

THE KEEPING OF ANIMALS ACT

ORDERS

(under sections 3, 5, 8 and 10)

The Keeping of Animals (Restricted and Prohibited Area) (Kingston L.N. 61/81 and St. Andrew Corporation) Order, 1981

Similar Orders made in respect of—

(Restricted and Prohibited Areas)

St. James	L.N. 62/81
St. Catherine	L.N. 65/81
Portland	L.N. 79/81
St. Mary	L.N. 80/81
<i>(Restricted Area)</i>	
St. Elizabeth	L.N. 17i/82
Clarendon	L.N. 17j/82
Westmoreland	L.N. 38D/82
Trelawny	L.N. 38E/82
Hanover	L.N. 38F/82
St. Ann	L.N. 38G/82
St. Thomas	L.N. 38H/82

THE KEEPING OF ANIMALS ACT

ORDERS

*(under sections 3, 5, 8 and 10)*THE KEEPING OF ANIMALS (RESTRICTED AND PROHIBITED AREA)
(KINGSTON AND ST. ANDREW CORPORATION) ORDER, 1981*(Made by the Minister on the 14th day of May, 1981)*

L.N. 61/81

[1st June, 1981.]

1. This Order may be cited as the Keeping of Animals (Restricted and Prohibited Area) (Kingston and St. Andrew Corporation) Order, 1981.

2. No person shall in a restricted area specified in the first column of Part I of the First Schedule, keep any prescribed animal specified in the second column of that Schedule, unless he has first obtained a licence issued, pursuant to section 5 of the Act, under this Order.

First
Schedule.
Part I

3. No person shall in a prohibited area specified in the first column of Part II of the First Schedule, keep any prohibited animal specified in the second column of that Schedule.

Part II.

4.—(1) Application for a licence for the keeping of a prescribed animal may be made in writing to the Competent Authority by any person in the form prescribed as Form A in the Second Schedule.

Second
Schedule.
Form A.

(2) A fee of five dollars shall be payable to the Competent Authority in respect of the grant or any renewal of a licence by that Authority for the keeping of a prescribed animal, or animals, in the particular premises specified in the licence.

5.—(1) Every application for a licence shall be considered on its merits by the Competent Authority which may, in its discretion having regard to the provisions of section 5 (3) of the Act, grant or refuse such licence or may grant such licence subject to such conditions or limitations as it may think fit.

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(2) The Competent Authority may, on any application for renewal of a licence, vary the conditions or limitations as it considers necessary or desirable and may at any time revoke or refuse to renew such licence for any contravention, if notice has been given to the licensee pursuant to section 5 (5) of the Act, and he has been given the opportunity to make representations in accordance with that subsection.

6.—(1) The Competent Authority may require an authorized officer to examine the premises in which prescribed animals are to be kept with a view to satisfying itself that the premises are suitable for the purpose; and the authorized officer may also inspect the premises from time to time to ensure compliance with the Act or any conditions specified in the licence.

(2) Any person who obstructs the authorized officer in the execution of his duties shall incur the penalties prescribed by section 12 of the Act.

7.—(1) Every licence granted under this Order shall be in the form prescribed as Form B in the Second Schedule and shall, subject to sub-paragraph (4), be valid for a period of one year from the date on which it is issued, unless it is revoked under sub-paragraph (2) of paragraph 5.

Second
Schedule.
Form B.

(2) The Competent Authority shall retain a copy of every licence granted and such copy shall be made available to an authorized officer who carried out an inspection in order to enforce the provisions of the Act.

(3) The licence granted by the Competent Authority shall clearly specify therein—

- (a) the particular premises in respect of which the licence is granted;
- (b) a description of the animals and the number of animals permitted to be kept in those premises.

(4) Upon renewal of a licence under this Order the Competent Authority may, instead of issuing a new licence, indicate on the original licence that it is renewed to a new expiry date and that the appropriate licence fee has been paid.

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8. Where a licence has been revoked or has not been renewed, the Competent Authority shall, grant to the owner of the prescribed animals affected thereby a period not exceeding three months for the removal of such prescribed animals from a restricted area.

