

**TURKS AND CAICOS ISLANDS**  
**ANIMAL HEALTH ORDINANCE 2012**  
**(Ordinance 38 of 2012)**

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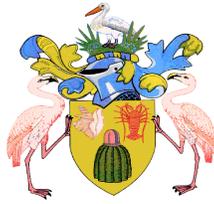
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**TURKS AND CAICOS ISLANDS**  
**ANIMAL HEALTH ORDINANCE 2012**  
**(Ordinance 38 of 2012)**

**AN ORDINANCE** TO PREVENT THE INTRODUCTION AND SPREAD OF ANIMAL DISEASES, TO PROTECT AND PROMOTE ANIMAL HEALTH, TO CONTROL THE MOVEMENT OF ANIMALS AND ANIMAL PRODUCTS INTO, FROM AND WITHIN THE TURKS AND CAICOS ISLANDS; AND FOR CONNECTED PURPOSES.

**ENACTED** by the Acting Governor of the Turks and Caicos Islands.

PART 1

PRELIMINARY

Short title and commencement

**1.** (1) This Ordinance may be cited as the Animal Health Ordinance 2012 and comes into operation on a day the Governor appoints by notice published in the *Gazette*.

(2) The Governor may appoint different days for the coming into force of different provisions of this Ordinance.

Interpretation

**2.** In this Ordinance—

“animal” includes birds, poultry, bees, amphibian, reptile, fish, mollusc, insect, terrestrial and aquatic mammals of any kind, domestic or wild, and fertilized eggs or ova and embryo and other member of the animal kingdom;

“animal by-product” means—

(a) the animal carcass, bones and bone-meal, untanned hides and skins, flashings, hooves, horns, claws, hair bristles, wool, feathers, offal, whether fresh or dehydrated, blood, meat scraps of an animal; or

(b) any other part of an animal other than the meat or offal, which has been separated from the carcass;

- “animal carcass” includes the carcass and meat of an animal and such of its offal as are intended for human or animal consumption;
- “animal disease” means the clinical or pathological manifestation of infection in an animal;
- “animal disease control” means the elimination, or reduction to an acceptable level, of a sanitary risk or health hazard resulting from an animal disease;
- “animal disease-free zone” means a zone so designated under section 24;
- “animal establishment” means premises or an area in which animals are commercially grown, kept or slaughtered, including fish premises, aquaculture facilities, aquaculture sites or other premises or areas;
- “animal feed” means a mixture of nutrients that are produced under hygienic conditions that comply with the requirements of each species, age and type of production, either as the only source of feed or as a supplement;
- “animal health status” the status of a country, zone or controlled commodity with respect to notifiable animal diseases;
- “animal identification” means the combination of the identification and registration of an animal individually, with a unique identifier, or collectively by its epidemiological unit or group, with a unique group identifier;
- “animal import conditions” means the sanitary requirements for the importation of animals or animal products published under section 37;
- “animal inspector” means the CVO or any veterinary officer or a person assigned to serve as an animal inspector under section 6;
- “animal movement permit” means a permit for the movement of live animals in, into or from a zone, issued under section 28;
- “animal product” includes the derivatives of animals intended for human or animal consumption or for pharmaceutical, agricultural, industrial or domestic use; animal by-products; semen and ova and other products used for veterinary production; animal feed; veterinary drugs and veterinary biological products; and litter;
- “animal-related item” includes packaging, and any container, equipment, or other appliance used for or on animals, and any object or material capable of harboring or spreading animal diseases;
- “approved” means officially approved by the Director as evidenced by a written record in the files of the Department and published in accordance with section 61;
- “aquatic animal” means any fish, mollusc, crustacean or amphibian originating from aquaculture facilities or removed

from the wild, for farming purposes, for release into the aquatic environment or for human consumption, and includes all life stages, including eggs and gametes;

“authorised analyst” means a person authorised as an analyst under section 17;

“authorised laboratory” means a laboratory authorised for the purposes of this Ordinance under section 17(1);

“buffer zone” means a zone so designated under section 24;

“captain”, in relation to a vessel or aircraft, means the master or chief pilot or person in charge or control of the vessel or aircraft;

“Chief Veterinary Officer” means the person appointed as such in the public service;

“contained”, in relation to a sanitary risk, means eliminated or reduced to an acceptable level;

“container”, in relation to a controlled commodity, means a receptacle, bag, package, cage or other thing capable of holding animals during a journey by one or several means of transport;

“contaminated”, in relation to an article, means that the article has pathogens of a notifiable animal disease on its surface;

“controlled commodity” means an animal, animal product or animal-related item, and any other article that the Director by notice in the *Gazette*, on the advice of the CVO, declares to be a controlled commodity for the purposes of this Ordinance;

“country” includes a territory;

“CVO” means the Chief Veterinary Officer;

“decontaminate” means to reduce the pathogens on the surface of an article, whether by irradiation or any other means;

“Department” means the Department of Agriculture;

“detain” means to keep a controlled commodity in official custody or confinement as a sanitary measure, and “detention” has a corresponding meaning;

“Director” means the Director of Agriculture;

“disease emergency” means an animal disease emergency declared under section 20;

“disinfection” means the utilization of any approved substance or process designed to prevent, eliminate or reduce any disease or pathogen with which an animal, animal carcass or animal product may be infected;

“disposal”, in relation to a controlled commodity, means slaughtering, destroying, burying or burning;

“enforcement action” means action to enforce sanitary measures in order to contain a sanitary risk;

- “enforcement notice” means a notice issued by an animal inspector under section 11;
- “epidemiological unit” means a group of animals with a defined epidemiological relationship sharing approximately the same likelihood of exposure to a pathogen;
- “export” as a verb, means to send an item to another country by any means, and “exportation” and related terms have a corresponding meaning;
- “health hazard” means a biological, chemical or physical agent in, or a condition of, a controlled commodity with the potential to cause an adverse health effect in animals or humans;
- “infected zone” means a zone designated as an infected zone under section 22;
- “infection” means the presence of a pathogenic agent, including zoonotic agents, in a host;
- “international sanitary certificate” has the meaning given that term by section 38;
- “litter” means straw or any other substance commonly used as bedding for animals, and any such substance when used as packing material;
- “meat” means all edible parts of a non-aquatic animal;
- “Minister” means the Minister responsible for the Department;
- “notifiable animal disease” means a disease specified in Schedule 1;
- “OIE” means the Organisation Internationale Epizoötique (World Organization for Animal Health);
- “OIE Code” means the Terrestrial Animal Health Code issued by the World Organisation for Animal Health;
- “outbreak” means the occurrence of one or more cases of an animal disease or an infection in an epidemiological unit;
- “port” means a port or airport prescribed or appointed under the Customs Ordinance (Cap.19.04);
- “premises” includes a building, tent or other structure, whether permanent or otherwise, the land on which it is situated and any adjoining land employed in connection with it;
- “quarantine station or area” means a facility for the holding of controlled commodities for sanitary observation, research, inspection, testing, treatment, detention or destruction;
- “sanitary certificate” means a certificate in the approved form, or to the same effect, issued by the Service and stating the health status of a controlled commodity, for purposes of export;
- “sanitary measure” means any action taken or ordered to be taken in accordance with this Ordinance for the purpose of animal disease control;

- “sanitary risk” means the risk of a health hazard existing or developing as a result of the presence of a controlled commodity;
- “sanitary risk assessment”, in relation to an activity involving a controlled commodity, means the process of identifying and estimating the sanitary risk associated with the activity and evaluating the biological and economic consequences of that risk in accordance with internationally accepted procedures and standards;
- “sell” means offer, advertise, keep, store, display, transmit, consign, convey or deliver for sale, or exchange or dispose of to any person in any manner whether for a consideration or otherwise, and “sold”, “selling” and “sale” have corresponding meanings;
- “serious sanitary risk” means the risk of introduction into or spread in the Islands of any notifiable disease or vector that would constitute a serious threat to animal, human or environmental health;
- “Service” means the Turks and Caicos Islands Animal Health Service established by section 4(1);
- “surveillance zone” means a zone so designated under section 22;
- “vector” means a carrier of an animal disease;
- “vehicle” means any vessel, aircraft, conveyance, cart, container, animal or other thing on land or at sea or in the air that can transport controlled commodities from one place to another;
- “vessel” includes any marine vehicle;
- “veterinary biological product” means—
- (a) any substance commonly known as an antibiotic, chemotherapeutic agent, hormone, vaccine, serum, toxin, antitoxin, antigens and micro-organism and parts of micro-organisms living or killed; or
  - (b) any other biological substance which is intended solely for use in the practice of veterinary medicine, and includes germplasm of animals for use in artificial insemination, and embryo transfer;
- “veterinary drug” means—
- (a) a substance or composition of synthetic origin applied or administered to an animal, whether used for therapeutic, prophylactic or diagnostic purposes or for the modification of an animal’s physiological function or behavior; and
  - (b) any substance or composition presented as having such properties or uses, and includes antibiotics, growth promoting substances and veterinary pesticides, such as those applied for control of diseases and ectoparasites of animals;

“veterinary officer” means a person who is appointed as a veterinary officer in the public service;

“zone” means an infected zone, an animal disease-free zone, a buffer zone or a surveillance zone.

3. (1) This Ordinance is intended to prevent the introduction and spread of animal diseases, to protect and promote animal health, to control the movement of animals and animal products into, from and within the Islands, and to regulate related matters.

Scope and status  
of the Ordinance

(2) This Ordinance provides for the issuance in accordance with international standards and obligations of sanitary certificates for all animals and animal products for which a sanitary certificate is required.

(3) This Ordinance does not regulate fish processing or food safety generally.

(4) This Ordinance is in addition to and does not derogate from the Dogs (Control) Ordinance (Cap.8.11), the Control of Animals Ordinance 2012, or any enactment relating to human health, immigration, customs control or plant health and movements.

