ROSIE - ARTICLE 4

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| **LEGISLATION IN THE U.K. AND BENGALS**  by Barrie Alger-Street  ***(Updated February 2009)*** |
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| **1. Dangerous Wild Animals Act 1976**  When we introduced Bengals into the U.K. in 1991, we did so with the legal advice that a dangerous wild animal licence was required for the ALC and the first generation hybrid (F1). That advice was based on the wording of The Dangerous Wild Animals Act 1976 (DWA 1976). The DWA 1976 was a law introduced to protect the general public due to an increase in people keeping large wild animals such as lions and tigers, without proper security. The thought of such animals escaping and roaming suburbia prompted the Government to take action.  Later, in 1984 the Act was extended and annexes were added to include other animals, snakes and reptiles, etc., that were also considered a threat to humans. At this time all the small wild felidae were added and this included The Asian Leopard Cat, i.e. Prionailurus Bengalensis, sometimes known as Felis Bengalensis.  It was made very clear in the Act, that it was not the intention to stop people owning these animals, but to ensure the safety of the general public by proper security measures. It was also clearly indicated in the Act that it should apply only to animals that were actually dangerous to humans and posed a serious threat.  The recent overhaul of the Act made substantial changes across the whole spectrum of species affected by this legislation. A serious attempt was made to identify species that should be considered dangerous and to remove those that posed no threat. The welfare of species remaining subject to the Act was also given greater attention and conditions were relaxed for keeping them wherever appropriate.  Licensing by Local Authorities was also simplified, but penalties for breaking the Act were increased.  After several years of sometimes heated debate with DEFRA, the position of Bengals remains much the same as the original Act. D.W.A. licences are required for the Asian Leopard Cat and the F.1 Hybrid. |
| 2. Cites Legislation (The Convention on International Trade in Endangered Species of Wild Fauna and Flora)  The CITES Convention of 1997 considered the situation of Bengals in that the breed was created from hybridising with Prionailurus Bengalensis (The Asian Leopard Cat, also sometimes referred to as Felis Bengalensis). The U.K., along with all the other EU countries signed up to this Convention and therefore we are subject to the resolutions passed by this Convention. Canada and the USA also signed up to the agreement. Canada implements the Act in the same way that all E.U. countries do, i.e. the fifth generation onwards do not require CITES paperwork, but the first four generations do.  Where the USA is concerned, the same principle applies that the fifth generation onwards do not require CITES paperwork. However decision making appears to be left in the hands of local USF&W Inspectors dotted around the country, and this has caused a number of problems over recent years. There have been instances of cats being seized by some Inspectors, so caution needs to be exercised when importing or exporting to and from the USA. Make absolutely sure that the paperwork is exactly as required.  So any breeders importing or exporting Bengals need to be aware of CITES regulations. Very briefly, the regulations that affect Bengals are as follows:-  F1 to F4 generations inclusive are affected, F5 and beyond are not subject to controls.  The controls apply to what are considered to be “commercial” import and export of the affected generations. It would appear that if you are just travelling with your pet cat and it falls into one of these generations, then the controls do not apply, but it would certainly pay to ask before travelling.  CITES is a monitoring organisation and where Bengals are concerned, it is not there as a preventative measure. It means that you will need a CITES permit ‘prior’ to importing or exporting. In this country the permit takes about 10 – 15 working days, but I am told that the USA can take 60 – 90 working days.  CITES permits are not required for movement within the EU, however certain other commercial controls do apply, so find out first. Micro chipping and a copy of a certified pedigree could make life a lot easier as CITES legislation is being enforced.  The above notes are only intended for ‘basic’ guidance, but if you think CITES could affect you, then the following websites will help:- (i) www.cites.org (ii) www.ukcites.co.uk (iii) www.UKCITES.gov.uk. |
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