
Animals Importation Act [Cap 159]

LAWS OF FIJI

CHAPTER 159

ANIMALS IMPORTATION

Ordinance No. 32 of 1969, Act No. 14 of 1976

AN ACT TO REGULATE AND CONTROL THE IMPORTATION OF ANIMALS

[31st July, 1970]

Short title

1. This Act may be cited as the Animals Importation Act.

Interpretation

2. In this Act, unless the context otherwise requires-

"animal" means any living stage of any member of the animal kingdom except human beings and in the case of any mammal, bird or reptile includes the egg or semen or the carcass thereof;

"animal product" means any part of the animal including the flesh, wool, hair, skin, hide, bones, horns, hooves, feathers and other portions of the carcass and any product that is wholly or partly derived from an animal or any part of an animal being a product or a part of an animal which has not been treated or sterilised to the stage where it is rendered free from any disease and from carrying any disease;

"Assistant Director" means the Assistant Director Agriculture (Animal Health and Production);

"carcass" in relation to any mammal, reptile or bird means the dead body thereof including the whole or any part and every animal product derived therefrom;

"disease" means any disease specified in the Schedule;

"fittings" means any stall, stable, sheep pen, milking shed, horse box, cage, kennel or other premises for keeping or confining animals and any halters, brushes, clothes, buckets or other articles or things whatsoever which have been brought into contact with any animal;

"imported animal" or "imported animal product" means any animal or animal product brought into Fiji by sea or by air;

"inspector" means the Permanent Secretary, the Director of Agriculture, any veterinary officer, veterinary assistant, livestock officer or agricultural officer and includes any person appointed by the Minister to be an inspector for the purposes of this Act;

(Amended by 14 of 1976 s. 15.)

"packing material" means any straw, grass or leaves used in packing any goods and any other type of material in which animals or animal products are cased, covered, enclosed, contained or wrapped;

"Permanent Secretary" means the Permanent Secretary for Agriculture and Fisheries:

"place" includes any land, water, harbour, wharf, ship and aircraft within the outer limits of the territorial waters of Fiji;

"quarantine ground" means any land or place set apart by the Minister under the provisions of section 3.

Quarantine grounds

3.-(1) The Minister may, by notification in the Gazette, set apart and define any land as a quarantine ground for the detention of imported animals or any one or more kinds of imported animals.

(2) The Permanent Secretary may give directions on the regulation, management and control of quarantine grounds and the disposal and treatment of animals while in quarantine or in transit thereto or therefrom and may specify the time during which animals intended to be imported shall remain in quarantine.

Restrictions on importation of animals

4.-(1) No person shall import or introduce any animal, animal product, animal manure, packing material, fittings or fodder into Fiji-

(a) without the written permit of the Assistant Director or of a person authorised by him in that behalf; or

(b) in contravention of any regulations made under the provisions of this Act; or

(c) in contravention of the provisions of section 5.

(2) Every permit issued under the provisions of paragraph (a) of subsection (1) shall be subject to such conditions as may be specified therein or in any regulations made under the provisions of this Act and, without limiting the generality of the foregoing-

(a) conditions may be imposed which take effect after the importation or introduction of any animal or any animal product, animal manure or fittings; and

(b) conditions, may be imposed by any such regulations requiring the payment of a deposit or the entering into a bond', with or without sureties, for the compliance with the conditions of any such permit or regulations.

(3) Any permit issued under the provisions of this Act or of any regulations made thereunder may be general or may relate to a specified importation.

(4) Any permit issued under the provisions of this Act or of any regulations made thereunder may be revoked or varied at any time by the Minister or by any person authorised by him to grant such a permit.

(5) Where any animal is imported or introduced into Fiji in accordance with the provisions of this Act or of any regulation made thereunder and at the time of such importation or introduction or at any time thereafter the animal is found to be affected with any harmful animal, harmful fungus, harmful bacterium or harmful virus being the causal agent of any of the diseases for the time being specified in the Schedule, the animal so imported or introduced may be seized and destroyed and no compensation shall be payable in respect of it. The cost of and incidental to any such seizure or destruction shall be borne by the owner of the animal at the time of its seizure.

