantine under the provisions of subsection (2) of section two of this Order, every dog and cat shall, at its owner's expense, be vaccinated against rabies with a vaccine approved for the purpose by the Committee, in such manner, and on such number of occasions and at such intervals, as the Committee may require either generally, or in relation to a particular case.
- (2) Where the Committee is satisfied that a dog or cat has been brought to the Islands for use at research premises in connection with scientific research, and that the vaccination of the dog or cat might interfere with the kind of research in connection with which it is intended to be used, the Committee may direct that the provisions of subsection (1) of this section shall not apply in respect of that animal.

Control of movement of animals after landing.

4. (1) Where an animal is landed in the Islands in accordance with a licence granted under the provision of section one of this Order, it shall be the duty of the person in charge of the animal at the time of landing to ensure that it is either -
- (a) immediately handed over to the authorised carrying agent named in the licence, who shall forthwith remove the animal to the authorised quarantine premises specified in the licence at which it is to be kept for the remainder of the period of its detention and isolation in quarantine; or
  - (b) immediately removed by an authorised carrying agent to premises within or in the vicinity of the port or airport which have been approved by the Committee for the temporary accommodation of animals to which this Order applies.
- (2) Where an animal is moved under the provisions of paragraph (b) of subsection (1) of this section to approved premises within or in the vicinity of the port or airport, it shall be detained and isolated there pending its removal without avoidable delay (and in any case, not more than 48 hours after its landing) by an authorised carrying agent to the authorised quarantine premises specified in the licence at which it is to be kept for the remainder of the period of its detention and isolation in quarantine.
- (3) During the period of its detention and isolation in quarantine at the authorised quarantine premises specified in the licence, an animal shall not be moved from those premises except to other authorised quarantine premises, or to a vessel or aircraft for exportation, and in either case only by an authorised carrying agent, and in accordance with the terms and conditions of a further licence granted by the Committee.
- (4) Notwithstanding the provisions of subsection (3) of this section, where a veterinary officer is satisfied that an animal to which they apply is in urgent need of veterinary treatment of a kind which cannot be administered at the authorised quarantine premises at which the animal is detained and isolated in quarantine, he may authorise the movement of the animal by an authorised carrying agent to a place at which such treatment can be administered, subject to compliance with such conditions as he may consider appropriate; and it shall be the duty of the veterinary surgeon or authorised medical practitioner supervising the authorised quarantine premises at which the animal is being detained to ensure that all such conditions are complied with.
- (5) Where, in accordance with the provisions of subsection (5) of section one of this Order, an animal is landed at a place in the Islands other than the port or airport at which it is licensed to be landed, an authorised person or a revenue officer may authorise the movement of such animal by a person other than an authorised carrying agent, subject to compliance with such conditions as the authorised person or the revenue officer may consider appropriate.

Control of animals passing through the Islands.

5. (1) Subject to the provisions of subsection (9) of this section, the provisions of subsections (1) and (3) of section one, and sections two, three and four of this Order shall not apply to an animal landed at a port or airport in the Islands in circumstances where satisfactory arrangements have previously been made for the exportation of that animal from that port or airport within a period of 48 hours after its landing; and it shall be for the person who purports to land an animal under the foregoing provisions of this subsection to prove to the satisfaction of a revenue officer if required so to do that the arrangements referred to in those provisions have been made in respect of that animal.

- (2) It shall be the duty of the person for the time being in charge of an animal to which the provisions of the last preceding subsection apply -
- (a) to ensure that the animal is exported from the port or airport within a period of 48 hours after its landing;
  - (b) subject to the provisions of paragraph (d) of this subsection, to ensure that the animal does not in any circumstances leave the port or airport before it is exported;
  - (c) in the case of an animal which is at the port or airport for a period not exceeding four hours, to ensure that it is securely confined throughout that period, and kept isolated from any other animal or any contact animal (other than an animal or contact animal with which it is being transported);
  - (d) in the case of an animal which is at the port or airport for a period exceeding four hours, to ensure that it is detained throughout that period, and isolated from any other animal or any contact animal (other than an animal or contact animal with which it is being transported) at premises within or in the vicinity of the port or airport which have been approved by the Committee for the temporary accommodation of animals to which this Order applies;
  - (e) to ensure that the animal is only moved during its stay at the port or airport by an authorised carrying agent; and
  - (f) immediately to report the loss of the animal to an authorised person, a police officer or a revenue officer.
- (3) Subject to the provisions of subsection (9) of this section, the provisions of subsection (1) of section one, and sections two, three and four of this Order shall not apply to an animal landed in the Islands in compliance with the terms and conditions of a licence previously granted by the Committee authorising the landing of the animal, and its subsequent transit through the Islands to a port or airport for exportation.
- (4) The conditions subject to which a licence referred to in subsection (3) of this section shall be granted shall include a condition that the animal to which the licence relates shall only be moved in the Islands by an authorised carrying agent, and it shall be the duty of the person for the time being in charge of the animal -
- (a) to comply with the conditions subject to which the licence was granted;
  - (b) to ensure that the animal does not come into contact with any other animal or with any contact animal (other than an animal or contact animal with which it has been transported to the Islands); and
  - (c) immediately to report the loss of the animal to an authorised person, a police officer or a revenue officer.
- (5) If an animal to which this section applies is involved while in the Islands in an incident whereby rabies <sup>is</sup> could be transmitted to a human being, or to another animal or a contact animal (other than an animal or contact animal with which it is permitted to come into contact under the foregoing provisions of this section), the person for the time being in charge of the animal shall forthwith give notice of the incident to an authorised person, a police officer or a revenue officer.

