

ANIMALS (IMPORTATION) CONTROL REGULATIONS

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ANIMALS (IMPORTATION) CONTROL REGULATIONS – SECTION 14

(S.R.O.s 23/1956 and 19/1969)

Short title

1. These Regulations may be cited as the Animals (Importation) Control Regulations.

Interpretation

2. For the purposes of these Regulations—

“animal” shall not include a fish;

“vessel” means any ship, schooner, sloop, boat, or other floating craft.

Importation of animals

3. No animal shall be imported into Montserrat except in accordance with—

(a) the provisions of these Regulations; and

(b) the terms of a permit granted by the Inspector.

Landing of animals

4. (1) No animal shall be landed at any port other than a customs port or customs airport.

(2) Notwithstanding the provision of paragraph (1), the Inspector may in his absolute discretion grant a permit in writing for an animal to be landed at such port or such airport and upon such conditions as may be specified in such permit.

(3) Every animal before being landed shall be subject to inspection by the Inspector who may—

(a) if satisfied—

(i) that any such animal is suffering from any disease; or

(ii) that any condition of a permit permitting the importation of any such animal has not been complied with,

refuse permission for any such animal to be landed; or

(b) grant permission for any such animal to be landed either unconditionally or subject to such conditions as he may impose.

(4) No animal shall be landed without the prior written permission of the Inspector.

Inspection and disinfection of vessels and aircraft carrying animals

5. Where any vessel or aircraft by which animals are being imported arrives in Montserrat, the following provisions shall have effect—

- (a) the agents or owners of the vessel or aircraft shall notify the Inspector of the fact that animals are being imported by such vessel or aircraft;
- (b) the master or captain and the agents or owners of such vessel or aircraft shall afford every facility to the Inspector for the proper inspection of such animals;
- (c) the master or captain of such vessel or aircraft shall take such measures as the Inspector may direct for the cleaning and disinfection of all stalls and boxes in and of any portion of the vessel or aircraft used for the transportation of animals required to be quarantined in accordance with these Regulations or with a licence granted by the Inspector.

Quarantine of animals

6. (1) Subject to the provisions of regulations 4, 7 and 8, and if so required by the Inspector, every animal upon being landed in Montserrat shall be removed by such means, in such manner and subject to such conditions as the Inspector may direct to a quarantine depot approved by such Inspector and for the purpose of quarantine and shall be kept in quarantine for such period as the Inspector may direct.

(2) The release from quarantine of any animal shall be subject to and dependent upon the result of re-inspection and of any diagnostic examination and any tests which the Inspector may deem necessary to employ for the detection of the disease.

(3) Notwithstanding the expiry of the period of quarantine directed by the Inspector under paragraph (1), no animal shall be removed from any quarantine depot without the prior written permission of the Inspector and such permission may be either unconditional or subject to such conditions as may be specified.

(4) The expenses of and incidental to the keeping in quarantine of an animal shall be borne by the consignee of such animal.

(5) Every animal shall be kept in quarantine at the risk of the consignee.

(6) When any animal while in quarantine in accordance with the provisions of these Regulations develops or, in the opinion of the Inspector, shows symptoms of, any disease the spread of which would endanger the health of live-stock in Montserrat, such animal may, with the approval of the Governor, be destroyed without payment of compensation.

(Amended by S.R.O. 19/1969)

Saving

7. The provisions of such of these Regulations as relate to the importation of animals shall not apply to any animals (other than dogs or cats) imported by or on behalf of the Government of Montserrat.

Dogs and cats

8. (1) Subject to the provisions of sub-regulation (2), every dog and cat imported into Montserrat shall upon being landed, be quarantined in a quarantine depot approved by the Inspector for a period of not less than six months.

(2) A dog or cat imported directly from one of the countries specified in the First Schedule shall be exempt from the provisions of sub-regulation (1) if there is produced to the Inspector in respect thereof a certificate, purporting to be given by the appropriate authority mentioned in regulation 20, stating that such dog or cat in good health and free from any symptoms of infectious or contagious disease and that there has been no rabies among unquarantined dog, cat or other animals in the country from which such dog or cat was exported during the six months immediately preceding the exportation of such dog or cat from such country:

Provided that no dog or cat shall be so exempt if it has been in contact during the period of transportation with any other dog or cat other than a dog or cat—

- (a) in respect of which a certificate referred to in paragraph (2) has been given; or
- (b) which has been released from quarantine in any of the countries specified in the First Schedule as being in good health and free from rabies or any other infectious or contagious disease.

(Substituted by S.R.O. 19/1969)

Horses

9. (1) No horse shall be imported into Montserrat unless such horse is imported directly from one of the countries specified in the Second Schedule.