9.—(1) A register of all licences issued by the Competent Authority pursuant to this Order shall be kept by such Competent Authority and shall contain therein—

- (a) the date on which the licence was issued;
- (b) the licence number;
- (c) name and address of the licensee;
- (d) the address of the particular premises at which the animals are to be kept;
- (e) description and number of animals permitted to be kept in that particular premises;
- (f) the date of expiry of the licence; and
- (g) conditions or limitations subject to which the licence was issued.

(2) Such register of licences shall be in the form set out as Form C in the Second Schedule.

Second
Schedule.
Form C.

10.—(1) Any person aggrieved by a decision of the Competent Authority may appeal to the Minister by a notice of appeal addressed to the Permanent Secretary with a copy to the relevant Competent Authority.

(2) The notice of appeal shall set forth clearly the grounds of appeal and the date on which the subject matter arose and there shall be attached to such notice copies of any correspondence or other documents relating to the subject matter.

11. Any animal seized pursuant to section 10 of the Act shall, within a period of twenty-four hours of such seizure, be conveyed to the nearest pound.

12.—(1) Where any prescribed animal is seized in a restricted area and conveyed to a pound in accordance with paragraph 11, the Competent Authority shall grant the owner or other person responsible for such animal a period of twenty-one days—

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- (a) to make necessary arrangements for the removal of such animal from the restricted area; or
- (b) to obtain the necessary licence for the keeping of such prescribed animal.

(2) Where a person satisfies the requirements of sub-paragraph (1), the Competent Authority shall authorize the release of such seized animal to such person on his payment of the fee and other charges prescribed under the Pound Act.

13.—(1) Subject to the provisions of paragraph (2), where any prohibited animal is seized in a prohibited area and conveyed to a pound in accordance with the provisions of paragraph 11, the Competent Authority shall grant the owner of such animal a period of seven days to reclaim such animal.

(2) The owner of the seized animal shall, in order to reclaim such animal, satisfy the Competent Authority that necessary arrangements have been made for the removal of such prohibited animal from the prohibited area and that the fee and other charges prescribed under the Pound Act have been paid.

14. An animal seized under the provisions of the Act shall be kept in the pound at the risk of the owner of such seized animal and the Competent Authority shall not be liable for any injury or theft of such animal by any person other than the keeper of the pound.

15. Where a prescribed animal or prohibited animal is not reclaimed within the periods specified in paragraph 12 or 13, the Competent Authority shall sell such animal by public auction and the owner shall be entitled to receive the net proceeds of such sale in the manner set out in section 25 of the Pound Act.

16. If the proceeds of the sale are insufficient to cover the expenses incurred, the Competent Authority may sue the owner of such animal in the manner provided in section 26 of the Pound Act.

17. Any person who keeps a prescribed animal in a restricted area or prohibited animal in a prohibited area or otherwise contravenes the provisions of this Order, shall be guilty of an offence and shall incur the penalties prescribed in section 3 (3) of the Act.

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(KINGSTON AND ST. ANDREW CORPORATION) ORDER, 1981

7

FIRST SCHEDULE

(Paragraphs 2 and 3)

PART I

First Column

Second Column

Restricted Area

Prescribed Animals

From a point on the right bank of the Chalky River where it enters the sea; thence along its right bank to a point 1,000 feet north of the Main Road from Kingston to Morant Bay; thence in a westerly direction parallel to the Main Road to a point on the eastern boundary of Harbour View Housing Estate; thence northerly for a distance of 2,000 feet; thence westerly to a point 300 feet east of the Hope River; thence northerly and easterly along a line 300 feet from and parallel to the Hope River to a point due east of where August Town Gully enters the Hope River; thence westerly to the point where the Hope River meets August Town Gully; thence north-westerly, westerly, south-westerly along the centre-line of the August Town Gully to a point due south of Manley Avenue; thence northerly for a distance of 1,500 feet to Manley Avenue; thence along Manley Avenue to its junction with the August Town Road; thence easterly along August Town Road to University Road; thence northerly and westerly along the University Road to its junction with the main road leading from Papine to Lindo's Gap; thence westerly and south-westerly to its junction with the Papine Road; thence northerly along the Papine Road to a point opposite to the southern boundary of the Market; thence easterly for a distance of 600 feet; thence northerly to the intersection of Old Hope Road and Gordon Town Road; thence northerly along the Gordon Town Road to a point 300 feet east of the junction of Skyline Drive and Gordon Town Road; thence northerly 300 feet from and parallel to the centre-line of Skyline Drive to a point 300 feet north of the junction of Skyline Drive and Jacks Hill Road; thence south-westerly to the Jacks Hill Road; thence along the Jacks Hill Road to Sunset Drive; thence in a north-westerly direction along the 1,000 feet contour through Cherry Garden and Norbrook to Spring Garden Gully; thence in a northerly direction along the Spring Garden Gully through Constant Spring Estate to Ram's Horn Ridge at the junction of the Hermitage Dam and Seaview Road; thence westerly along Seaview Road to intersect with the centre-line of the Main Road from Kingston to Castleton Gardens; thence northerly along the said Main Road for 300 feet; thence due west for 300 feet; thence north-westerly and south-westerly along a line 300 feet from and parallel to the centre-line of the Kingston to Castleton Gardens Main Road to intersect with the centre-line of the Main Road leading from