(5) Nothing in this Ordinance affects the common law right of any person to bring an action for any trespass that may be committed by an animal, nor applies to cases in which the question of title to the land trespassed on is involved

## PART 2

### ADMINISTRATION

4. (1) There is to be a Turks and Caicos Islands Animal Health Service within the Department of Agriculture.

Turks and Caicos  
Islands Animal  
Health Service

(2) The Service is to consist of the Chief Veterinary Officer and such other veterinary officers and other staff as are assigned to it.

(3) The CVO is to be the head of the Service and is the Authority for purposes of the international obligations of the Government in relation to animal health matters.

(4) The CVO may delegate any of his functions under this Ordinance to an animal inspector or veterinary officer, except for—

- (a) issuance of veterinary certificate or any other official documentation;
- (b) official liaison duties with other ministries or foreign authorities or any notification responsibilities;
- (c) approval of standards, requirements, rules or sanitary measures;

(d) designation of quarantine areas, disease-free zone, buffer zones or surveillance zones.

(5) A reference to “the Service” includes an animal inspector or veterinary officer performing a function of the Service on the authority of the CVO.

(6) The CVO is answerable to the Director for the performance of his functions and those of the Service under this Ordinance and for the efficient operation of the Service.

Functions of the Service

**5.** (1) The functions of the Service include, but are not limited to, the following—

- (a) prevent and control the introduction, establishment or spread of notifiable and other animal diseases within the Islands;
- (b) advise the Minister on the designation of notifiable animal diseases as provided by section 18;
- (c) set up an early detection system for animal diseases and pathogen outbreaks as provided by section 19;
- (d) devise and publish an animal disease emergency plan in accordance with section 21;
- (e) advise the Minister on the designation of quarantine stations and areas and manage such quarantine stations in accordance with Part 4;
- (f) establish and publish sanitary requirements for the import, export and movement of controlled commodities, on the basis of the OIE Code and in consultation with other competent authorities;
- (g) administer the system of permits for the import of controlled commodities in accordance with section 35;
- (h) issue sanitary certificates for the export of controlled commodities in accordance with section 42;
- (i) develop and implement a system for animal identification and animal traceability in accordance with section 57;
- (j) undertake sanitary risk assessment studies as required by or under this Ordinance;
- (k) approve, on the basis of sanitary risk assessment sanitary measures needed for preserving a good animal health status for the Islands;
- (l) establish, monitor, carry out, coordinate and evaluate programs of detection, surveillance and monitoring relating to animal health, veterinary public health and epidemiological matters;

- (m) if an animal disease or threat may present a health hazard to humans, inform and collaborate with the authority responsible for health;
- (n) develop animal health diagnostic and analytical capabilities for the Islands;
- (o) maintain up-to-date information on the animal health status of the Islands and provide information when requested by the Minister;
- (p) notify the OIE of outbreaks of notifiable animal diseases and fulfill other international reporting requirements under regional and international bodies;
- (q) evaluate the equivalence of sanitary measures taken by trading partners in respect of animals and animal products exported to the Islands;
- (r) carry out communication, training and public awareness campaigns on animal health matters;
- (s) issue permits required by or under this Ordinance;
- (t) collect fees as required by or under this Ordinance;
- (u) advise the Minister on the development of regulations needed to implement this Ordinance;
- (v) perform any other function assigned to it by the Director for the purposes of this Ordinance.

(2) The Service must at least once a year, and more often if required in writing by the Director, give a written report to the Director on the performance of its functions under this Ordinance.

6. (1) There may be assigned to the Service appropriately qualified officers in the public service to serve as animal inspectors for the purposes of this Ordinance.

Animal inspectors

(2) The CVO and every veterinary officer are animal inspectors for purposes of this Ordinance by virtue of their office.

(3) Every animal inspector must be issued with an identification document or badge.

(4) Animal inspectors are answerable to the CVO while performing their functions under this Ordinance.

7. (1) An animal inspector, with or without the assistance of a police officer may—

Powers of entry, search and seizure

- (a) enter any animal establishment, vehicle, port facilities or other premises (other than a dwelling place) where activities in relation to animals are being carried out, or are suspected of being carried out;
- (b) inspect or search any such premises, and examine any controlled commodity or any object or

substance which is, or is suspected of being used in activities relating to animals;

- (c) require any person to present any controlled commodity for inspection in a manner and under conditions the inspector considers necessary to carry out the inspection;
- (d) require the owner or person in charge of the premises to provide any information or documentation regarding the controlled commodity, object or substance;
- (e) secure or prohibit access to the premises for as long as is needed to ensure that there is nothing on or in the premises that might cause the spread of a notifiable animal disease.

(2) An animal inspector may, in relation to premises as mentioned in subsection (1)—

- (a) open any container on the premises that the inspector believes on reasonable grounds contains any animal or thing in respect of which this Ordinance or the regulations apply;
- (b) weigh, count, measure, mark and open any such container, take photographs of any thing, read any values of any instruments and take samples in the prescribed manner of anything on the premises;
- (c) require any person on the premises to produce for inspection or copying, in whole or in part, any record or document that the inspector believes on reasonable grounds contains any information relevant to the administration of this Ordinance or the regulations;
- (d) examine, make copies of or take extracts from any book, statement or other document found at the premises that the inspector believes on reasonable grounds contains any information relevant to this Ordinance, and demand from the owner or any person in charge of the premises an explanation of any entry in it;
- (e) inspect any operation, process or system used or carried out on the premises;
- (f) seize any animal, appliance, product, material, object, substance, book or document on the premises which appears to provide proof of a contravention of any provision of this Ordinance.

(3) In carrying out an inspection at any place under this section, an inspector may—

- (a) use or cause to be used any data processing system at the place to examine any data contained in or available to the system;

- (b) reproduce any record or cause it to be reproduced from the data in the form of a printout or other intelligible output and take the print-out or other output for examination or copying; and
- (c) use or cause to be used any copying equipment at the place to make copies of any record or other document.

(4) In carrying out an inspection at any place or in performing his functions under this Ordinance an animal inspector may—

- (a) in relation to any animal, make such examinations, apply such tests, take such samples, use such vaccine or serum and apply such marks as may be reasonably necessary, or as may be required or prescribed by or under this Ordinance;
- (b) enter any land or premises for the purpose of such examining, testing, sampling or marking;
- (c) require any person in charge of an animal, or the owner or occupier of or a person employed on land or premises so entered, to give assistance or to carry out instructions as reasonably necessary for the purpose of examining, testing, sampling or marking, or to give information as reasonably necessary in connection with the prevention or eradication of any disease or for the implementation of this Ordinance.

(5) An animal inspector may at any time—

- (a) with the consent of the owner, enter and search a dwelling house for purposes of this Ordinance;
- (b) on a warrant issued under subsection (6), enter and search a dwelling house for animals or animal products that the inspector reasonably believes have been imported in contravention of this Ordinance or pose a serious sanitary risk.

(6) If a magistrate is satisfied on evidence on oath by an animal inspector or police officer that—

- (a) there may be in a dwelling house animals or animal products that have been imported in contravention of this Ordinance or that pose a serious sanitary risk; and
- (b) the consent of the owner or occupier to entry and search of the dwelling house cannot be obtained,

the magistrate may issue a warrant authorising the inspector to enter and search the dwelling house for such animals or animal products, and the preceding provisions of this section apply to such a search.

Other powers

**8.** (1) An animal inspector may submit anything taken from premises under section 7 to an authorised laboratory for analysis.

(2) An animal inspector may issue an enforcement notice under section 11 ordering modifications to be made to an animal establishment if the structure or internal design or contents are likely to pose a health hazard or sanitary risk.

(3) An animal inspector may, in order to contain a sanitary risk, seize any controlled commodity, including food that is contaminated or contagious, and if necessary order the destruction of it.

(4) An animal inspector may order the disposal of the carcass of any diseased animal that has died, wherever it may be found, including on premises or in a dwelling.

(5) An animal inspector may order the quarantining of any animal for the purpose of further testing and analysis.

(6) An animal inspector may decontaminate or disinfect, or order the decontamination or disinfection of any container, vehicle, premises or place.

(7) In relation to any controlled commodity, an animal inspector may make any examination, apply any test, take any sample, use any vaccine or serum and apply any mark that is reasonably necessary for the purposes of this Ordinance.

(8) An animal inspector may stop and search any vehicle or container upon entry into, movement within or exit from the Islands, if the inspector reasonably suspects that the vehicle or container is carrying a controlled commodity in contravention of this Ordinance and that a sanitary risk is created as a result.

Taking of samples

**9.** (1) An animal inspector may, with the consent of the owner or person in charge of a controlled commodity, take samples from—

(a) any part of an incoming vessel or aircraft that has on board a controlled commodity;

(b) any warehouse containing a controlled commodity;

(c) any consignment of controlled commodities, wherever located;

(d) any container, baggage or thing that the officer reasonably suspects to be or include a controlled commodity.

(2) If an owner or person in charge refuses consent under subsection (1), the inspector may require the person to provide appropriate samples.

(3) If an owner or person in charge refuses either to allow samples to be taken or to provide samples, when required to do so under this section –

(a) the owner or person commits an offence;

Penalty: A fine of \$5,000

(b) an import licence for an incoming consignment must be refused or revoked.

(4) An animal inspector may, with the consent of the owner or person in charge of the commodity, take samples of any outgoing controlled commodity if the taking of a sample is necessary for the issue of a sanitary certificate.

(5) If the person in charge of a controlled commodity refuses consent under subsection (4), the inspector may require the person to provide a sample, failing which the sanitary certificate will not be issued.

(6) An animal inspector may request the owner or person in charge of a consignment to unpack it or break it up to facilitate sampling, at the risk and expense of the owner or person.

(7) When exercising powers under subsection (1) or (4), an inspector must give the owner or person in charge a written notice, identifying the quantity of the sample and the place where the sample is to be analysed.

(8) In other respects, the procedure for taking and analysing samples, recording the results and disposing of the samples is as approved by the Director.