- (6) On receiving notice of an incident to which the provisions of subsection (5) of this section relate, an authorised person, police officer or revenue officer shall forthwith inform the Committee.
- (7) On receiving such information under the provisions of subsection (6) of this section, the Committee may, if it considers it expedient so to do, require that the animal shall not leave the Islands until after it had undergone detention and isolation in quarantine at its owner's expense, at such premises, and for such period (not exceeding six calendar months) and subject to such conditions, as the Committee may direct.
- (8) Where the Committee considers that anything connected with an animal to which this section applies, or connected with the detention, isolation or movement of such an animal, may give rise to the risk of the introduction of rabies into the Islands, it may by written or oral notice given to the person for the time being in charge of the animal, impose such further conditions with regard to the animal, or with regard to its detention, isolation or movement, as the Committee may consider necessary for the purpose of reducing that risk, and it shall be the duty of the person to whom such notice is given to comply with the requirements thereof.
- (9) Where an animal to which the foregoing provisions of this section apply is not detained and isolated in accordance with those provisions, or is in any other respect the subject of a contravention thereof, that animal shall be deemed to have been illegally landed in the Islands for the purposes of this Order, and the provisions of sections ten and eleven of this Order shall accordingly apply thereto.

Authorised quarantine premises.

6. (1) No premises shall be used for the detention and isolation in quarantine of an animal to which this part of this Order applies unless they have been authorised for use for the purpose by a licence granted by the Committee.
- (2) A licence shall not be granted under the provisions of subsection (1) of this section unless the Committee is satisfied that the premises to which it relates are under the supervision of a veterinary surgeon or (in the case of research premises only) an authorised medical practitioner who has been authorised in writing by the Committee to act in that behalf, and any such authorisation may be issued for such period as may be specified therein, and given subject to such conditions as may be so specified.
- (3) A licence granted under the provisions of subsection (1) of this section shall remain in force for such period as may be specified therein, and shall be granted subject to such terms and conditions as may be so specified.
- (4) Nothing in the foregoing provisions of this section shall be construed as precluding the Committee at any time from withdrawing an authorisation given or revoking a licence granted thereunder, or from varying the terms or conditions subject to which it was given or granted, but without prejudice to anything lawfully done pursuant thereto before such withdrawal, revocation or variation takes effect.

Authorised carrying agents.

7. (1) The Committee may authorise in writing any person to act as an authorised carrying agent in connection with the movement of animals to which this Part of this Order applies, and any such authorisation may be issued for such period as may be specified therein, and given subject to such terms and conditions as may be so specified.
- (2) An authorisation issued by the Committee under the provisions of subsection (1) of this section may relate generally to the movement of animals to which this Part of 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) Where the Committee has, in accordance with the foregoing provisions of this section, authorised a person to act as an authorised carrying agent, it may at any time withdraw such authorisation, or vary the terms and conditions subject to which the authorisation was given, but without prejudice to anything lawfully done pursuant thereto before such withdrawal or variation takes effect.

Records.

8. (1) The person in charge of authorised 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 Committee, either generally or in relation to 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 section 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 him for inspection at all reasonable times on demand to an authorised person or a police officer, who shall be entitled to take a copy of such entry.
- (4) The Committee may supply forms of record for the purposes of this section.

Detention of animals on board vessels in harbour.

9. (1) Subject to the provisions of subsection (2) of this section, it shall be the duty of the master of a vessel in harbour in the Islands to ensure that an animal to which this section applies -
  - (a) is at all times securely confined within an 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 the Islands); and
  - (c) is in no circumstances permitted to land.

- (2) Paragraph (c) of subsection (1) of this section shall not apply to an animal which is landed -
  - (a) in accordance with a licence granted under section one of this Order; or
  - (b) in the circumstances referred to in section five of this Order.
- (3) If an animal to which this section applies is involved in an incident whereby rabies could 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 the Islands), the person for the time being in charge of the animal shall forthwith give notice of the incident to a revenue officer.
- (4) On receiving notice of an incident to which the provisions of subsection (3) of this section relate, a revenue officer shall forthwith inform the Committee.
- (5) On receiving such information under the provisions of subsection (4) of this section, the Committee may, if it considers it expedient so to do, require (in the case of an animal which would not otherwise be permitted to land under the provisions of this section) that the animal shall not leave the Islands until after it has undergone detention and isolation in quarantine at its owner's expense, at such premises, and for such period (not exceeding six calendar months) and subject to such conditions, as the Committee may direct.
- (6) If an animal to which this section applies is lost from a vessel in harbour in the Islands, the Master of that vessel shall forthwith give notice of the loss to a revenue officer.
- (7) The provisions of this section shall apply to any animal which has, within the preceding six calendar months, been in a place outside the Islands, the United Kingdom, the Republic of Ireland, Alderney, the Bailiwick of Jersey and the Isle of Man.

Action in case of illegal landing or breach of quarantine.

10. (1) Without prejudice to the provisions of section eleven of this Order, where -
  - (a) an animal which is required to be detained and isolated in quarantine under any of the provisions of this Order, or under the provisions of a licence granted or notice served hereunder, is not so detained and isolated, or
  - (b) there is reason to believe that an animal has been landed in the Islands in contravention of this Order or of a licence granted hereunder,

an authorised person may by written or oral notice served on the person appearing to him to be in charge of the animal, require that person, at the expense of the owner of the animal or of the person on whom the notice is served, immediately to detain and isolate the animal, and, within the time specified in the notice, to ensure that it is moved in such a manner, and in compliance with such conditions, as may be so specified -

- (i) to a vessel or aircraft for exportation; or
- (ii) to authorised quarantine premises for the purpose of detention and isolation in quarantine at its owner's expense for a period of six calendar months from the date of the notice, or for such shorter period as may be specified therein.

- (2) If any person on whom a notice is served under the provisions of subsection (1) of this section fails to comply with the requirements thereof, an authorised person may, without prejudice to any proceedings for an offence arising from such default, or arising in connection with any other contravention of this Order or of a licence granted or notice served hereunder, seize the animal to which the notice relates, and arrange for the notice to be complied with; and the person on whom the notice was served, and the owner of the animal and any other person having charge thereof, shall render all reasonable assistance to an authorised person to enable him to exercise the power conferred by the foregoing provisions of this subsection, and the reasonable expenses incurred in the exercise of that power shall be recoverable by the States as a civil debt from the owner of the animal, or from the person on whom the notice was served.
- (3) The operation of a notice served under the provisions of subsection (1) of this section may be terminated by notice to that effect given by an authorised person to the owner or person in charge of the animal on proof to the satisfaction of the authorised person that the animal was not landed in the Islands in contravention of this Order, or of a licence granted hereunder, or that six calendar months have expired since the date of the landing of the animal.
- (4) Without prejudice to the provisions of section eleven of this Order, where, in respect of an animal to which subsection (1) of this section applies, an authorised person -
- (a) has reasonable grounds for believing that the animal does not have an owner, or
  - (b) is unable, after reasonable inquiry, to trace the owner of the animal, or any person otherwise having charge of it, or
  - (c) has reason to believe that the service of a notice under subsection (1) of this section would result in an unreasonable delay in dealing with the animal,

he may seize the animal and arrange for its exportation or detention and isolation in quarantine at authorised quarantine premises:

Provided that he shall (where the identity of the owner of the animal is known or subsequently becomes known to him), as soon as practicable, inform that person in writing of the action he has taken.