(2) No horse shall be landed in Montserrat unless there is produced to the Inspector in respect thereof a certificate purporting to be given by the appropriate authority mentioned in regulation 20 and stating that the country from which such horse was exported—

- (a) is free from foot and mouth disease; or
- (b) if such country is not free from foot and mouth disease, that the area from which such horse originated and through which it was transported to the port of embarkation is free from foot and mouth disease; and
- (c) that such horse was healthy and free from infectious disease;
- (d) that such horse has been subjected to the Mallein test for Glanders or Farcy with negative results;
- (e) that so far as it has been possible to ascertain no case of dourine (*mal du coit*), mal de caderas, glanders, farcy, epizootic lymphangitis, ulcerative lymphangitis, influenza, infectious equine anaemia, encephalomyelitis or mange has occurred in the stables or on the premises where such horse was kept during the 30 days prior to the date of export.

(3) For the purposes of this regulation, “horses” includes mares, mules, donkeys and zebras.

Cattle, sheep and goats

10. (1) No cattle, sheep or goat shall be imported into Montserrat except any such animal is imported directly from one of the countries specified in the Third Schedule.

(2) No cattle so imported shall be landed in Montserrat unless there is produced to the Inspector in respect thereof a certificate, purporting to be given by the appropriate authority mentioned in regulation 20, and stating that any such cattle—

- (a) is physically sound, in good health, and free of symptoms of paratuberculosis (Johne’s Disease) and other infectious diseases;
- (b) has passed negative to an intradermal tuberculin test within ten days prior to the date of shipment;
- (c) (i) has reacted negatively to the serum-agglutination test for Brucellosis within 30 days prior to the date of shipment; or
 - (ii) has been inoculated with *Brucella abortus* vaccine (Strain 19) when between four and eight months of age and within three years prior to the date of shipment; or
 - (iii) has reacted negatively to the serum-agglutination test for Brucellosis and has subsequently and within fourteen days of such negative reaction been inoculated with *Brucella abortus* vaccine (Strain 19) when over eight months of age and within three years prior to the date of shipment; or
 - (iv) having been previously vaccinated with *Brucella abortus* vaccine (Strain 19) has been re-vaccinated within three years of the previous vaccination, and within three years prior to the date of shipment.

(3) No sheep so imported shall be landed in Montserrat unless there is produced to the Inspector in respect thereof a certificate, purporting to be given by the appropriate authority mentioned in regulation 20, and stating that within ten days prior to shipment such sheep is physically sound, in good health and free from infectious or contagious disease.

(4) No goat so imported shall be landed in Montserrat unless there is produced to the Inspector in respect thereof a certificate, purporting to be given by the appropriate authority mentioned in regulation 20, and stating that any such goat—

- (a) has passed negative to an intradermal tuberculin test within ten days prior to the date of shipment;
- (b) is free from Brucellosis as indicated by a negative reaction to the serum-agglutination test for that disease;
- (c) is physically sound, in good health, and free of indications of infectious diseases including Takosis.

(5) No cattle, sheep or goat shall be landed in Montserrat unless there is produced to the Inspector in respect thereof a certificate, purporting to be given by the appropriate authority mentioned in regulation 20, and stating that the country from which such cattle, sheep or goat was exported—

- (a) is free from foot and mouth disease; or
- (b) if such country is not free from foot and mouth disease, that the area from which such cattle, sheep or goat originated and through which it was transported to the port of embarkation is free from foot and mouth disease.

Pigs

11. (1) No pig shall be imported into Montserrat except any such pig is imported directly from one of the countries specified in the Fourth Schedule.

(2) No pig shall be landed in Montserrat unless there is produced to the Inspector in respect thereof a certificate, purporting to be given by the appropriate authority mentioned in regulation 20, and stating that such pig originated from a herd where no infectious diseases of swine has existed for 30 days prior to the date of shipment of such pig.

(3) No pig shall be landed in Montserrat unless there is produced to the Inspector in respect thereof a certificate, purporting to be given by the appropriate authority mentioned in regulation 20, and stating that the country from which such pig was exported—

- (a) is free from foot and mouth disease;
- (b) if such country is not free from foot and mouth disease, that the area from which such pig originated and through which it was transported to the port of embarkation is free from foot and mouth disease.

Rabbits, guinea pigs, turtles and caged birds

12. (1) No rabbit, guinea pig, turtle or caged bird shall be imported into Montserrat from any of the countries specified in the Fifth Schedule.

(2) The provisions of paragraph (1) shall not be deemed to apply to any turtle native to any of the countries specified in the Fifth Schedule which is caught alive near the coast of Montserrat and which is imported into Montserrat only for use in any aquarium.