(9) If, in the course of sampling, goods are destroyed or damaged, without negligence or malice, no compensation is payable to the owner of the goods.

(10) The owner or person in charge of a controlled commodity from which samples are taken under subsection (1) or (4) must be notified in writing of the findings in respect of the samples as soon as reasonably practicable .

(11) The charges for taking and analysis of samples under this section are as prescribed.

**10.** (1) An animal inspector may, to contain a sanitary risk from any controlled commodity, direct or prohibit the movement of the commodity from, to or in any place.

Directions by an inspector

(2) If an animal inspector is satisfied that there has been a failure on the part of the person in charge of a container or vehicle to comply with a requirement of this Ordinance or with a condition imposed pursuant to it, and that this poses a sanitary risk, the inspector may, with the assistance of a police officer, detain the container or vehicle or direct that the docking of the vessel or offloading of controlled commodities be stopped until the sanitary risk is contained.

(3) An animal inspector may issue a direction to stop the distribution, sale or use of any controlled commodity which the inspector has reason to believe is infected with or may spread a notifiable animal disease, until the sanitary risk is contained.

(4) Written notice of a direction issued under subsection (1), (2) or (3) must be given to the CVO, the Commissioner of

Police and the Collector of Customs as soon as reasonably practicable.

(5) Upon receiving a notice under this section, the CVO must, without delay, take the appropriate sanitary measures under this Ordinance to contain any sanitary risk arising from movement or sale of the controlled commodity, and the direction ceases to have effect once the CVO has taken such action.

Enforcement notices

**11.** (1) If an animal inspector has reasonable grounds for believing that an owner or person in charge of a controlled commodity has failed to comply with any direction under section 10 or any provision of this Ordinance, he may serve a notice on the owner or person—

- (a) stating the inspector's grounds for believing that the direction or any provision of this Ordinance is not being complied with;
- (b) specifying the sanitary or other measures which the inspector considers the owner or person must take in order to remedy the failures referred to in paragraph (a);
- (c) requiring the owner or person to implement those measures, or measures which are at least equivalent to them, within the time specified in the notice.

(2) If the person on whom an enforcement notice is served fails to take the measures specified—

- (a) the person commits an offence;

Penalty: A fine of \$10,000

- (b) the animal inspector must notify the CVO and take enforcement action as directed by the CVO.

Limitation on powers

**12.** (1) The powers in section 7 to 11 may only be exercised—

- (a) on the basis of sanitary risk assessment, for the purpose of detecting and controlling animal diseases; or
- (b) on reasonable grounds that there has been or is about to be a breach of this Ordinance or the regulations.

(2) The rights of entry conferred by section 7(1) to (4) may be exercised without a warrant, but the animal inspector must provide written justification to the owner or person in charge of any premises before exercising those rights.

(3) Upon taking action under section 10(1) or (2), an animal inspector must, without delay, give to the person in charge of the container or vehicle a written and signed notice of detention, giving reasons for it.

(4) An animal inspector must on request by any person produce his identification card for inspection when exercising powers under the foregoing sections.

(5) An animal inspector who seizes or detains a controlled commodity or other thing under this Ordinance must immediately issue a written and signed notice to the owner or person in charge of the commodity, giving reasons for exercising the power.

**13.** (1) If an animal inspector is of the opinion that any person—

Powers in relation to people

- (a) seeking to enter or leave the Islands;
- (b) employed at a port or in a quarantine station or area; or
- (c) engaged in importing or exporting controlled commodities,

is in possession or control of an article that poses a sanitary risk to the Islands, the inspector may detain and question the person.

(2) If an animal inspector suspects that there may be upon a person seeking to enter the Islands an article the importation of which would constitute an offence under this Ordinance, the officer may cause the person and the person's baggage to be searched.

(3) If an animal inspector suspects that there may be upon a person seeking to leave the Islands an article the exportation of which would constitute an offence under this Ordinance, the inspector may cause the person and the person's baggage to be searched.

(4) A search of a person under this section must be carried out by an inspector of the same sex as the person searched.

(5) A person may be detained under this section only for as long as is required to question and search the person and the person's baggage and to arrange for sanitary measures to be taken in respect of it.

**14.** (1) If an animal inspector suspects that an offence under this Ordinance is being committed by any person in relation to a controlled commodity, and that a sanitary risk is created as a result, the inspector may, without a warrant, direct the person to stop the activity and may detain the controlled commodity for a period specified in the direction.

Powers of apprehension

(2) If a person as mentioned in subsection (1) refuses to comply with a direction or impedes or obstructs the inspector in the performance of his duties, the inspector may, with the assistance of the police, arrest the person.

(3) A person arrested under this section must be taken as soon as practicable, and in any event within 48 hours, before a magistrate and must not be detained without a warrant longer than is necessary.

Rights and duties  
of animal  
inspectors

**15.** (1) An animal inspector may require the owner or person in charge of any controlled commodity, or premises where the commodity is found, to—

- (a) give any assistance or carry out any instructions reasonably necessary to facilitate the exercise of the inspector's functions or to enforce the provisions of this Ordinance;
- (b) give all information reasonably necessary in connection with the eradication of any animal disease or the enforcement of this Ordinance.

(2) Animal inspectors have the right to request and receive the assistance of police officers in the performance of their duties.

(3) Every animal inspector following an inspection or issuing of an enforcement notice must prepare a written inspection report to the CVO in an approved form.

(4) An animal inspector must not disclose any confidential information acquired in the performance of official duties relating to any person, firm, or business, except when required to do so by the CVO or Director or by a court.

(5) An animal inspector who—

- (a) in connection with his functions, directly or indirectly asks for or takes any payment or other reward to which he is not entitled;
- (b) agrees to do, abstains from doing, permits, conceals or connives at any act or omission which is contrary to this Ordinance; or
- (c) knowingly discloses any information contrary to subsection (4),

commits an offence.

Penalty: A fine of \$20,000.

Offences relating  
to inspection,  
etc.

**16.** A person who—

- (a) fails to provide access, samples or information to an animal inspector upon request, gives false information to an animal inspector, or otherwise fails to comply with an order properly given under this Ordinance;
- (b) refuses to submit to the lawful inspection of an animal inspector any equipment used in connection with the importation or movement of a controlled commodity;
- (c) attempts to improperly influence an animal inspector in the performance of his functions under this Ordinance;

- (d) tampers with any sample taken under this Ordinance or breaks any seal or alter any marking made by an animal inspector without permission;
- (e) alters, forges, defaces, or destroys any document issued under this Ordinance or knowingly or recklessly provides information which is false, for the purpose of obtaining any document under this Ordinance;
- (f) assaults, resists, threatens, or willfully obstructs an animal inspector or other representative of the Service while performing lawful functions under this Ordinance; or
- (g) poses as a veterinary officer or animal inspector,

commits an offence.

Penalty: A fine of \$10,000 or imprisonment for 12 months, or both.

**17.** (1) The Minister in Cabinet, may by order designate one or more laboratories, in the Islands or elsewhere, as laboratories for purposes of this Ordinance.

Laboratories and analysts

(2) No person who has any actual or reasonably perceived interest in a matter or other action to be taken by the Service, whether such interest is direct or indirect, may act as an animal inspector of an authorised laboratory.

(3) A person as mentioned in subsection (2) who becomes aware that he or she has such an interest, must notify the Director in writing within 3 days of becoming so aware, and the Director must immediately assign another animal inspector.

(4) The Minister in Cabinet, on the advice of the CVO, may by notice designate one or more appropriately qualified persons as analysts to analyse samples for the purposes of this Ordinance.

(5) A person duly employed in an authorised laboratory as an analyst is deemed to be an authorised analyst for the purposes of this section.

(6) A laboratory that is not a Government laboratory, and an analyst who is not a public officer, may charge their usual fees for services provided under this Ordinance.

### PART 3

#### ANIMAL DISEASE CONTROL

**18.** (1) The Minister may, by order published in the *Gazette*, amend Schedule 1 to declare any other disease to be a notifiable animal disease for the purposes of this Ordinance.

Notifiable animal diseases

(2) A declaration of a notifiable animal diseases must have regard to the OIE list of animal diseases and must be regularly updated on the basis of sanitary risk assessment.

(3) Any person in the Islands who becomes aware that an animal in his possession or under his control is suffering from a notifiable animal disease must as soon as practicable notify—

- (a) the CVO or any member of the Service;
- (b) any other veterinary or medical practitioner; or
- (c) any police officer, in person or by electronic means.

(4) A veterinary or medical practitioner officer or police officer who is notified of a notifiable animal disease under subsection (3) must inform the CVO as soon as practicable.

(5) A person who fails to notify or inform as required by subsection (3) or (4) respectively commits an offence.

Penalty: A fine of \$5,000.

Early detection system

**19.** (1) The Service must establish an early detection system designed to detect sanitary risks or health hazards from animals or animal products.

(2) The system established under subsection (1) must include at least the following characteristics—

- (a) the legal obligation of private veterinarians to report to the Service;
- (b) a chain of command covering the whole of the Islands.

(3) The Minister may by regulations make provisions –

- (a) for causing or requiring notice to be given of the appearance of any disease or toxic substance among animals; and
- (b) for enforcing an early detection system established under this section.

Declaration of animal disease emergency

**20.** (1) If there are reasonable grounds to believe that there is in any area of the Islands an outbreak of a notifiable animal disease, or a high risk of such an outbreak, and that such an outbreak poses or would pose a serious sanitary risk, the Minister, on the advice of the Director acting through the responsible permanent secretary, must by order declare an animal disease emergency in that area.

(2) The Director, on the advice of the CVO, may direct the imposition of provisional measures to verify and control the risk of an outbreak before an animal disease emergency is declared under subsection (1).

(3) The measures directed by the Director under subsection (2) must be limited by a time specified in the direction that is proportional to the risk, and upon the expiration of that time, if an

emergency has not been declared under subsection (1), the direction lapses.