- (5) The reasonable expenses incurred in the exercise of the power conferred on an authorised person by the provisions of subsection (4) of this section shall, without prejudice to any proceedings arising in connection with any contravention of this Order, or of a licence granted hereunder, be recoverable by the States as a civil debt from the owner of the animal.
- (6) Nothing in this section shall affect the powers of the Chief Revenue Officer to seize or detain as liable to forfeiture under the Customs and Excise (General Provisions) (Bailiwick of Guernsey) Law, 1972 (b), an animal which is landed in the Islands in contravention of this Order, or of a licence granted hereunder, or the institution of legal proceedings under the said Law in respect of such contravention.
- (7) In this section, the expression "an authorised person" includes a revenue officer.

Power to destroy imported animals.

11. An authorised person may destroy or cause to be destroyed any animal landed in the Islands 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 the reasonable expenses incurred in the exercise of the power conferred by the foregoing provisions of this section shall, without prejudice to any proceedings arising in connection with a contravention of this Order, or of a licence granted hereunder, be recoverable by the States as a civil debt from the owner of the animal.

Contact Animals

12. (1) Except as provided for in the foregoing provisions of 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 the provisions of this Order, or which has escaped from such detention and isolation, or
  - (b) which is awaiting exportation from a port or airport, or which is in the course of transit through the Islands, under the provisions of section five of this Order, or
  - (c) which is on board a vessel in any harbour in the Islands in circumstances to which section nine of this Order applies, or
  - (d) which has been or which is suspected of having been landed in the Islands in contravention of the provisions of this Order, or of a licence granted hereunder,

the Committee may, by notice in writing served on the owner or other person appearing to it to have the control or custody of the said animal or contact animal, apply such of the provisions of this Order thereto as the Committee may consider expedient, with such modifications or variations as may be specified in the notice, and it shall be the duty of the person on whom such a notice is served to comply with the requirements thereof.

- (2) A notice served under the provisions of subsection (1) of this section shall remain in force for such period as may be specified therein, unless withdrawn by a further notice served in like manner.

PART II

CONTROL OF RABIES

Notice of rabies or suspected rabies.

13. (1) Subject to the provisions of subsection (4) of this section, a person who knows or suspects that an animal (whether in captivity or not) is affected with rabies, or was at the time of its death so affected, shall with all practicable speed give notice of that fact to an authorised person or to a police officer, unless he believes on reasonable grounds that another person has given notice under the provisions of this subsection in respect of that animal.
- (2) Without prejudice to the provisions of subsection (1) of this section, a person who knows or suspects that an animal in his possession or under his charge is, or was at the time of its death, affected with rabies shall, as far as practicable, keep that animal or, as the case may be, the carcase of that animal separate from any other animal.
- (3) Where notice under the provisions of subsection (1) of this section is given to an authorised person or to a police officer, he shall immediately transmit the information received by him by the most expeditious means to the Committee.
- (4) Subsections (1) and (2) of this section shall not apply in such cases as may be prescribed by an order made under section one of the Law for the purpose of regulating the keeping, importation or use of rabies virus.

Declaration of infected place.

14. (1) Where an authorised person receives information under the provisions of section thirteen of this Order concerning the existence at any premises of an animal affected with or suspected of being affected with rabies, or of the death of any such animal at any such premises, or where, through any other cause, he has reasonable grounds for suspecting that rabies exists or has within the preceding 56 days existed at any premises, or that there is an animal thereat which has been or which may have been exposed to the infection of rabies, he may cause a notice in the form set out in Schedule 3 to this Order to be served on the occupier of the said premises.
- (2) On service of such a notice the premises, within the limits specified in the notice, shall become an infected place, and such place, and any person from time to time therein, shall be subject to -
  - (a) the rules prescribed in section sixteen of this Order, and
  - (b) any additional rules which may be specified in a further notice, in so far as such rules are from time to time in force.
- (3) The Committee may from time to time, by service of a further notice in writing on the occupier of the infected place, direct all or any of the following things, namely -

- (a) that the limits of the infected place shall be altered in the manner described in the notice;
  - (b) that any of the rules prescribed by section sixteen of this Order or by a previous notice served in accordance with the provisions of this subsection shall cease to apply to the infected place, or to persons therein, or shall be varied or modified to the extent or in the manner specified in the notice; or
  - (c) that such additional rules as may be specified in the notice shall apply to the infected place, or to persons from time to time therein.
- (4) The restrictions imposed by a notice or notices served under the foregoing provisions of this section shall remain in force until varied or cancelled by a written notice to that effect served by the Committee on the occupier of the infected place.

Veterinary inquiry as to the existence of rabies.

15. (1) Where by reason of information received, whether under sections thirteen and fourteen of this Order or otherwise, a veterinary officer has grounds for suspecting that rabies exists, or has within the preceding 56 days existed at any premises, or that there is an animal thereat which has been or which may have been exposed to the infection of that disease, he shall with all practicable speed inquire as to the correctness of such information, and examine any animal or the carcase of any animal found at the premises.
- (2) For the purpose of discharging his functions under this section, a veterinary officer may -
- (a) enter on any part of the premises;
  - (b) remove or cause to be removed from the premises any animal affected with or suspected of being affected with rabies, or any animal which has been in contact with an animal so affected or suspected, or the carcase of any such animal, to a place where the animal can conveniently be kept under veterinary observation, or to a place where the animal or carcase can be subjected to diagnostic tests; and
  - (c) take such samples as may be required for the purpose of diagnosis from any animal on the premises, whether or not such animal is affected with or suspected of being affected with rabies, or has been in contact with an animal so affected or suspected;
- and the occupier of the premises and the persons in his employment shall render such reasonable assistance to the veterinary officer as may be required for the purposes of this section.
- (3) The occupier of any premises on which there is or has been an animal affected with or suspected of being affected with rabies, or the carcase of any such animal, or an animal or the carcase of an animal which has been in contact with an animal so affected or suspected, and the veterinary surgeon (if any) who has been attending or has been consulted respecting the animal or carcase, and any person who has been in charge of the animal or carcase or in any manner in contact with it, shall give all reasonable facilities for an inquiry under this section, and for the removal of any animal or carcase and the taking of samples.