Monkeys

13. No monkey shall be imported into Montserrat.

Carcasses of cattle, pigs, sheep and goats

14. (1) No fresh carcass, whether frozen or chilled, nor any cured or pickled carcass, of any cattle, pig, sheep or goat or any portion of any such carcass shall be imported into Montserrat except such carcass or portion thereof is imported—

- (a) directly from any of the countries specified in the Sixth Schedule; and

- (b) in accordance with the terms of a permit granted by the Inspector.
- (2) The provisions of paragraph (1) shall not apply to—
- (a) any importations made by or on behalf of the Government of Montserrat; or
- (b) any cooked or sterilized meat imported in hermetically sealed containers.

Fodder and litter

15. (1) No fodder or litter shall be imported into Montserrat except—

- (a) directly from any of the countries specified in the Seventh Schedule; and
- (b) in accordance with the terms of a permit granted by the Inspector.

(2) Notwithstanding the provisions of paragraph (1), no fodder or litter imported from Great Britain shall be landed in Montserrat unless there is produced to the Inspector in respect thereof a certificate of the Fisheries Department stating that the area from which such fodder or litter originated and the district through which it was transported to the port of shipment are free from foot and mouth disease.

Dung

16. (1) No dung (other than the excrements of birds) shall be imported into Montserrat.

(2) The provisions of paragraph (1) shall not apply to any dung which is contained in any box or crate in which any animal is lawfully imported into Montserrat.

Used or second-hand animal blankets, saddle cloths, felting pads, etc.

17. (1) No used or second-hand animal blanket, saddle cloth, felting pad or other similar article shall be imported into Montserrat.

(2) The provisions of paragraph (1) shall not apply to any such articles which accompany and form part of the clothing or individual accoutrement of any animal lawfully imported into Montserrat if such articles were new at the time of shipment.

Used or second-hand animal trappings

18. No used or second-hand harness, saddle, halter, rein, girth, rope, yoke, chain or other trapping shall be landed in Montserrat unless such trappings shall first be treated by the Inspector with an insecticide approved by the Inspector, at the risk of the person to whom such trapping is consigned, before delivery to the consignee.

Semen and biological products

19. (1) No semen of any animal shall be imported into Montserrat except in accordance with the terms of a permit granted by the Inspector.

(2) No biological product prepared from animal tissues intended for use in Veterinary medicine shall be imported into Montserrat except in accordance with the terms of a permit granted by the Inspector.

(3) In this regulation, “**biological products**” includes any substance commonly known as hormones, vaccines, sera, toxins, anti-toxins and antigens intended for use in the practice of Veterinary medicine.

Authentication of certificates

20. Where under any of these Regulations a certificate is required to be produced to the Inspector such certificate shall purport to be given—

- (a) in the case of Great Britain, by the Ministry of Agriculture and Fisheries;
- (b) in the case of Northern Ireland, by the Ministry of Agriculture;
- (c) in the case of the Republic of Ireland, by the Department of Agriculture;
- (d) in the case of Canada, by the Department of Agriculture;
- (e) in the case of the United States of America, by the Bureau of Animal Industry; and
- (f) in the case of the Caribbean Overseas Territories, by a Government Veterinary Officer.

Penalty

21. Any person who contravenes or fails to comply with any provision of these Regulations, or with any order, instructions or condition lawfully made, given or imposed by any person under the authority of these Regulations, shall be guilty of an offence against these Regulations and shall be liable for each such offence on summary conviction to a fine not exceeding \$240 or to imprisonment for any term not exceeding three months.

FIRST SCHEDULE

(Regulation 8)

Great Britain
Northern Ireland
Republic of Ireland
Jamaica
St. Kitts (-Nevis)
Barbados
Anguilla

SECOND SCHEDULE

(Regulation 9)

Great Britain
Northern Ireland
Republic of Ireland
Canada
United States of America
Jamaica
Leeward Islands
Windward Islands
Trinidad and Tobago

THIRD SCHEDULE

(Regulation 10)

Great Britain
Northern Ireland
Republic of Ireland
Canada
United States of America
Jamaica
Leeward Islands
St. Lucia
St. Vincent
Barbados

FOURTH SCHEDULE

(Regulation 11)

Great Britain
Northern Ireland
Republic of Ireland
Canada
United States of America
Jamaica
St. Kitts
Barbados

FIFTH SCHEDULE

(Regulation 12)

Trinidad and Tobago
Any country forming part of the Continent of South America

SIXTH SCHEDULE

(Regulation 14)

Great Britain
Northern Ireland
Republic of Ireland
Canada
New Zealand
Australia
United States of America
British Caribbean Territories

SEVENTH SCHEDULE

(Regulation 15)

Great Britain
Canada
United States of America
British Caribbean Territories