(4) On the declaration of an animal disease emergency, the Director may do or cause to be done any of the following—

- (a) mark the boundaries of the emergency area;
- (b) set up roadblocks at all exits from the area;
- (c) set up facilities for the cleansing and disinfection of all persons and conveyances entering or leaving the area and any other thing likely to spread an animal disease;
- (d) disinfect all vehicles, containers, controlled commodities and other articles which are likely to carry animal diseases and which are being sent out of the area;
- (e) inspect and disinfect all persons and their possessions leaving the area so as to prevent any pathogen from leaving the area;
- (f) for the purposes of this subsection, detain persons, controlled commodities and vehicles for as long as is necessary to minimise or eliminate the sanitary risk presented by them;
- (g) perform surveillance activities to ascertain the extent and status of the emergency.

(5) A person who—

- (a) resists, knowingly obstructs, or knowingly and without reasonable excuse fails to comply with a direction of the Director, an animal inspector or any police officer or other person performing duties under this section;
- (b) knowingly enters or leaves an animal disease emergency area except with and in accordance with the permission of the Director or an animal inspector; or
- (c) knowingly moves a controlled commodity out of or into an emergency area, or from one place within the area to another place within that area, except with and in accordance with the written permission of the Director or an animal inspector,

commits an offence.

Penalty: A fine of \$50,000 or 2 years imprisonment, or both.

**21.** (1) The Service must prepare an animal disease emergency plan, based on the powers set out in section 20(4). The plan must set out the sanitary measures that are to be imposed during and in the area of an animal disease emergency, including obtaining the assistance of the police, fire and rescue services.

Animal disease  
emergency:  
Supplementary

(2) The declaration of an animal disease emergency triggers the implementation of the animal disease emergency plan.

(3) Sanitary measures declared in an animal disease emergency must be—

- (a) based on sanitary risk assessment;
- (b) proportionate to the threat;
- (c) limited to the extent and duration necessary to minimize the threat; and
- (d) published in the *Gazette*, on the Ministry website, in local newspapers, on TV and radio and by other appropriate means.

(4) The Minister must revoke the disease emergency declaration when the Director (acting through the responsible permanent secretary), on the advice of the CVO, determines that the threat has ended.

Designation of  
infected zone

**22.** (1) If an animal inspector suspects that a notifiable animal disease or an animal disease posing a serious sanitary risk exists in any area of the Islands, the inspector must—

- (a) without delay, sign a notice to that effect specifying the limits of the area and provisionally designating it an infected zone;
- (b) serve the notice on the owner or occupier of the area; and
- (c) provide a copy of the notice to the CVO.

(2) The area designated as an infected zone is subject to confirmation within 14 days by the CVO following an investigation. If the designation is not confirmed in that period, or if the CVO earlier decides not to confirm the designation, the area ceases to be an infected zone.

(3) If the CVO confirms the finding of an infected zone, the CVO may, by notice published in the *Gazette*, designate the infected zone and specify—

- (a) the notifiable animal disease;
- (b) the limits of the infected zone;
- (c) the sanitary measures to be imposed in the zone; and
- (d) the resulting duties of persons in the zone and in relation to animals and animal products in the zone.

(4) The CVO may in a notice under subsection (3) also designate any other area containing, adjoining or surrounding the infected area as an infected zone.

(5) If the CVO considers that an infected zone has ceased to be infected, he must by notice in the *Gazette* cancel the designation of the infected zone.

**23.** (1) The Director must continuously review the animal health status of any infected zone to verify compliance with the designation and the CVO must revise the designation as necessary.

Infected zones:  
Supplementary

(2) In an infected zone, the CVO may in writing direct—

- (a) the treatment or disposal of diseased animals;
- (b) the movement of controlled commodities into, out of or within the zone;
- (c) the movement of humans and vehicles into, out of or within the zone;
- (d) the inspection and treatment of controlled commodities in or entering or leaving the zone;
- (e) the destocking, cleaning, disinfecting or other treatment of land, premises and vehicles;
- (f) any other sanitary measure the CVO considers necessary to contain the sanitary risk.

(3) A controlled commodity that has been in an infected zone must not be exported until the CVO is satisfied that it no longer presents a sanitary risk.

(4) The cost of treatment or destruction under this section is to be borne by the ministry, and the owner of a destroyed animal is entitled to compensation in accordance with section 26.

(5) A person who—

- (a) knowingly and without reasonable excuse fails to comply with a direction of the CVO in an infected zone;
- (b) knowingly enters or leaves an infected zone except with and in accordance with the permission of an animal inspector; or
- (c) knowingly moves any controlled commodity out of or into an infected zone without the permission of an animal inspector,

commits an offence.

Penalty: A fine of \$5,000 or imprisonment for 6 months, or both.

**24.** (1) The CVO may, by notice in the *Gazette*, designate any part of the Islands as an animal disease-free zone, a buffer zone or a surveillance zone for the purposes of this Ordinance.

Designation of  
other zones

(2) An animal disease-free zone is a zone in which the absence of a notifiable animal disease has been established to the satisfaction of the CVO. An official control program must be effectively applied in such a zone for animals and animal products and their transportation.

(3) A buffer zone is a zone established to protect the health status of animals in an animal disease-free zone from those in a zone of a different animal health status. It must be established

using measures such as vaccination, movement control and disease surveillance based on the epidemiology of the disease or pathogen under consideration, in order to prevent the spread of the causative pathogenic agent into an animal disease-free zone.

(4) A surveillance zone is established within, and along the border of, an animal disease-free zone separating the free zone from an infected zone.

(5) The CVO must by notice specify the sanitary measures that may be imposed in order to contain a risk in a buffer or surveillance zone and to preserve the status of an animal disease-free zone.

(6) In this section, an “official control program” means an approved program managed or supervised by the CVO for the purpose of controlling a vector, pathogen or disease by specific measures applied within a zone.

Destruction of animals for animal disease control purposes

**25.** (1) An animal inspector may cause any animal suffering from a notifiable animal disease, or any epidemiological unit animal reasonably suspected of having such an animal disease, whether or not in an infected zone, to be destroyed in order to prevent the spread of the disease, and for that purpose the animal inspector may give all necessary directions.

(2) An animal inspector may require the owner or person in charge of an animal to destroy the animal if it has been in contact with, or in close proximity to, another controlled commodity that was, or is suspected of being (or having been) infected or contaminated by an animal disease, or of being a vector.

(3) An animal inspector may, for the purpose of observation and treatment, take possession of and retain any animal liable to be destroyed under this section and take appropriate sanitary measures.

(4) An animal destroyed under the provisions of this Ordinance or which dies as the result of disease, must be disposed of as soon as possible by the owner of the animal under the directions of an animal inspector and in accordance with guidelines published by the CVO.

(5) Destruction for purposes of this section includes slaughtering, burning or burying.

(6) The provisions of this section apply to an animal product or animal-related item as they apply to animals, except for the reference to death.

Compensation

**26.** (1) An owner may, on the discretion of the Department, be compensated for animals and products destroyed based on an assessment done to ascertain—

- (a) if compensation should be granted; or
- (b) the fair market value of the animal or product immediately before it is destroyed.

(2) No compensation is payable in respect of an animal or animal product destroyed while in a quarantine station or area if, in the opinion of the CVO, the animal was diseased at the time of importation into the Islands.

(3) No compensation is payable if the owner or person in charge of the animal failed to give notice of the presence of a notifiable disease in the animal in accordance with section 18.

(4) No compensation is payable to a person who commits an offence under this Ordinance and claims compensation in respect of any animal by means of or in relation to which the offence was committed.

(5) No compensation is payable under this section for—

- (a) the detention of a controlled commodity or vehicle;
- (b) consequential loss arising from the destruction of an animal or animal product; or
- (c) the destruction of any other controlled commodity.

**27.** (1) The Director, on the advice of the CVO, may in order to ensure control of animal diseases and the safe and humane treatment of animals which are to be moved from or to or within the Islands, by notice prohibit—

Control of  
movement of  
animals

- (a) the movement from or to or within the Islands of specified animals; or
- (b) the movement from or to or within the Islands of any animal on a specified vessel or aircraft, for a period specified in the notice.

(2) No import permit and no sanitary certificate may be issued in relation to the import or export of an animal contrary to a prohibition notice under subsection (1).

(3) For the purposes of controlling or eradicating a notifiable animal disease and of preventing its introduction or spread, the Director, on the advice of the CVO, may by notice—

- (a) control the movement of controlled commodities within, into or out of a zone;
- (b) provide for the establishment of compartments within a zone and varying measures of control for each compartment;
- (c) authorise the disposal or treatment of controlled commodities that are or have been in a zone; or
- (d) impose any other disinfection measure, eradication measure or official control and stamping-out program that is required, for a period specified in the notice.

(4) The period specified in a notice under subsection (1) or (2) must not exceed 2 months, but the notice is renewable if the conditions for making it are met.

(5) In this section—

“compartments” means a terrestrial animal subpopulation containing one or more establishments under a common animal health management system and an animal subpopulation with a distinct health status with respect to a specific disease or specific diseases for which required surveillance, control and animal health measures have been applied for the purpose of international trade;

“population” means a group of animals sharing a common defined characteristic.

Animal  
movement  
permits

**28.** (1) While a notice under section 27(3) is in force, no controlled commodity may be moved into, from or within a zone without an animal movement permit issued by the Service.

(2) An application for an animal movement permit must be made on an approved form and accompanied by the prescribed fee.

(3) An animal movement permit may contain conditions for the movement of the commodity to which it relates. The conditions must be based on a sanitary risk assessment in respect of the relevant zone or on the welfare of the animal.

(4) If an animal inspector has reasonable grounds to believe that a controlled commodity has been removed from or within or taken into a zone without an animal movement permit, or in contravention of a condition of a permit, the inspector may—

- (a) seize the commodity, if it creates a sanitary risk;
- (b) direct that the movement be postponed for a period specified in the direction; or
- (c) take other sanitary measures as necessary.