- (4) Any such occupier, veterinary surgeon or person as aforesaid shall, if so required by an authorised person, give such information as he possesses as to the animal or carcase, as to the location or movements of any other animal in his possession or under his charge, and as to any other animal with which any such animal may have been in contact.

Rules relating to infected places.

16. (1) Any premises declared to be an infected place by a notice served under the provisions of section fourteen of this Order, and any person from time to time thereat, shall be subject to the following rules, namely -

Rule 1. Any animal in the infected place which is affected with or suspected of being affected with rabies, or any animal therein which has been in contact with an animal so affected or suspected, shall be detained and isolated in a part of the infected place approved for the purpose by an authorised person.

Rule 2. No person shall have access to an animal detained and isolated under Rule 1 above, except under the authority of a licence granted by the Committee, and in accordance with the terms and conditions subject to which it was granted. This prohibition shall not apply to an authorised person, the owner of the animal or his representative, a person tending the animal or a veterinary surgeon employed by the owner.

Rule 3. No animal shall be moved into or out of an infected place, except under the authority of a licence granted by the Committee, and in accordance with the terms and conditions subject to which it was granted.

Rule 4. No carcase shall be removed from an infected place, except under the authority of a licence granted by the Committee, and in accordance with the terms and conditions subject to which it was granted, and the carcase of an animal dying at the infected place shall be disposed of in a manner specified by a veterinary officer.

Rule 5. Subject to the power of a veterinary officer to remove and detain an animal under the provisions of subsection (2) of section fifteen of this Order, any animal in the infected place which is affected with or suspected of being affected with rabies, or which has been in contact with an animal so affected or suspected, may be slaughtered by or on behalf of its owner, but only after notice of the intended slaughter has been given to a veterinary officer. Where such slaughter takes place steps shall be taken to ensure that the head and neck of the animal are not damaged, and if required, the carcase shall be made available to a veterinary officer for veterinary investigation.

Rule 6. Notice of the death of any animal in the infected place shall be given with all practicable speed to an authorised person by the owner or other person in charge of the animal, or by the occupier of the infected place.

Rule 7. No litter, dung, soil, man, urine or other thing coming from, or used in connection with, the animal affected with or suspected of being affected with rabies, or an animal which has been in contact with an animal so affected or suspected, shall be removed from the infected place, except under the authority of a licence granted by the Committee, and in accordance with the terms and conditions subject to which it was granted.

Rule 8. Every part of an infected place where an animal affected with or suspected of being affected with rabies, or an animal which has been in contact with an animal so affected or suspected, has been, shall be disinfected by the occupier of the infected place in accordance with the authority of an order issued by an authorized person.

Rule 9. The occupier shall ensure that notices in a form approved by an authorized person are prominently displayed at the infected place, indicating that it has been declared so to be, and drawing attention to the existence or possible existence of rabies thereat.

- (2) Where the occupier of an infected place fails to comply with the requirements of Rule 8 or Rule 9 above, it shall be lawful for an authorized person to enter the infected place, and to carry out or cause to be carried out the necessary disinfection, or to erect or cause to be erected the requisite notices; and, without prejudice to any proceedings arising out of the default, the reasonable expenses of the Committee incurred in making good the default shall be recoverable by the States as a civil debt from the occupier of the infected place.

Slaughter of animals affected or suspected of being affected with rabies.

- 17. (1) The Committee may, if it thinks fit, cause to be slaughtered any animal which -
  - (a) is affected or suspected of being affected with rabies; or
  - (b) has been exposed to infection with rabies.
- (2) Where the Committee proposes to cause an animal to be slaughtered under the provisions of the last preceding subsection, an authorized person shall serve a notice of intended slaughter on the owner or other person in charge of the animal, informing him of the proposed slaughter, and (except where the animal has already been removed by a veterinary officer under the provisions of paragraph (b) of subsection (2) of section fifteen of this Order) requiring him to surrender the animal for slaughter, or to detain the animal pending its slaughter (or pending its surrender and removal for slaughter) on such part of the premises at which the animal is kept as may be specified in the notice, and to isolate it as far as practicable from any other animal.
- (3) The person on whom such a notice has been served -
  - (a) shall comply therewith; and
  - (b) shall not move the animal, or cause or permit it to be moved, off the part of the premises on which it is required to be detained, except under the authority of a licence granted by the Committee, and in accordance with the terms and conditions subject to which it was granted.

Declaration of infected area.

- 18. (1) Where the Committee believes or suspects that rabies exists, or has within the preceding six months existed, in an area, it may by notice declare that area, together with any adjoining area into which the Committee considers there may be a possibility of rabies spreading, to be an infected area for purposes connected with the control and eradication of that disease, and the provisions of sections nineteen, twenty and twenty-one of this Order shall apply in relation to every infected area so declared.

- (2) A notice to which subsection (1) of this section relates may -
  - (a) provide for the division of the infected area into zones delineated in accordance with the notice;
  - (b) provide for the application in each such zone of such of the provisions of Schedule 4 to this Order as may be specified therein, and, where appropriate, prescribe the descriptions of animals and other matters in respect of which any such provision shall apply; and
  - (c) be varied or revoked by a subsequent notice.
- (3) Where a notice to which subsection (1) of this section relates does not provide for the division of the infected area into zones, the area as a whole shall, for the purposes of paragraph (b) of subsection (2) of this section be deemed to be a zone, and the provisions of Schedule 4 to this Order may be applied thereto as provided for in that paragraph.
- (4) A notice made under the provisions of subsection (1) of this section shall be published in La Gazette Officielle and in such other manner, if any, as the Committee may deem necessary or expedient for the information of the public.