Prohibition of importation or liberation of certain animals

5.-(1) Subject to the provisions of section 6, no person shall import or introduce into Fiji any of the following animals:-

- (a) any snake of any species whatsoever;
- (b) any venomous reptile or any living stage of any venomous amphibian, venomous fish or venomous invertebrate;
- (c) any red vented bulbul (*Molpastes cafer* L.);
- (d) any American grey squirrel (*Sciurus carolinensis gmelin*);
- (e) any red fox or silver fox (*Vulpes vulpes* L.);
- (f) any musquash or muskrat (*Ondatra zibthica* L.);
- (g) any hamster (*Mesocricetus spp*);
- (h) any mongoose (*Herpestes spp*);
- (i) any coypu or nutria (*Myocastor coypus*);
- (j) any mink (*mustela vison*);
- (k) any parrot (*psittaci spp*);
- (l) such other animal* which the Minister, by notice in the Gazette, may specify as likely to become a nuisance or to cause injury or damage.

*Live rabbits (*Oncotolagus caniculus*) added by notification 11th March, 1972.

(2) No person shall liberate or allow to go at large in Fiji any noxious reptile or any living stage of any noxious amphibian, noxious fish or noxious invertebrate.

Importation for special purposes

6. Notwithstanding the provisions of section 5, a permit may be issued under the provisions of this Act in respect of any animal required to be imported or introduced into Fiji for-

- (a) the purpose of research or experiment to improve the quality of animals in Fiji and the products to be derived therefrom; or
- (b) the purpose of any zoological garden or display approved by the Minister.

Seizure and disposal of certain animals, etc., on ships and aircraft

7. Where any animal or animal product is found by an inspector on any ship or aircraft and

the animal or animal product is not being imported or introduced into Fiji in accordance with the provisions of this Act or is not listed on the manifest of such ship or aircraft, the inspector may direct either that the animal or animal product be retained on the ship or aircraft and re-shipped therewith or the inspector may seize and destroy such animal or animal product in which case no compensation shall be payable in respect thereof.

Duty to prevent animal from being landed

8. The owner, charterer, agent and master or captain of any ship or aircraft arriving in Fiji shall-

- (a) prevent any animal from being landed from such ship or aircraft unless permitted by the inspector and
- (b) if so required by an inspector enter into a bond for such amount not exceeding one thousand dollars as the inspector may require to secure due compliance with the provisions of this section.

Animals, etc., introduced in contravention of Act

9.-(1) Any person who imports or introduces into Fiji any animal, animal product, animal manure, fittings, fodder or other thing otherwise than in accordance with the provisions of this Act and of any regulations made thereunder or of any permit issued under the provisions of this Act or such regulations or who knowingly has in his possession any animal, animal product, animal manure, fittings, fodder, or thing which has been unlawfully imported or introduced into Fiji or any descendant of any such animal shall be guilty of an offence and shall be liable on conviction to a fine not exceeding four hundred dollars.

(2) Any inspector may seize any animal which has been unlawfully imported or introduced into Fiji and any descendant of any such animal and shall destroy or otherwise deal with any animal so seized as the Assistant Director or such other officer as he may authorise may direct.

(3) Any inspector may seize any animal product, animal manure, fittings, fodder or thing imported or introduced into Fiji in contravention of the provisions of this Act or of any regulations made thereunder and shall destroy, fumigate, disinfect or otherwise deal with any of them so seized as the Permanent Secretary or any officer authorised by him may direct in which case no compensation shall be payable in respect thereof.

(4) All costs and expenses of and attendant upon any such seizure of any animal, animal product, animal manure, fittings, fodder or thing and the destruction or other dealings therewith under the provisions of subsection (3) shall be borne by the owner thereof and shall be recoverable from him as a debt due to the Crown.

(5) An inspector may require to be opened or may open any package or Luggage and may inspect or examine any goods or thing arriving in Fiji from overseas when he has a reasonable suspicion that the provisions of this Act or of any regulations made thereunder are being contravened.

Minister may impose restrictions on importation

10. In addition to any prohibition or restriction upon importation which may be imposed under the foregoing provisions of this Act or under the provisions of any regulations made thereunder, the Minister may for the purpose of preventing the introduction of disease into Fiji-

(a) by notification in the Gazette make an order prohibiting or restricting the importation or introduction into Fiji of any animal or animal product for such period as he may specify in such notification;

(b) by notice to the person in possession of any animal, animal product, animal manure, fittings, fodder or thing prohibit the importation or introduction into Fiji or the moving or use within Fiji of the animal, animal product, animal manure, fittings, fodder or thing either absolutely or subject to such conditions as he may specify.