(5) An owner or person who has control of a commodity that is moved without a permit, or in breach of the conditions of a permit, contrary to this section, commits an offence.

Penalty: A fine of \$10,000 or imprisonment for 6 months, or both.

Offences relating  
to diseased  
animals

**29.** (1) It is an offence for a person, either personally or indirectly through an employee or agent—

- (a) to possess, sell, offer for sale, transport, import or export any controlled commodity knowing that it is infected or may transmit a notifiable animal disease;
- (b) intentionally or recklessly to permit or cause the introduction or spread of any notifiable animal disease;
- (c) to keep or import into the Islands an animal that the person knows or suspects is infected with an animal disease, without notifying the Service immediately upon his knowledge or suspicion of this circumstance;

- (d) being the owner of an animal that he knows or suspects to be infected with an animal disease, to permit the animal to roam at large;
- (e) to sell or offer or expose for sale or barter an animal which is infected with an animal disease or which he suspects on reasonable grounds to be infected with an animal disease;
- (f) being the owner of an animal, to leave or cause the carcass of the animal to be left on, in or near any street, road or public place.

Penalty : A fine of \$10,000 or imprisonment for 6 months, or both.

(2) A person who has in his or her possession or under his charge an animal suffering from a notifiable animal disease and who fails to keep the animal separate from other animals that are not diseased commits an offence.

Penalty: A fine of \$10,000 or imprisonment for 6 months, or both.

#### PART 4

##### ANIMAL QUARANTINE

**30.** (1) If an animal inspector suspects that an animal—

- (a) is suffering from a notifiable animal disease;
- (b) may have been in contact, during its transportation, with any animal which is or may be suffering from a notifiable animal disease or with any animal which is not exempted from the requirement of being placed in quarantine; or
- (c) has otherwise been exposed to the risk of contracting a notifiable animal disease, the inspector may order the animal to be placed under quarantine in a quarantine station or area.

Animal  
quarantine orders

(2) If it is a condition of import of a controlled commodity that it be placed in quarantine upon arrival in the Islands, the controlled commodity must be placed under quarantine in a quarantine station or area.

(3) The period for which a controlled commodity must remain in a quarantine station—

- (a) in the circumstances mentioned in subsection (2) depends on the terms of the animal import permit;
- (b) in any other case – is to be determined by the CVO, on the basis of a sanitary risk assessment.

(4) Any animal which develops a notifiable animal disease while in a quarantine station or area or, in the opinion of an animal inspector, presents a risk of the spread of any disease in the Islands

may, with the approval of the CVO, be destroyed without payment of compensation.

Animal  
quarantine  
stations and  
areas

**31.** (1) The Minister, on the advice of the CVO, may establish or designate buildings or areas at appropriate places on any public or private land in the Islands as a quarantine station or area for controlled commodities for the purposes of this Ordinance.

(2) Quarantine stations or areas must be established at or near to all designated ports.

(3) A quarantine station or area must be provided with such buildings and facilities as are reasonably needed—

- (a) to hold quarantined controlled commodities in quarantine;
- (b) to prevent unauthorised persons from entering the station or area or removing items from the station or area;
- (c) to enable the CVO or an animal inspector to perform tests, provide treatment and apply other sanitary measures as required by or under this Ordinance.

(4) A quarantine station or area may be established under this section for specific animals or for the surveillance of specific diseases, or may be established for emergency purposes only.

Management of  
quarantine  
stations and  
areas

**32.** (1) An animal inspector must be assigned to each quarantine station or area to provide daily veterinary attention at the station or area while any animal is kept there.

(2) The CVO may issue written instructions as to the examination, treatment, disposal or destruction of controlled commodities while in a quarantine station or area or in transit to or from a quarantine station or area. Such instructions must conform to OIE standards for the management of quarantine stations.

(3) The fees or charges payable for keeping controlled commodities in quarantine are as prescribed.

(4) The cost of keeping a controlled commodity in quarantine is to be borne by the importer or owner of the controlled commodity.

(5) No compensation is payable for any loss or destruction or consequential loss caused by a controlled commodity being detained in quarantine, unless negligence or malice is proved.

(6) Animals in a quarantine station or area must be kept in isolation, with no direct or indirect contact with other animals, to prevent the transmission of a notifiable animal disease or pathogen into the surrounding environment while the animal is undergoing observation and, if appropriate, testing and treatment.

(7) No person, other than the person in charge of the station or area or an animal inspector acting in the course of duty, may

enter a quarantine station or area without the written permission of the CVO or of the person in charge of the station or area.

(8) A controlled commodity must not be released from quarantine except upon the authority of a quarantine release certificate issued by an animal inspector.

(9) Before a controlled commodity can be released from quarantine—

(a) any treatment required as a condition of importation of the controlled commodity must have been applied; and

(b) all quarantine fees must have been paid.

controlled commodity must be released from quarantine as soon as practicable and a quarantine release certificate in an approved form issued

**33.** (1) A person who—

Quarantine offences

(a) enters a quarantine station or area without permission being given under section 32(7); or

(b) damages, interferes with or in any way reduces the effectiveness of measures taken to secure a quarantine station or area, or any quarantined controlled commodity in the station or area,

commits an offence.

Penalty: A fine of \$5,000.

(2) A person who—

(a) fails to comply with directions for a controlled commodity to be or to remain in quarantine; or

(b) releases a controlled commodity from quarantine without the written authority of an animal inspector,

commits an offence.

Penalty: A fine of \$10,000 or imprisonment for 6 months, or both.

## PART 5

### ANIMAL IMPORTS AND EXPORTS

**34.** (1) A controlled commodity may be imported into the Islands only at a port.

Importation of controlled commodities

(2) No controlled commodity may be imported into the Islands unless—

(a) an animal import permit has been issued under this Part;

- (b) the controlled commodity meets the animal import conditions of the permit and of and under this Ordinance;
- (c) the controlled commodity is accompanied by any other documentation required by or under this Ordinance or any other written law to accompany imports.

(3) A person who imports, or attempts to import, a controlled commodity in contravention of this section commits an offence.

Penalty: A fine of \$50,000 and imprisonment for 2 years, or both.

(4) A person who contravenes any requirement of or under this Ordinance relating to the importation or landing into the Islands of any animal-related item, or any equipment or object, with which an animal has come into contact, commits an offence.

Penalty: A fine of \$5,000.

(5) The Minister may make regulations—

- (a) providing for cleansing and disinfection and subjection to quarantine of vehicles used for the transportation of animals to the Islands;
- (b) regulating the examination, inspection, seizure and detention of any controlled commodity, prior to its being landed in the Islands.

(6) The requirements of or under this Part are in addition to the requirements of any other written law relating to the import or export of controlled commodities.

Animal import permits

**35.** (1) A person who wishes to import any controlled commodity into the Islands must apply to the Service for an animal import permit in an approved form and must pay the prescribed fee.

(2) An application for an animal import permit must be submitted in writing to the Service before the importation and must include—

- (a) the proposed date of entry;
- (b) the port of entry;
- (c) the country of origin and any country of transit;
- (d) the name of the species or item to be imported and the quantity;
- (e) the means of transport;
- (f) proof of ownership or custodianship of animals;
- (g) the final destination in the Islands;
- (h) evidence that an international sanitary certificate has been issued in respect of the commodity in the exporting country;

(i) any other information prescribed or that the CVO requires in writing in any particular case.

(3) On receipt of an application made in accordance with subsection (2), and of the prescribed fee, and if satisfied of the matters stated in the application, and that the proposed import is not a prohibited import, the Service may issue to the applicant an animal import permit in a form approved by the Director.

(4) Every animal import permit is issued subject to the animal import conditions and if those conditions are not met, the permit is deemed to be cancelled.

(5) An animal import permit may include a requirement that a controlled commodity be placed in quarantine for a period and subject to conditions specified in the permit.

**36.** (1) A person outside the Islands who wishes to import a dog or cat but intends to re-export it within 12 months of its arrival in the Islands may apply to the Service for an entry permit for the dog or cat.

Entry permits for dogs and cats

(2) A person in the Islands who—

(a) holds an import permit for a dog or cat; or

(b) owns a dog or cat born in the islands; and

(c) intends to export the dog or cat and to re-import it within 12 months, may before exporting the dog or cat apply to the Service for a re-entry permit for the dog or cat.

(3) Application for an entry or re-entry permit must be made to the Service in the approved form and accompanied by the prescribed fee.

(4) An entry permit or re-entry permit constitutes an animal import permit. It may be for a single entry or for multiple entries, and may be limited in its duration.

(5) An entry or re-entry permit issued under this section must be replaced by a full import permit on expiry of the entry permit, unless it is renewed or extended on application to the Service and payment of the prescribed fee.

(6) An entry permit must have attached to it conditions to ensure that the dog or cat does not pose a sanitary risk on entry or while in the Islands.

(7) Except as provided in this section, the provisions of or under this Ordinance relating to animal imports apply to dogs and cats.

**37.** (1) The Director must from time to time publish the animal import conditions for the importation of animals and animal products into the Islands.

Animal import conditions

(2) Animal import conditions are the sanitary requirements that must be met before a controlled commodity is imported and it

is the duty of the importer to inform himself of the conditions and to comply with them.

(3) Animal import conditions may include a requirement for the tagging or other identification of animals that have been imported.

(4) Animal import conditions must be based on international standards and science-based sanitary risk assessment conducted in accordance with the OIE Code and other established international standards and with other requirements of or under this Ordinance.

(5) The animal import conditions must be regularly updated and made public.

International  
sanitary  
certificates

**38.** (1) The import conditions in relation to any controlled commodity may include a requirement that the animal health status of the commodity be certified by an international sanitary certificate.

(2) An international sanitary certificate is a sanitary certificate issued by the veterinary authority of the country from where a controlled commodity originated or was last exported, which must be a country specified under subsection (3).

(3) The Director, on the advice of the CVO, must by notice specify the countries whose sanitary certificates will be accepted for the purposes of this Part.

(4) An international sanitary certificate must be in English or accompanied by an official English translation.