Destruction of animals in infected areas

19. (1) Where the Committee considers it expedient so to do, it may take steps to secure the destruction in an infected area of wild animals (other than wild animals held in captivity), and an authorised person may enter any land (other than a dwellinghouse) for the purpose of carrying out, or of deciding whether to carry out, such destruction.
- (2) Where the Committee exercises the power conferred on it by subsection (1) of this section, methods of destruction may be used which would, apart from this provision, be unlawful.
- (3) Before commencing destruction of wild animals on any land, it shall be the duty of the Committee, whether by service of a notice in writing or by such other method as may be appropriate in the circumstances, to take all reasonable steps to inform the occupier, and any other person who may be on the land, of the proposal, and of the methods of destruction to be used.
- (4) Where destruction is carried out under the provisions of this section, the Committee may erect or cause to be erected fences or other obstacles for the purpose of restricting the movement of animals into and out of the area affected.
- (5) The carcase of every wild animal destroyed under the provisions of this section shall belong to the Committee, and shall be buried or otherwise disposed of in such manner as the Committee may determine.
- (6) No person shall obstruct the destruction of wild animals under the provisions of this section, or interfere with the carcase of any wild animal so destroyed.

Power to prohibit sporting or recreational activities on account of rabies.

20. (1) The Committee may prohibit by notice in writing the holding of any sporting or recreational activity on any land in an infected area specified in the notice when in the opinion of the Committee, the holding of such activity on that land may cause the spread of rabies, and any such notice (which may be withdrawn or varied by a subsequent notice) shall be served on the person or persons responsible for the holding of such activity.
- (2) A notice of prohibition under the provisions of subsection (1) of this section shall be given to the appropriate person -
  - (a) by serving it on him in accordance with the provisions of section twenty-two of this Order; or

- (b) by exhibiting it in a prominent position on the land to which it relates, or by publishing it in La Gazette Officielle, or by exhibiting it or publishing it in such other way as the Committee is satisfied will best bring it to the attention of persons likely to be affected by the prohibition.

Erection of warning notices.

- 21. (1) The Committee may erect or cause to be erected notices -
  - (a) at any place within and on the boundaries of an infected area, indicating that the area is an infected area for purposes connected with the control and eradication of rabies; and
  - (b) on the boundaries of and on any access to land on which destruction of wild animals is carried out in accordance with the provisions of section nineteen of this Order, indicating the nature of the operations being carried out on the land, and the methods of destruction being used.
- (2) A person shall not remove, destroy, deface or alter any notice exhibited under any of the provisions of this Order.

PART III

GENERAL

Service of notices.

22. Any notice which may be served for the purposes of this Order shall be validly served -
- (a) on any person, if delivered to him, left, or sent by registered post or by recorded delivery service to him at his usual or last known place of abode;
  - (b) on any firm, if delivered to any partner of the firm, or left at, or sent by registered post or by recorded delivery service to, the principal or last known principal place of business of the firm;
  - (c) on any body corporate, if left at, or sent by registered post or by recorded delivery service to, its registered office if situate in the Island of Guernsey, or, if its registered office is not so situate, its principal or last known principal place of business in the Island.

Interpretation.

23. (1) in this Order, unless the context otherwise requires -

"animal" -

- (a) in Part I of, and Schedule 2 to, this Order means an animal (other than man) belonging to any of the orders of mammals specified in Part I and Part II of Schedule 1 to this Order;
- (b) in Part II of, and Schedules 3 and 4 to, this Order means an animal (other than man) belonging to any of the orders of mammals specified in Schedule 1 to this Order;

"authorised carrying agent" means a person authorised by the Committee under the provisions of section seven of this Order to carry animals;

"authorised medical practitioner" means a person authorised to practise in the Island of Guernsey as a medical practitioner according to the law for the time being in force, or a medical practitioner approved by the Committee;

"authorised person" means a person authorised in writing by the Committee to perform such functions and to exercise such powers under the provisions of this Order as may be specified in such authorisation and includes a veterinary officer.

"authorised quarantine premises" means premises authorised by the Committee under the provisions of section six of this Order for use for the detention and isolation of animals in quarantine;

"cat" means an animal belonging to the species *Felis catus* of the order of mammals Carnivora;

"the Chief Revenue Officer" means the Chief Revenue Officer for the time being appointed by the States of Guernsey Civil Service Board;

"the Committee" means the States of Guernsey ~~Committee for Agriculture~~;

"contact animal" means an animal belonging to any of the Orders of mammals specified in Part III of Schedule 1 to this Order;

"dog" means an animal belonging to the species *Canis familiaris* of the order of mammals Carnivora;

"infected area" means an area which is declared to be an infected area for purposes connected with the control and eradication of rabies by a notice of the Committee to which section eighteen of this Order relates, and "infected area notice" shall be construed accordingly;

"infected place" means a place which is declared to be an infected place by a notice served under the provisions of section fourteen of this Order.

"the Islands" means the Islands of Guernsey, Sark, Herm and Jethou;

"the Law" means the Rabies (Bailiwick of Guernsey) Law, 1975;

"licence" means a licence granted under this Order, and includes any permit, approval or other form of authorisation;

"master" means the person having the charge or control of a vessel;

"police officer" means -

- (a) in relation to the Islands of Guernsey, Herm and Jethou, a member of the salaried police force of the Island of Guernsey and, within the limits of his jurisdiction, a member of the special constabulary of the Island of Guernsey;
- (b) in relation to the Island of Sark, the Constable, the Vingtenier and a member of the said police force of the Island of Guernsey;

"premises" includes land, with or without buildings, and where a person occupies land which comprises two or more non-adjacent areas, each of those areas shall be deemed to be separate premises for the purposes of this Order;

"research premises" means premises at which animals which have been brought to the Islands from a place outside the Islands are used in connection with scientific research;

"revenue officer" means a person authorised to act as a States Revenue Officer by the States of Guernsey Board of Administration;

"veterinary officer" means the States Veterinary Officer of Guernsey and includes any veterinary surgeon appointed in writing by the Committee to perform the functions of a veterinary officer in the purposes of the Law;

"veterinary surgeon" means a person authorised to practise as such in the Island of Guernsey in accordance with the provisions of the Doctors, Dentists and Veterinary Surgeons (Authorisation) Ordinance, 1951 (c);

and other expressions have the same meaning as in the Law.

