

Subsidiary Legislation made under s.26.

Equine Animals (Importation) Rules

LN.1979/057

Commencement **2.8.1979**

Amending enactments	Relevant current provisions	Commencement Date
LN. 1987/153	r. 6	26.11.1987
1988/003	rr. 2-5	1.2.1988
1998/067	r. 2	27.8.1998

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ARRANGEMENT OF RULES

Rule

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4. Detention of equine animals illegally imported.
5. Removal of equine animals from Gibraltar.
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Title.

1. These rules may be cited as the Equine Animals (Importation) Rules.

Interpretation.

2. In these rules—

“equine animal” means a horse, mare, gelding, pony, foal, colt, filly, stallion, ass or mule;

“authorised officer” means any environmental health officer authorised by the Director to act on his behalf.

Prohibition of importation of equine animals.

3.(1) No person shall import or bring into Gibraltar any equine animal except under the authority of and in accordance with the provisions of a licence issued by the Chief Environmental Health Officer .

(2) The licence of the Chief Environmental Health Officer shall be in writing and shall contain such conditions as the Chief Environmental Health Officer may think fit.

Detention of equine animals illegally imported.

4.(1) If any equine animal is imported or brought into Gibraltar in contravention of these rules, the Chief Environmental Health Officer or an authorised officer may serve on any person having the control or custody of the animal a notice in writing requiring him at the expense of the owner of the animal or the person on whom the notice was served to detain or isolate the animal subject to any conditions imposed by the notice and to subject it to, or to permit it to be subjected, to such examinations and tests as the Chief Environmental Health Officer or the authorised officer may determine.

(2) If any person on whom such a notice is served fails to comply with the requirements thereof it shall be lawful for the Chief Environmental Health Officer or an authorised officer, without prejudice to any proceedings for an offence arising out of such default, to seize the animal in respect of which the notice was served, and to detain or isolate it and subject it to such examinations and tests as he may determine.

(3) A person who has failed to comply with the terms of any such notice shall give all necessary facilities to the Chief Environmental Health Officer or an authorised officer to enable him to exercise the power conferred on the Chief Environmental Health Officer or the authorised officer by subrule (2), and the reasonable expenses incurred by the Chief

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Environmental Health Officer in exercising such power shall be recoverable as a civil debt from the owner of the animal or the person on whom the notice was served.

Removal of equine animals from Gibraltar.

5.(1) Subject to section 7 of the Act the Chief Environmental Health Officer or an authorised officer may serve a notice in writing on the owner or person in charge of any equine animal requiring the exportation of such equine animal immediately or within such time as he may state in the notice if–

- (a) there has been a failure to comply with any condition of a licence permitting the importation of such equine animal; or
- (b) the equine animal has been imported into Gibraltar in contravention of these rules.

(2) If such equine animal is not removed within such time as is stated in the notice, the Chief Environmental Health Officer may cause it to be destroyed.

Offences.

6. A person who contravenes any provision of these rules or fails to comply with any requirement lawfully made of him under these rules is guilty of an offence and is liable on conviction to imprisonment for six months and to a fine of £200.