Prohibited  
animal imports

**39.** (1) The Minister may, from time to time, on the advice of the Director acting through the responsible permanent secretary, and on the basis of sanitary risk assessment, by notice prohibit the importation into the Islands of—

- (a) a specified controlled commodity or species of animal or type of product; or
- (b) all animals or animal products from a specified country, if such importation would result in a serious sanitary risk to the Islands.

(2) If a notice prohibiting the importation of a controlled commodity is issued under subsection (1), written reasons for the notice must be stated.

(3) A person who imports or attempts to import a controlled commodity the importation of which is prohibited under this section commits an offence.

Penalty: A fine of \$50,000 or imprisonment for 2 years, or both.

Arrival  
notification

**40.** (1) A customs officer or police officer who becomes aware of the arrival in the Islands of a controlled commodity must—

- (a) notify an animal inspector as soon as practicable;

- (b) if so required by an animal inspector, assist in the inspection of the commodity; and
- (c) detain the commodity in a quarantine area until an animal inspector authorizes its release.

(2) A postal worker, customs officer or employee of the Ports Authority who becomes aware of the arrival in the Islands of a controlled commodity for which no import permit has been issued, must notify an animal inspector as soon as practicable.

(3) Subsection (1) and (2) do not apply to the importation of personal effects by a passenger or crew member, as provided by section 43.

(4) A person who fails to comply with an obligation imposed by subsection (1) or (2) commits an offence.

Penalty: A fine of \$10,000.

**41.** (1) All controlled commodities are, upon importation into the Islands, subject to inspection by an animal inspector at the port of entry.

Inspection of  
animal imports

(2) Inspections must be carried out during regular business hours, unless the articles to be inspected are goods in transit or are extremely perishable, in which case, on application by the importer and on payment of the prescribed fee, the inspection must be carried out at some other time agreed with the importer.

(3) Upon an inspection under this section, if the animal inspector determines that the imported item does not present any risk for the introduction and spread of disease, and does not require quarantine, he may release the item to the importer.

(4) If upon such an inspection the inspector is satisfied that the import of the controlled commodity would result or is likely to result in a sanitary risk, or if the documentation accompanying the shipment fails to meet the requirements of this Part, the inspector must do one of the following—

- (a) take samples of the controlled commodity for submission to an authorised laboratory for analysis;
- (b) transfer the controlled commodity to a quarantine station or any other location specified by the Director for testing or disinfection;
- (c) return the controlled commodity to the country of origin;
- (d) arrange for the destruction of the controlled commodity.

(5) The inspector must inform the importer of the option that the inspector proposes to take and must give the importer the opportunity to appeal against the decision.

(6) The inspector must inform the CVO in writing of his findings and of the action taken.

(7) Any decision taken under subsection (3) or (4) must be made based on sanitary risk assessment.

(8) If the imported articles lie unclaimed for a prescribed period after their entry into the Islands, or after treatment, the Director may take action to dispose of them.

(9) The cost of any action taken by the Director under subsection (4) or (8) must be borne by the importer.

Animal exports

**42.** (1) No controlled commodity may be exported from the Islands except in accordance with this Ordinance.

(2) A controlled commodity may only be exported from a port.

(3) A person who intends to export a controlled commodity from the Islands must submit it for examination by an animal inspector.

(4) In submitting a controlled commodity for examination under subsection (2) the person must complete the approved form, pay the prescribed fee, and provide any other document or information reasonably needed to enable the examination to take place.

(5) If upon examination the inspector, taking into consideration the requirements of the importing country, is satisfied that the conditions for the issue of a sanitary certificate in relation to the controlled commodity have been met, the inspector must issue a certificate.

(6) The issue of a sanitary certificate is dependent upon the payment of the prescribed fee.

(7) If upon examination as aforesaid the inspector is not satisfied that the controlled commodity intended to be exported is free of any risk for the exportation and spread of disease, or does not otherwise satisfy the requirements of this Ordinance, the inspector must—

- (a) subject the animal or product to appropriate treatment in order to remove the risk; or
- (b) refuse to issue a sanitary certificate.

(8) For the purpose of issuing sanitary certificates the Service may—

- (a) carry out biological tests, vaccinations or disinfection procedures;
- (b) carry out inspection, approval and certification procedures of animals and establishments;
- (c) observe animals during transport to the place of shipment and at the point of departure; and
- (d) send advance notice to the importing country.

(9) Following the issue of a sanitary certificate, the Service must undertake the appropriate measures to maintain the animal

health status of the controlled commodity until it leaves the Islands.

(10) A person who exports or attempts to export a controlled commodity in contravention of this section commits an offence.

Penalty: A fine of \$50,000 or imprisonment for 2 years, or both.

**43.** (1) Subject to subsections (2) and (3), every passenger or crew member who arrives in the Islands on board a vessel or aircraft must make an animal health declaration to a customs officer who shall immediately notify an animal inspector.

Passengers and crew members

(2) The animal health declaration must be in, or to the effect of, a form approved by the Director and must contain all required particulars relating to the person and any baggage that accompanies the person.

(3) A passenger or crew member does not need to declare personal effects, that is to say—

- (a) articles of clothing worn on the body;
- (b) articles visibly attached or connected to the body or clothing; or
- (c) suitcases and other visible containers of personal baggage, unless an animal inspector so requests because of the sanitary risk posed by the item, and in the absence of any such request, the article or container is deemed to have animal import clearance.

(4) A single declaration under subsection (1) may be made by a person in respect of the person and the person's spouse and any member of the family aged 16 years or less travelling on the same vessel or aircraft.

(5) When a declaration is tendered under this section, an animal inspector may—

- (a) question the passenger or crew member;
- (b) inspect the baggage to which it relates.
- (c) if necessary, question a spouse or family member included on the declaration.

(6) After taking the steps in subsection (5), an animal inspector may either grant animal import clearance of the controlled commodity and baggage to which the declaration relates, or detain the baggage and other articles in the possession of the passenger or crew member for further inspection and application of other sanitary measures as the inspector considers appropriate.

(7) An arriving passenger or crew member who fails to—

- (a) make a declaration as required by subsection (1); or
- (b) submit baggage for inspection when so directed under subsection (5),

commits an offence.

Penalty: A fine of \$5,000.

(8) Every passenger or crew member departing from the Islands must submit for inspection on request by an animal inspector any controlled commodity on the person or in the person's baggage.

(9) A departing passenger or crew member who fails to comply with subsection (8) commits an offence.

Penalty: A fine of \$5,000.

(10) Section 14 applies to the questioning, detention and searching of persons and baggage under this section.

Obligations of  
captains and  
owners of  
vessels and  
aircraft

**44.** (1) If there is on board a vessel or aircraft arriving in the Islands any controlled commodity, the captain or owner of the vessel or aircraft on or before coming into a port must declare to the Service, in an approved form, the presence of the controlled commodity on board the vessel or aircraft.

(2) If an animal inspector is satisfied that –

(a) there has been a failure on the part of the captain or owner of a vessel or aircraft to comply with the requirement in subsection (1); or

(b) there is on board the vessel or aircraft any controlled commodity that is being imported in contravention of this Part,

the inspector may cause the vessel or aircraft or the container where the controlled commodity is kept to be detained until the Director otherwise directs.

(3) The inspector must give the captain and owner written notice of the failure or contravention referred to in subsection (2).

(4) The captain of every incoming vessel must, while the vessel is in the Islands take all necessary steps to prevent any animal on board the vessel from making contact with any animal on shore unless permitted by an animal inspector, and then only as directed by the inspector.

(5) An incoming vessel must comply with any de-ratting requirements prescribed by regulations.

(6) A captain or owner who fails to comply with a requirement of this section commits an offence.

Penalty: A fine of \$20,000.

(7) If a controlled commodity is landed from any vessel or aircraft in contravention of this Ordinance, the captain of the vessel or aircraft or the owner of the controlled commodity (depending on which has possession or custody of it) commits an offence.

Penalty: A fine of \$20,000 or imprisonment for 12 months, or both.

**45.** (1) The owner or operator of an international transportation facility must, if required in writing by the Director, provide and maintain adequate areas, offices, laboratories and other facilities, including buildings, accommodation, equipment, furnishings and fixtures, for inspection or for any other purpose related to the administration of this Ordinance.

(2) The Director may—

- (a) require the making of any improvements he considers necessary to any area, office, laboratory or other facility to meet the obligation in subsection (1);
- (b) post, on or about the area, office, laboratory or other facility for as long as is required, a notice to this effect.

(3) If the owner or operator of a facility fails to comply with a requirement under subsection (2)(a), the Director may cause the construction or repairs to be carried out, whereupon the owner or operator becomes liable for all reasonable costs incurred as a debt due to the Crown.

(4) The Minister may make regulations for the operation of any international transportation facilities, including the provision of food, water and ventilation and protection during loading and unloading necessary, for different categories of animals.

(5) In this section, “international transportation facility” means—

- (a) a container that transports persons, animals or other commodities internationally;
- (b) an airport that receives any aircraft operating on an international flight;
- (c) a port that receives any ship sailing on an international voyage; or
- (d) a warehouse or other facility that receives any international air or water traffic.

## PART 6

### ANIMAL ESTABLISHMENTS

**46.** (1) After the expiration of six months from the date on which this Ordinance comes into force, no person must own, operate or maintain an animal establishment unless it is registered and licensed under this section.

(2) Any person who wishes to own, operate or maintain an animal establishment must make application to the Service for registration of the establishment and the grant of a licence under this section.

(3) Where an application is made under subsection (2) the Service may grant or renew and cause to be issued to the applicant a licence if the Service is satisfied that the animal establishment in which the animals are to be housed meets the prescribed standards.

(4) A license issued under this section shall be valid for one year.

(5) The owner of an animal establishment—

(a) must ensure that persons in charge of the establishment, and all vehicles and workers under their supervision involved in the production, care, transport or keeping of animals comply with this Ordinance;

(b) must maintain the establishment in the prescribed sanitary standard and ensure compliance with the provisions of this Ordinance.