- (2) For the purposes of Part I of this Order, an animal shall be deemed to have been landed in the Islands 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:

Provided that this subsection shall not apply in respect of an animal which is, under the authority of an authorised person or a revenue officer, transported by water directly from one vessel to another, without the boat in which the animal is carried touching land, or the animal being put on land.

- (3) In this Order any reference to an enactment shall, except where the context otherwise requires, be construed as a reference to that enactment as amended, repealed and replaced, extended or applied by any other enactment.
- (4) The Interpretation (Guernsey) Law, 1948 (d), shall apply to the interpretation of this Order as it applies to the interpretation of a Guernsey enactment.

(c) Recueil d'Ordonnances Tome X p. 171.

(d) Ordres en Conseil Vol XIII, p. 355.

- Extent. 24. This Order shall have effect in the Islands of Guernsey, Sark, Herm and Jethou.
- Citation 25. This Order may be cited as the Rabies Order, 1976, and shall and come into force on the first day of May, nineteen hundred and commencement. seventy-six.

Dated this twenty-first day of April, nineteen hundred and seventy-six.

SIGNED (PEPPINO SANTANGELO)

President of the States Committee for Agriculture  
for and on behalf of the Committee.

SCHEDULE 1

Animals to which the Order Applies

Part I

Animals Subject to Quarantine for Life

Order		Common names of some species (see note below)
Chiroptera	Desmodontidae only	Vampire bats

Part II

Animals Subject to 6 Months' Quarantine

Order		Common names of some species (see note below)
Carnivora	All families and species	Dogs, cats, jackals, foxes, wolves, bears, raccoons, coatis, pandas, otters, weasels, martens, polecats, badgers, skunks, mink, ratels, genets, civets, linsangs, mongooses, hyaenas, ocelots, 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, hares
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, indris, sifakas, aye-ayes, lorises, bushbabies, tarsiers, titis, uakaris, sakis, howlers, capuchins, squirrel monkeys, macaques, tamarins, macaques, mangabeys, baboons, langurs, gibbons, great apes
Rodentia		Gophers, squirrels, chipmunks, marmoset 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 III

Additional Animals for Contact Purposes (Section 12)

Order	Common names of some species (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

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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.

Section 1 (4)

SCHEDULE 2

Ports and airports at which authorised landings of animals may take place.

Part I

Ports

The harbour of Saint Peter Port

Part II

Airports

La Villiaze Airport

SCHEDULE 3 (Section 14)

Form of Notice Declaring and Defining the Limits of Infected Place

THE RABIES ORDER 1976 (Section 14)

NOTICE DECLARING AND DEFINING THE LIMITS OF AN INFECTED PLACE

To ..... of .....

I, the undersigned, being a person authorised in that behalf by the States of Guernsey Committee for Agriculture hereby give you as the occupier of the undermentioned premises notice that in accordance with the provisions of the above-mentioned order, the undermentioned premises are hereby declared to be an infected place for the purposes of the said order, and that the premises, and any person from time to time thereat, accordingly become subject to the Rules specified in this notice which are printed on the back hereof. Any person infringing these Rules is liable to prosecution.

This notice remains in force in its present form until it is cancelled or varied by a subsequent notice served by a person authorised in that behalf by the said Committee or the occupier of the infected place.

Note - A notice declaring an infected place may be served under Section 14 of the Rabies Order in respect of any premises at which there is an animal affected with or suspected of being affected with rabies, or at which such an animal has died, or in respect of premises at which an authorised person has reasonable grounds for suspecting that rabies has existed within the previous 56 days, or that there is an animal which has been or which may have been exposed to the infection of rabies through contact with an affected or suspected animal.

Description of infected place

Dated ..... 19 (Signed ) ..... Official address .....

The authorised person is with all practicable speed to send copies of this notice to the Committee and where the infected place is - (a) in the Islands of Guernsey, Herm or Jethou, to the Chief Officer of Police; or (b) in the Island of Sark, to the Constable. The Rules set out in section 16 of the Order are to be printed on the back of this notice

SCHEDULE 4

Provisions which may be applied in Zones in Infected Areas (Section 18)

PROVISION I

Restriction of movement of animals into and out of a zone

- (1) The movement of animals of such descriptions or species as may be prescribed by the infected area notice into or out of any zone as may be so prescribed, is hereby prohibited, except under the authority of a licence granted by an authorised person, and in accordance with the terms and conditions subject to which it was granted.
- (2) Paragraph (1) above shall not apply to an animal which is transported directly between two places outside the zone, provided the animal is not unloaded within the zone from the vehicle or vessel which is carrying it, or permitted to come into contact with any other animal while there.

PROVISION II

Control of dogs and cats

- (1) Subject to paragraphs (2) and (4) below, it shall be the duty of the owner or other person in charge of a dog or cat, and of the occupier of the premises at which the dog or cat is normally kept, or at which it may be temporarily staying, to ensure that the dog or cat -
  - (a) is at all times securely confined within the premises, or a part thereof, and does not stray or escape therefrom;
  - (b) does not come into contact with any other animal, other than an animal with which it is normally in contact at the premises; and
  - (c) only leaves the premises in accordance with this Provision.
- (2) Notwithstanding the requirements of paragraph (1) above, it shall not be unlawful for a dog or cat -
  - (a) to be exercised outside the premises within which it is confined, on condition that, throughout the period of exercise, it is -
    - (i) held securely on a leash by the person in charge of the dog or cat, and in no circumstances permitted to run free;
    - (ii) prevented from coming into contact with any other animal, other than an animal with which it is normally in contact at the premises at which it is confined; and
    - (iii) in the case of a dog, securely fitted with a muzzle; or
  - (b) to be moved to other premises within the same zone, on condition that -
    - (i) whilst being so moved, it is either controlled in the manner specified in the proviso to sub-paragraph (a) above, or carried in a suitable secure container which does not permit it to come into contact with any other animal other than an animal with which it is normally in contact at the premises at which it is confined; and
    - (ii) it does not (except under the authority of a licence granted by an authorised person, and in accordance with the terms and conditions subject to which it was granted) come into contact with any other animal at the premises to which it is moved.
- (3) An authorised person may serve on the owner or other person in charge of a dog or cat, or on the occupier of the premises at which the dog or cat is or should be confined, a notice in writing setting out such requirements, and prescribing such conditions, with respect to the control and

confinement of the dog or cat as the authorised person may consider appropriate, and the person on whom such a notice is served shall take all necessary steps to comply with the provisions thereof.