Horse, mare, gelding, foal, colt, filly, mule, ass, bull, ox, steer, heifer, calf, sheep, lamb, goat, kid, hog, pig.

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FIRST SCHEDULE, *contd.*

PART I, *contd.*

<u>First Column</u>	<u>Second Column</u>
Restricted Area	Prescribed Animals
<p>Stony Hill to Cavaliers; thence north-westerly and south-westerly to its junction with the Mannings Hill Road; thence easterly for a distance of 2,000 feet; thence south-westerly and parallel to the centre-line of the Main Road from Mannings Hill to Mount Salus to a point due east of the junction of the Swain Spring Road and the said Main Road thence westerly to the Main Road; thence along the said Main Road to Bean Junction at the Red Hills Road; thence westerly along the Main Road leading to Red Hills to the junction of the Main Roads to Rock Hall and Belvedere opposite the Methodist Church; thence westerly along the Main Road to Rock Hall for a distance of 650 feet to the boundary of Woodland and Belvedere; thence westerly along the northern boundary of Belvedere to Carhampton; thence southerly along the eastern boundary of Carhampton to the Parochial Road leading from Happy Grove to Ferry; thence westerly and southerly along the Parochial Road to Ferry or Fresh River; thence south-easterly along the Parish boundary with St. Catherine to Hunt's Bay; thence along the coast line 300 feet in the sea parallel to the high-water mark to the south-western corner of the Property known as Bumper Hall at the shore of the Kingston Harbour; north-easterly along the western boundary line of the said Bumper Hall to Spanish Town Road; thence south-easterly along the southern boundary of the Spanish Town Road to a point south-west of and opposite to the westernmost corner of Smith's Village; thence north-easterly across the Spanish Town Road to the corner between Smith's Village and Greenwich Park (known also as Trench Pen); thence north-easterly, easterly and north-easterly along the boundary line between Smith's Village and Greenwich Park (known as Trench Town) to the south-western corner of land formerly known as Hannah's Pen, but now the township known as New Town; thence easterly, southerly, and south-easterly along the southern and western boundary lines of the said land formerly known as Hannah's Pen, but now the township known as New Town, to Blount Street; thence northerly along the western boundary of the said Blount Street to the southern boundary line of Studley Park; thence south-easterly along the southern boundary line of Studley Park to the centre of the Admiral's Pen Gully; thence up the centre of the said Admiral's Pen Gully to the western boundary of the road at Torrington Bridge; thence south-easterly across the said road to the south-eastern corner of Orange</p>	

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FIRST SCHEDULE, *contd.*

PART I, *contd.*

<u>First Column</u>	<u>Second Column</u>
Restricted Area	Prescribed Animals
<p>Street and the road leading from Torrington Bridge to the Race Course; thence easterly along the southern boundary of the road leading from Torrington Bridge to the Race Course, to the western boundary of the Race Course; thence north-easterly, easterly and south-easterly, along the boundary of the said Race Course to a point north-west of and opposite to the north-western corner of Allman Town; thence south-easterly across the East Race Course and along the northern boundary line of Allman Town, to the western boundary line of Woodford Park; thence southerly and easterly along the western and southern boundary lines of Woodford Park to South Camp Road; thence easterly, southerly and easterly along the southern and western boundaries of the road which forms the northern part of the eastern boundaries of the lands attached to Alpha Cottage, to the junction of Elletson Road and Deanery Road; thence southerly along the western boundary of Elletson Road to the boundary line of the parishes of Kingston and Saint Andrew, marked on earth by an old parish boundary pillar, thence north-easterly and south-easterly along the boundary line of the parishes of Kingston and St. Andrew to the Hope River; thence down the centre of the said Hope River for a distance of twenty-eight chains; thence southerly in a straight line to a point on the shore of Kingston Harbour two chains south-east of the western end of the old military breastwork at Harbour Head; thence easterly along the shore line to the starting point at the right bank where the Chalky River enters the sea.</p>	