Records

**47.** The owner of an animal establishment must keep and make available to an animal inspector records relating to—

(a) the name of the animal establishment;

(b) the address of the animal establishment;

(c) the number of and types of animals housed in the animal establishment;

(d) the type of activity;

(e) such other particulars as may be prescribed.

## PART 7

### ANIMAL WELFARE

Animal welfare

**48.** (1) All animals to which this Ordinance applies have the following rights—

(a) freedom from hunger and thirst;

(b) freedom from discomfort;

(c) freedom from pain, injury and disease whether induced by humans or of natural occurrence;

(d) freedom to express normal behaviour;

(e) freedom from fear and distress.

(2) Any person who—

(a) cruelly beats, kicks, ill-treats, torments, tortures, injures, overloads, overworks, abuses, infuriates, mutilates, terrifies or causes an animal to be so treated;

- (b) inhumanely kills or engages in sexual activity with an animal;
- (c) deprives any animal of such sustenance or drink that it requires;
- (d) procures or permits any animal to be cruelly beaten, kicked, ill-treated, tormented, tortured, injured, overloaded, overworked, abused, infuriated, mutilated, terrified, inhumanely killed or sexually assaulted, deprived of such sustenance or drink that it requires;
- (e) commits or omits any act which results in an animal being caused unnecessary suffering,

commits an offence and shall be liable on summary conviction for a first offence to a fine not exceeding \$5,000 or imprisonment for a term not exceeding 6 months or both fine and imprisonment, and, for a subsequent offence to a fine not exceeding \$20,000 or imprisonment for a term not exceeding 12 months or both fine and imprisonment.

(3) The Minister must issue guidelines, standards and requirements on animal welfare, including, but not limited to, guidelines on—

- (a) animal killing and stunning;
- (b) animal housing and feeding;
- (c) the management of working animals;
- (d) animal transport by land, air or water;
- (e) the use of animals in research and education;
- (f) the use of animals for exhibitions, performances or circuses.

## PART 8

### PROSECUTION OF OFFENCES

**49.** (1) If the CVO reasonably believes, of his own knowledge or on the information of an animal inspector, that a person has contravened any provision of this Ordinance, and that the person is not eligible for, or has not accepted, the fixed penalty procedure in section 49, the CVO must notify the police who may lay an information before the Magistrate's Court with a view to a summons being issued.

Procedure for offences

(2) The CVO must inform the Director in writing of action taken under subsection (1) as soon as practicable after it is taken.

(3) All offences under this Ordinance are triable as summary offences in the Magistrate's Court.

Cancellation of licence, etc.

**50.** If a person is convicted of an offence under this Ordinance and the offence results in the spread of an animal disease or poses a serious sanitary risk, the court may on conviction, and on an application by or on behalf of the CVO, order—

- (a) that any animal establishment operated by the person be closed; and
- (b) that the licence the person holds to operate such an establishment be suspended for a period specified in the order, or revoked.

Offences by corporations and employees

**51.** (1) If a corporation commits an offence under this Ordinance, any officer, director or agent of the corporation who directed, authorised, assented to or acquiesced or participated in the commission of the offence is a party to and guilty of the offence and is liable on conviction to the punishment provided for the offence, whether or not the corporation has been prosecuted or convicted.

(2) In any prosecution for an offence under this Ordinance, it is sufficient proof of the offence to establish that it was committed by an employee or agent of the defendant, whether or not the employee or agent is identified or has been prosecuted for the offence, unless the defendant establishes that—

- (a) the offence was committed without the knowledge or consent of the defendant; and
- (b) the defendant exercised all due diligence to prevent the commission of the offence.

**52.** (1) If an animal inspector has reasonable grounds to believe that a person is committing or has committed an offence under this Ordinance or the regulations for which the maximum penalty does not include a term of imprisonment, the inspector may immediately serve a notice in writing on the person, charging him with the commission of the offence.

Fixed penalties

(2) The notice must inform the alleged offender that he must—

- (a) appear before a magistrate on the date specified; or
- (b) in accordance with the procedure in subsections (3) and (4) of this section, pay the fixed penalty, in lieu of appearance before a magistrate.

(3) An alleged offender who chooses to pay the fixed penalty referred to in subsection (2)(b)—

- (a) must within 7 days of the date of the notice, sign the notice in acknowledgement of guilt and return it, together with the sum specified in the notice, to a Magistrate's Court;
- (b) is to be treated for all purposes in law as a person who has not committed, been charged with,

prosecuted for, convicted of or sentenced for the offence in respect of which payment was made.

(4) The admission of guilt and the fixed penalty paid under this section must be dealt with by the magistrate in the same manner as an adjudication in court of an offence punishable on summary conviction and for which no conviction is recorded.

(5) The fixed penalty is 1/10 of the maximum fine for the offence.

**53.** (1) Upon the conviction of any person for an offence under this Ordinance, the court may, in addition to any other sentence imposed, order any controlled commodity in respect of which the offence was committed, and any object, vessel or vehicle used in connection with the offence, to be forfeited to the Crown.

Forfeiture

(2) An item declared forfeit under subsection (1) must be disposed of as the court directs, on the submission of the CVO, and if sold, the proceeds of sale must be dealt with in accordance with section 42 of the Interpretation Ordinance (Cap.1.03).

(3) If the court does not order the forfeiture of an item that is the subject of proceedings under this Ordinance, the item, or any proceeds realized from its disposal, must be returned to the owner of the item or the person having the possession, care or control of it when it was seized.

(4) If the owner of an item or the person having possession, care or control of it at the time of its seizure is convicted of an offence under this Ordinance and a fine is imposed—

- (a) the item may be detained until the fine is paid;
- (b) the item may be sold under execution in satisfaction of the fine.

**54.** (1) If the owner or person in charge of an animal is charged with an offence under this Ordinance relative to an animal disease, he is presumed to have known of the existence of the disease unless he shows to the satisfaction of the court that he had no knowledge of it and could not with reasonable diligence have obtained that knowledge.

Presumptions

(2) If a person is charged with an offence under this Ordinance for not having duly cleansed or disinfected any place, vehicle, or thing belonging to him or in his charge, the burden of proving the due cleansing and disinfection lies on the person.

**55.** (1) In a prosecution for an offence under this Ordinance, a declaration, certificate, report or other document of the Director or CVO or of an authorised analyst, animal inspector or police officer, made for the purposes of this Ordinance and purporting to have been signed by or on behalf of the Director or CVO or by the analyst, inspector or police officer, is admissible in evidence without proof of the signature or office of the person appearing to have signed it and, in the absence of evidence to the contrary, is proof of the matters asserted in it.

Documentary evidence

Seizure and  
detention of  
animals, etc.

(2) In a prosecution for an offence under this Ordinance, a copy of or an extract from any record or other document that is made by the Director or CVO or by an authorised analyst, inspector or police officer under this Ordinance and that appears to have been certified under the signature of the Director, CVO, analyst, inspector or police officer as a true copy or extract is admissible in evidence.

(3) A document referred to in subsection (1) or (2) is, in the absence of evidence to the contrary, deemed to have been issued on the date shown on it.

(4) The certificate of a qualified veterinary surgeon to the effect that any animal is or was infected with an animal disease specified in the certificate is for the purposes of this Ordinance *prima facie* evidence in a court of the matter certified.

**56.** (1) Without affecting any other provision of this Ordinance about seizure and disposal of animals or animal products, an animal inspector or police officer may seize and dispose of any controlled commodity, or require its owner or any person having the possession, care or control of it to dispose of it, if the commodity—

- (a) is, or is suspected of being, infected or contaminated by a notifiable animal disease;
- (b) has been in contact with or in close proximity to another controlled commodity that was, or is suspected of having been, infected or contaminated by a notifiable animal disease at the time of contact or close proximity; or
- (c) is, or is suspected of being, a vector or the causative agent of a notifiable animal disease.

(2) An animal inspector or police officer who seizes and detains a controlled commodity under this Ordinance may—

- (a) arrange for it to be stored it at the place where it was seized or removed to some other place for storage; or
- (b) require the owner or the person having the possession, care or control of it when it was seized to remove it to any place and to store it.

(3) A person who fails to comply with a requirement under subsection (2)(b) commits an offence and is liable on summary conviction—

- (a) to a fine of \$5,000;
- (b) to pay the Government the cost of recapturing and confining or if necessary destroying the controlled commodity.

(4) A person who fails to comply with a requirement under subsection (2)(b) is not entitled to any compensation for loss of or damage to the controlled commodity occasioned by its being

recaptured and confined or if necessary destroyed in accordance with this Ordinance.

(5) A person who, except with the written authority of an animal inspector, removes, alters or interferes in any way with a controlled commodity seized under any provision of this Ordinance commits an offence.

Penalty: A fine of \$5,000.

(6) An animal or thing seized and detained under this Ordinance must not be detained after—

- (a) a determination by an inspector that the animal or thing is in conformity with the provisions of this Ordinance; or
- (b) the expiration of 180 days after the day of seizure, unless before that time proceedings are instituted in relation to the animal or thing, in which case it, or the proceeds from its disposal, may be detained until the proceedings are finally concluded.

(7) Any document or other article seized and detained as evidence of an offence under this Ordinance must, at the conclusion of any proceedings for the offence, or as soon as reasonably practicable after it is decided not to bring proceedings for the offence, be returned to the owner of the document or other article unless it is ordered to be forfeited under section 53.

## PART 9

### MISCELLANEOUS PROVISIONS

**57.** (1) The Service must establish a system for the identification of animals and traceability of animal products.

Animal  
identification  
and traceability  
of animal  
products

(2) The system must enable the Service—

- (a) to trace disease outbreaks;
- (b) to recall animal-based food if necessary;
- (c) to follow the movement of an animal through all stages of the production chain.