- (4) Where a veterinary officer is satisfied that, having regard to the purpose for which a particular dog or cat is kept, any of the requirements of paragraphs (1) and (2) above would, if applied to that dog or cat, unduly restrict its use for that purpose, he may by licence exempt the owner or other person in charge of that dog or cat from all or any of those requirements, subject to compliance by that person with such conditions as may be imposed by the licence.

### PROVISION III

#### Control of animals other than dogs and cats

- (1) Subject to paragraphs (2) and (4) below, it shall be the duty of the owner or other person in charge of an animal of a description or species prescribed by the infected area notice, and of the occupier of the premises at which such animal is normally kept, or at which it may be temporarily staying, to ensure that the animal -
- (a) is at all times securely confined within the premises, or a part thereof, and does not stray or escape therefrom;
  - (b) does not come into contact with any other animal, other than an animal with which it is normally in contact at the premises; and
  - (c) only leaves the premises in accordance with this Provision.
- (2) Notwithstanding the requirements of paragraph (1) above, it shall not be unlawful for an animal -
- (a) which is normally exercised outside the premises within which it is confined to be so exercised, on condition that, throughout the period of exercise, it is -
    - (i) closely controlled and properly restrained by the person in charge of the animal, and in no circumstances permitted to run free; and
    - (ii) prevented from coming into contact with any other animal, other than an animal with which it is normally in contact at the premises at which it is confined; or
  - (b) to be moved to other premises within the same zone:  
Provided that -
    - (i) it is transported in such a way as will ensure that it is kept under proper control and restraint, and that it cannot come into contact with any other animal, other than an animal with which it is normally in contact at the premises at which it is confined; and
    - (ii) it does not (except under the authority of a licence granted by an authorised person, and in accordance with the terms and conditions subject to which it was granted) come into contact with any other animal at the premises to which it is moved.
- (3) An authorised person may serve on the owner or other person in charge of an animal to which this Provision applies, or on the occupier of the premises at which the animal is or should be confined, a notice in writing setting out such requirements, and prescribing such conditions, with respect to the control and confinement of the animal as the authorised person may consider appropriate, and the person on whom such a notice is served shall take all necessary steps to comply with the provisions thereof.

- (4) Where a veterinary officer is satisfied that, having regard to the purpose for which a particular animal to which this provision applies is kept, any of the requirements of paragraphs (1) and (2) above would, if applied to that animal, unduly restrict its use for that purpose, he may by licence exempt the owner or other person in charge of that animal from all or any of those requirements, subject to compliance by that person with such conditions as may be imposed by the licence.

#### PROVISION IV

##### Seizure, detention and disposal of animals not under control.

- (1) Where an animal to which Provision II or Provision III applies is not confined or controlled as required by those Provisions, or as required by a notice served or licence granted thereunder, an authorised person or a police officer may seize and detain the animal, and the following paragraphs of this Provision shall apply thereto.
- (2) The Committee shall take all reasonable steps to draw the attention of members of the public to the address or location of any place at which animals seized under paragraph (1) above are to be detained, and an animal seized under that paragraph shall be removed to such a place, and detained thereat for a period of 3 days, unless claimed by or on behalf of its owner within that period.
- (3) Where an animal seized under this Provision is claimed by or on behalf of its owner within the period specified in paragraph (2) above, the Committee may require the animal to be detained at its owner's expense at such place and for such additional period as an authorised person may direct.
- (4) Where the owner of an animal which has been claimed within the period specified in paragraph (2) above -
  - (a) fails to meet, within the period specified by the Committee, the reasonable expenses of the Committee in seizing and detaining the animal, or
  - (b) where an additional period of detention has been directed in respect of the animal under paragraph (3) above, fails to enter into an arrangement satisfactory to the Committee for meeting the reasonable expenses of the Committee incurred or to be incurred in connection with such additional period of detention, or fails to comply with the terms of such an arrangement,the Committee may destroy the animal and dispose of its carcase, or otherwise dispose of the animal as it may think fit.
- (5) Where an animal seized under this Provision is not claimed by or on behalf of its owner within the period specified in paragraph (2) above, the Committee may destroy the animal and dispose of its carcase, or otherwise dispose of the animal as it may think fit.
- (6) The reasonable expenses of the Committee incurred in seizing, detaining, destroying or disposing of an animal or carcase under the foregoing paragraphs of this Provision shall, without prejudice to any proceedings arising for an offence against the Law, be recoverable by the States as a civil debt from the owner of the animal.
- (7) Where circumstances prevent an animal which is liable to be seized under this Provision from being so seized, it shall be lawful for an authorised person or a police officer to destroy the animal without so seizing it.
- (8) An authorised person or a police officer may enter any land for the purpose of seizing or destroying an animal which is liable to be seized or destroyed under the foregoing paragraphs of this Provision.

PROVISION V

Compulsory vaccination of animals.

- (1) The owner of an animal of a description or species prescribed by the infected area notice shall take steps to ensure that the animal is, within such period as may be so prescribed, vaccinated against rabies with a vaccine approved for the purpose by the Committee.
- (2) Where an animal is vaccinated under paragraph (1) above, the owner of the animal shall ensure that it is marked in such manner, or provided with such other means of identification, as the Committee may require.
- (3) Where a person fails to comply with any of the foregoing requirements of this Provision, the Committee may seize the animal and -
  - (a) arrange for those requirements to be carried out; or
  - (b) destroy the animal and dispose of its carcase, or otherwise dispose of the animal as it may think fit.
- (4) An authorised person may enter any land for the purpose of seizing an animal under paragraph (3) above, and the owner or other person in charge of the animal, and the occupier of the land, shall render all reasonable assistance to such officer or inspector to enable him to exercise the powers conferred by this paragraph.
- (5) The reasonable expenses of the Committee incurred in connection with the seizure, vaccination, marking or identification, destruction or disposal of an animal under paragraphs (3) and (4) above shall be recoverable by the States as a civil debt from the owner of the animal, without prejudice to any proceedings arising for an offence against the Law.