PART II

(Paragraph 3)

<u>First Column</u>	<u>Second Column</u>
Prohibited Area	Prohibited Animals
<p>From the south-western corner of the property known as Bumper Hall at the shore of Kingston Harbour, north-easterly along the western boundary line of the said Bumper Hall to the Spanish Town Road; thence south-easterly along the southern boundary of the Spanish Town Road to a point south-west of and opposite to the westernmost corner of Smith's Village; thence, north-easterly across the Spanish Town Road to the corner between Smith's Village and Greenwich Park (known also as Trench Pen); thence, north-easterly, easterly and north-easterly along the boundary line between Smith's Village and Green-</p>	<p>Horse, mare, gelding, foal, colt, filly, mule, ass, bull, ox, steer, heifer, calf, sheep, lamb, goat, kid, hog, pig.</p>

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FIRST SCHEDULE, *contd.*

PART II, *contd.*

<u>First Column</u>	<u>Second Column</u>
Prohibited Area	Prescribed Animals
<p>wich Park (known also as Trench Pen), to the south-western corner of land formerly known as Hannah's Pen, but now the township known as New Town; thence easterly, southerly, and south-easterly along the southern and western boundary lines of the said land formerly known as Hannah's Pen, but now the township known as New Town, to Blount Street; thence northerly along the western boundary of the said Blount Street to the southern boundary line of Studley Park; thence south-easterly along the southern boundary line of Studley Park to the centre of the Admiral's Pen Gully; thence up the centre of the said Admiral's Pen Gully, to the western boundary of the road at Torrington Bridge; thence south-easterly across the said road to the south-eastern corner of Orange Street and the road leading from Torrington Bridge to the Race Course, thence easterly along the southern boundary of the road leading from Torrington Bridge to the Race Course, to the western boundary of the Race Course; thence north-easterly, easterly and south-easterly, along the boundary of the said Race Course to a point north-west of and opposite to the north-western corner of Allman Town; thence south-easterly across the East Race Course Road and along the northern boundary line of Woodford Park; thence southerly and line of Allman Town, to the western boundary easterly along the western and southern boundary line of Woodford Park to South Camp Road; thence easterly, southerly, and easterly along the southern and western boundaries of the road which forms the northern and part of the eastern boundaries of the lands attached to Alpha Cottage to the junction of Elletson Road and Deanery Road; thence southerly along the western boundary of Elletson Road to the boundary line of the parishes of Kingston and St. Andrew marked on earth by and old parish boundary pillar; thence north-easterly and south-easterly along the boundary line of the parishes of Kingston and Saint Andrew to the Hope River; thence down the centre of the said Hope River for a distance of twenty-eight chains; thence southerly in a straight line to a point on the shore of Kingston Harbour two chains south-east of the western end of the old military breastwork at Harbour Head; thence along the shore of Kingston Harbour, pass Rockfort, back to the starting point.</p>	

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SECOND SCHEDULE, contd.

FORM B

(Paragraph 7)

THE KEEPING OF ANIMALS ACT

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AND ST. ANDREW CORPORATION) ORDER, 1981

Licence to Keep Prescribed Animals

No. of Licence.....

Date of issue of Licence.....

Name of Licensee.....
(full name)

Address of Licensee.....

Address or description of the particular premises at which animals are to be
kept.....

.....
.....
.....

Approximate size of those premises.....

Description and number of animals permitted to be kept in those premises

.....
.....

Approved arrangements for the feeding, watering and tending of the animals

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.....
.....

Fee received.....

This licence expires on the day of , 19 .

This licence is granted subject to the following conditions or limitations:—

Dated this day of , 19 .

Secretary
Competent Authority,
Kingston and St. Andrew Corporation/Parish Council of