Regulations

11. The Minister may make regulations for all or any of the following purposes:-

(a) prohibiting or restricting the importation or introduction into Fiji, either generally or from such countries or places and during such periods as may be necessary or expedient for the purpose of preventing the introduction into Fiji of any disease affecting animals and either absolutely or unless such conditions as may be specified in the regulations or in any licence or permit issued or granted under the provisions of this Act are complied with, of all or any of the following:-

(i) animals or one or more kinds of animals;

(ii) animal products or animal manure or one or more kinds thereof;

(iii) any fodder, fittings, bedding or articles of any kind which have or are reasonably believed by an inspector to have come into contact with any animal, animal product or animal manure;

(b) prescribing charges or authorising charges to be made for the destruction, fumigation, disinfection or other treatment of any animal, animal products, animal manure, fittings or articles of any kind which are imported or introduced into Fiji;

(c) prescribing ports or airports at which animals or any particular kind or kinds of animals may be introduced;

(d) providing for the issue or revocation of permits for animals, animal products, animal manure, fittings and fodder or any of them to enter Fiji and specifying any conditions which may be necessary for preventing the introduction of disease into Fiji;

(e) requiring certificates of health from the authorities of the country or place from which any animal, animal product, animal manure, packing material, fittings or fodder is intended to be introduced as a condition to the introduction thereof;

(f) providing for the inspection of animals, animal products and animal manure or any of them introduced or about to be introduced into Fiji;

(g) prescribing the charges to be made for conveying animals to and from quarantine and for the maintenance and inspection of such animals whilst in quarantine;

(h) regulating the duties of masters or captains of ships and aircraft in relation to any animals whether or not intended to be introduced into Fiji and in relation to the storage of garbage aboard ships and aircraft and in relation to the disposal of garbage therefrom;

- (i) requiring the sealing to the satisfaction of an inspector of food lockers containing any meat which has been in the same locker as meat which has come from an overseas country, on all ships and aircraft arriving in Fiji from any overseas country;
- (j) prescribing the manner in which persons or things coming into contact with any animal or soil or animal manure or animal product or any ship, aircraft, conveyance or fittings used for any animal, animal product or animal manure shall be disinfected;
- (k) providing for the confiscation and destruction or incineration of animals, animal products, animal manure, fodder and fittings where necessary for controlling or preventing the introduction into Fiji of any disease;
- (l) generally for all or any purpose which maybe necessary for preventing the introduction of diseases into Fiji.

Diseases

12. The Minister may, from time to time, by notification in the Gazette, amend the Schedule.

SCHEDULE (Section 4 (5))

DISEASES

Acariasis of bees.
African horse sickness.
African swine fever.
American foul brood.
Anaplasmosis.
Anthrax.
Avian infectious synovitis.
Avian pneumo-encephalitis (Newcastle disease).
Aujeszki's disease.
Babesiosis.
Blue tongue.
Borna disease.
Brucellosis.
Brousiellosis.
Buffalo fly infestation.
Chronic respiratory disease.
Contagious bovine pleuro-pneumonia.
Cysticercosis.
Equine encephalomyelitis.
Equine infectious anaemia.
Equine influenza.
Ephemeral fever.
Epizootic lymphangitis.
Foot and mouth disease.
Fowl cholera.
Fowl plague.
Fowl pest (all varieties including Newcastle disease).

Fowl pox.
Fowl typhoid.
Fowl tick fever.
Gape worm infestation.
Glanders.
Haemorrhagic septicaemia.
Heartwater.
Infectious avian encephalomyelitis.
Infectious bronchitis.
Infectious laryngo-tracheitis.
Infectious pneumonia of swine.
Johne's disease.
Leptospirosis.
Listerellosis.
Louping-ill.
Lumpy skin disease.
Lymphomatosis.
Malignant catarrhal fever.
Mange.
Meloidosis.
Mucosal disease.
Multiceps multiceps infestation.
Nodule worm infestation.
Nosema disease.
Piroplasmiasis.
Psittacosis (Ornithosis).
Pullorum disease (bacillary white diarrhoea).
Q fever.
Rabies.
Rhinitis of swine.
Rickettsiasis.
Rift Valley fever.
Rinderpest.
Scrapie.
Screw worm infestation.
Sheep scab infestation.
Sheep lice infestation.
Sheep ked infestation.
Stick fast flea infestation.
Swine fever.
Swine dysentery.
Swine erysipelas.
Swine influenza.
Teschén disease.
Tick infestation.
Trichinosis.
Trichomoniasis.
Trypanosomiasis.
Tularaemia.
Variola caprina.

Variola suilla.
Vesicular exanthema.
Vesicular stomatitis.
Vibriosis.
Warble fly infestation.
Wesselsbron disease.

Controlled by Ministry of Agriculture and Fisheries