PROVISION VI

Prohibition of gatherings of animals

Events of a kind prescribed by the infected area notice at which animals, or such descriptions or species of animals as may be so prescribed, are gathered together, are hereby prohibited, except under the authority of a licence granted by the Committee, and in accordance with the terms and conditions subject to which it was granted; and the occupier of any land on which an event prohibited by this provision is held, and the person responsible for organising or holding that event, commits an offence against the Law.

PROVISION VII

Prohibition of certain activities

- (1) The following activities are hereby prohibited, except under the authority of a licence granted by the Committee and in accordance with the terms and conditions subject to which it was granted, namely -
  - (a) the racing or coursing, or the training for racing or coursing, of any hounds or dogs;
  - (b) the shooting or attempted shooting of game or other wildlife.
- (2) Any person who takes part in an activity prohibited by paragraph (1) above, commits an offence against the Law.

PROVISION VIII

Notification of deaths of animals.

- (1) Any person who knows of the death of an animal of a description or species prescribed by the infected area notice, or who finds the carcass of such an animal, shall report the fact to the Committee, or to an authorised person, unless he has reasonable grounds for believing that the animal did not die from rabies, or that the fact of its death has already been reported.

Explanatory Note

(This Note does not form part of the Order but is intended to indicate its general purport)

This Order is made by the States of Guernsey Committee for Agriculture under the powers conferred upon the Committee by the Rabies (Bailiwick of Guernsey) Law, 1975.

The Order has effect in the Islands of Guernsey, Sark, Herm and Jethou ("the Islands").

By virtue of section 6 of the Rabies (Bailiwick of Guernsey) Law, 1975, any person who contravenes or fails to comply with any of the provisions of this Order or any direction given or requirement imposed thereunder shall be guilty of an offence and liable, on conviction, to imprisonment for a term not exceeding twelve months or to a fine or to both.

Part I

For the purpose of preventing the introduction of rabies into the Islands, Part I of the Order controls the landing of any animal (other than man) specified in Parts I and II of Schedule 1.

Part I of the Order prohibits the landing in the Islands of such animals except under the authority of, and in compliance with the conditions of, a licence previously granted by the Committee. However, licences are not required for the movement of animals between the Islands nor for the landing of animals coming from the United Kingdom, the Republic of Ireland, the Island of Alderney, the Bailiwick of Jersey or the Isle of Man provided that such animals have not been outside those countries within the preceding six months. Nor is a licence necessary in respect of an animal which is landed at a port or airport in Guernsey for the purpose of re-exportation from the same port or airport within a period of 48 hours although in such a case the animal is made subject to stringent controls with regard to its movements, detention and isolation.

Except where exceptional circumstances exist, animals may only be licensed to be landed at prescribed ports and airports, and they must be moved as soon as practicable after landing to authorised quarantine premises at which they are to be kept for the prescribed period of quarantine. Part I of the Order provides for the majority of animals to which it applies to be detained in quarantine for a period of six calendar months from the date of landing, but in the case of vampire bats, their entry into the Islands is only permitted on the basis of their being quarantined for life. Moreover, vampire bats which are born in the Islands are also made subject to quarantine for life.

Part I of the Order contains detailed provisions relating to the movement of animals during quarantine, the licensing of carrying agents

and of quarantine premises, and the control of animals which are passing through the Islands or which are on board a vessel in harbour in the Islands. The Committee is also given power to deal with animals (including animals belonging to the additional orders of mammals specified in Part III of Schedule 1) which have been in contact with animals from abroad, and other provisions relate to the keeping of records, the conditions which may be inserted in licences, and other ancillary matters.

With regard to contraventions of Part I of the Order, power is given to an authorised person to destroy an animal which is landed illegally, or in respect of which there has been a breach of a licence granted under the Order. As an alternative he may require such an animal to be re-exported or detained and isolated in quarantine.

## Part II

Part II of the Order lays down the procedure for the control of possible outbreaks of rabies in the Islands and applies to all animals (other than man) specified in Schedule 1. It imposes a duty on any person who knows or suspects that such an animal is suffering from rabies, or has died from that disease, to report the fact to the authorities. Where there are grounds for believing that rabies exists or has previously existed at any premises, power is given to an authorised person to declare by written notice those premises to be an infected place, and the effect of such a notice is to impose severe restrictions with respect to persons and animals at the premises.

Where premises have been declared to be an infected place, the Order requires a veterinary officer to carry out an inquiry to establish whether rabies exists or has previously existed thereat, and for this purpose he is given power to enter land, to remove animals and carcasses for veterinary investigation, and to take diagnostic samples. The occupier of the infected place and other persons who are or have been connected with animals at the premises are required to assist in the inquiry, and to supply such relevant information as they may possess.

This Part of the Order empowers the Committee to cause to be slaughtered any animal which has rabies or is suspected of having rabies or which has been exposed to infection with rabies. The Committee also has power to declare by notice published in La Gazette Officielle that an area in which it believes rabies exists or has within the preceding six months existed, together with any adjoining area into which it considers there is a possibility of rabies spreading, shall be an infected area for the purpose of controlling the disease. Such an area may be divided into zones, and the Committee may apply different controls in different zones.

In respect of all infected areas, the Committee may arrange for the destruction of wild animals which are not held in captivity if it considers such action to be necessary, and for this purpose authorised persons may enter any land (other than a dwelling house) and may use methods of destruction which would otherwise be unlawful. The Order also permits the Committee to prohibit by written notice any sporting or recreational activity on land within an infected area where it considers that the holding of the activity would give rise to the danger of rabies being spread.

Schedule 4 contains the provisions which the Committee may apply at its discretion to different zones in an infected area. Included amongst these is the power to prohibit (except under licence) shooting, and dog racing, and also the movement of animals into or out of a zone. Other provisions relate to the detention and confinement of dogs, cats and other animals within premises, their vaccination against rabies, the action to be taken in respect of breaches of such requirements, and other ancillary and incidental matters.