(3) The Minister may make regulations—

- (a) providing for the establishment and functioning of an animal identification and tracing system; and
- (b) regulating the packaging and labelling of animal products for trace back to the country of origin.

(4) A system established under this section must be published in accordance with section 61(1).

**58.** (1) All customs, port, airport, airline, postal, shipping, police and local authorities must assist animal inspectors in the

Duty to assist  
and cooperate

performance of their functions under this Ordinance by providing such facilities and assistance as the Director may reasonably request from time to time.

(2) The Service must collaborate with all relevant ministries and departments, including the authorities responsible for food safety and environmental health, and must establish mechanisms for cooperation in this regard.

Right of appeal

**59.** (1) A person aggrieved by an action or decision of an animal inspector under this Ordinance may appeal to the CVO in writing received within 7 days of the action or decision becoming known to the person aggrieved.

(2) A person aggrieved by an action or decision of the CVO under this Ordinance, including a decision on an appeal under subsection (1), may appeal in writing to the Director received within 14 days of the action or decision becoming known to the person aggrieved.

(3) The decision of the Director is final on technical matters but does not prejudice the right of any aggrieved party to seek recourse in the courts on matters of law.

(4) The CVO or Director, when considering an appeal under his section, must give the animal inspector or the CVO, as the case may be, an opportunity to make representations in writing on the subject of the appeal.

Good faith defence

**60.** (1) Neither the Director, the CVO nor any animal inspector, veterinary officer or other representative of the Service is liable to suit or to prosecution in respect of anything done or omitted, or any decision given, if the act, omission or decision was in good faith and in the performance of official functions under this Ordinance.

(2) Neither the Government, the Director, the CVO nor any other public officer has any liability for actions taken in good faith for the destruction or disposal of animals or animal products in accordance with the requirements of this Ordinance.

Publication and service of notices, etc.

**61.** (1) Any notice, approval, list or guidelines to be published under this Ordinance must be published in the *Gazette*.

(2) Service of documents required to be served under this Ordinance may be effected by personal service, or by electronic service in accordance with the Electronic Transactions Ordinance (Cap. 2:14).

(3) If no person is in actual occupation of any premises, or if the occupier or owner cannot be located, service of any notice under this Ordinance relating to land must be made by affixing the notice to a conspicuous place on the land, and such affixing is good service of the notice.

**62.** (1) The Service must maintain animal health records needed for the administration of this Ordinance and the performance of the functions of the Service.

(2) Without limiting the matters to be recorded the animal health records should, detail the following—

- (a) notifiable animal diseases;
- (b) prohibited animal imports;
- (c) animal quarantine stations and areas;
- (d) animal import permits issued and refused under Part 5;
- (e) a list of exporting countries accepted under section 38(3);
- (f) infected and other zones declared under Part 3;
- (g) occurrences of notifiable diseases notified under this Ordinance;
- (h) the import conditions for each type of controlled commodity, including the sanitary measures appropriate to each type;
- (i) forms approved for the purposes of this Ordinance;
- (j) any other matter that the Director in writing requires the Service to record in the register.

(3) The CVO must maintain records relating to the functions of the Service, including, but not limited to—

- (a) personnel records including the identities, duty statements and terms and conditions of employment of all animal inspectors;
- (b) operational statistics relating to the Service.

(4) Subject to any other written law, the animal health records kept under this section must only be used for the purposes of this Ordinance.

(5) A copy of an entry in the animal health records certified by the Director to be an accurate copy may be produced in court as *prima facie* evidence of the entry.

(6) The animal health records kept under this section may be in electronic format, provided the information is readily retrievable and is protected against unintended loss and unauthorised alteration.

(8) The Director may on the advice of the CVO determine the period for which entries in the animal records kept pursuant to this section must be kept, consistent with any other written law relating to public records.

**63.** (1) The Minister, on the advice of the Director, may make regulations for the purpose of carrying out the provisions of this Ordinance.

(2) Without limiting subsection (1), the regulations may provide for—

- (a) additional requirements and procedures for permits to be issued under this Ordinance and information about them that is to be kept in the records;
- (b) the taking and analysis of samples;
- (c) the procedures to be followed by an authorised laboratory or analyst in performing functions under this Ordinance;
- (d) additional rules and procedures for the implementation of sanitary measures;
- (e) the testing of any veterinary drug or veterinary biological product which is to be, or may be, imported into the Islands;
- (f) the mode of cleaning and disinfection in a port area of any item including the hands or feet, the clothing or articles in the possession of any person arriving in the Islands on a vessel used to transport animals from a country in which there is an outbreak of a notifiable animal disease;
- (g) providing for the application to animals imported into the Islands of any test for a notifiable animal disease or of any treatment or vaccination or inoculation for such an animal disease;
- (h) prohibiting or regulating the importation of any equipment which has been used in connection with a controlled commodity or refuse, and which is capable of transmitting a notifiable animal disease;
- (i) regulating the imposition of emergency quarantine actions due to new hazards;
- (j) the fees payable for services provided by or on behalf of the Service under this Ordinance, including the cost of inspections and analysis and the services of an authorised laboratory or analyst;
- (k) any other matter which by this Ordinance is to be prescribed, or which is necessary to implement this Ordinance.

(3) Regulations made under this section must be harmonized with the OIE Code.

(4) Regulations under this or any other section may create offences and may prescribe a maximum penalty for such offences not exceeding a fine of \$10,000.

(5) The Director must ensure appropriate consultation with the relevant public and private entities relevant to the veterinary sector before advising the Minister on the making of regulations under this section.

64. This Ordinance binds the Crown.

Ordinance binds  
the Crown

65. The enactment set out in Schedule 2 shall be amended as provided for in that Schedule.

Consequential  
amendments

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## SCHEDULE 1

### NOTIFIABLE ANIMAL DISEASES

#### MULTIPLE SPECIES DISEASES

Anthrax

Aujeszký's disease

Bluetongue

Echinococcosis/hydatidosis

Foot and mouth disease

Heartwater

Japanese encephalitis

New world screwworm (*Cochliomyia hominivorax*) and old world  
screwworm (*Chrysomya bezziana*)

Paratuberculosis

Rabies

Rift Valley fever

Rinderpest

Trichinellosis (*Trichinella spiralis*)

Tularemia

Vesicular stomatitis

West Nile fever

#### DISEASES OF APIDAE

Acarapisosis of honey bees

American foulbrood of honey bees

European foulbrood of honey bees

Small hive beetle infestation (*Aethina tumida*)

Tropilaelaps infestation of honey bees

Varroosis of honey bees

#### DISEASES OF AVES

Avian chlamydiosis

Avian infectious bronchitis  
Avian infectious laryngotracheitis  
Avian influenza  
Duck virus hepatitis  
Fowl typhoid and pullorum disease  
Infectious bursal disease (Gumboro disease)  
Newcastle disease

#### DISEASES OF BOVIDAE

Bovine anaplasmosis  
Bovine babesiosis  
Bovine brucellosis  
Bovine genital campylobacteriosis  
Bovine spongiform encephalopathy  
Bovine tuberculosis of farmed cervidae  
Contagious bovine pleuropneumonia  
Enzootic bovine leucosis  
Haemorrhagic septicaemia (*Pasteurella multocida* serotypes 6:b and 6:e)  
Infectious bovine rhinotracheitis/infectious pustular vulvovaginitis  
Lumpy skin disease (caused by group III virus, type Neethling)  
Theileriosis  
Trichomonosis

#### DISEASES OF EQUIDAE

African horse sickness  
Contagious equine metritis  
Dourine  
Equine encephalomyelitis (Eastern and Western)  
Equine infectious anaemia  
Equine influenza  
Equine piroplasmiasis  
Equine rhinopneumonitis  
Equine viral arteritis  
Glanders  
Venezuelan equine encephalomyelitis

## DISEASES OF LAGOMORPHA

Myxomatosis

Rabbit haemorrhagic disease

## DISEASES OF OVIDAE AND CAPRIDAE

Caprine and ovine brucellosis (excluding *Brucella ovis*)

Caprine arthritis/encephalitis

Contagious agalactia

Contagious caprine pleuropneumonia

*Chlamydia abortus* infection (Enzootic abortion of ewes, ovine chlamydiosis)

Maedi-visna

Ovine epididymitis (*Brucella ovis*)

Peste des petits ruminants

Scrapie

Sheep pox and goat pox

## DISEASES SUIDAE

African swine fever

Classical swine fever

Porcine brucellosis

Swine vesicular disease

Transmissible gastroenteritis

## DISEASES OF CRUSTACEANS

Crayfish plague (*Aphanomyces astaci*)

Infectious hypodermal and haematopoietic necrosis

Infectious myonecrosis

Necrotising hepatopancreatitis

Taura syndrome

White spot disease

White tail disease

Yellow head disease

## DISEASES OF FISH

Epizootic haematopoietic necrosis

Epizootic ulcerative syndrome

Infection with *Gyrodactylus salaris*

Infectious haematopoietic necrosis  
 Infectious salmon anaemia  
 Koi herpesvirus disease  
 Red sea bream iridoviral disease  
 Spring viraemia of carp  
 Viral haemorrhagic septicaemia

DISEASES OF MOLLUSCS

Infection with abalone herpes-like virus  
 Infection with Bonamia exitiosa  
 Infection with Bonamia ostreae  
 Infection with Marteilia refringens  
 Infection with Perkinsus marinus  
 Infection with Perkinsus olseni  
 Infection with Xenohalictis californiensis

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**SCHEDULE 2**

CONSEQUENTIAL AMENDMENTS

No.	ORDINANCE	EXTENT OF AMENDMENT
1.	Dogs (Control) Ordinance (Cap. 8.11)	1. Delete section 18. 2. In section 19, delete subsections (1) and (2).
2.	Control of Animals Ordinance (Ord. 3 of 2012)	1. Delete section 7. 2. In section 8 (1), delete paragraph (a).

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**MADE** this 11<sup>th</sup> day of October 2012.

**PATRICK BOYLE**  
**ACTING GOVERNOR**