

CHAPTER 19

THE ANIMALS (INTERNATIONAL MOVEMENT AND DISEASE) ACT

Arrangement of Sections

Section

1. Short title.

Preliminary

2. Interpretation.

Administration

3. Appointment and functions of Veterinary Authority.
4. Appointment and functions of inspectors.

Regulation of importation of animals, animal carcasses and other things

5. Restrictions on importation of animals, animal carcasses and other things.
6. Penalties for importation of animals, animal carcasses and other things without a permit.
7. Regulation of importation of animals, animal carcasses and other things.
8. Power of Minister by order to prohibit importation of animals, animal carcasses and other things in certain cases.
9. Regulation of importation of cooked meats, canned meats and meat by-products.
10. Regulation of importation of equipment used in connection with animals, animal carcasses and other things.

Regulation of movement of animals

11. Regulation of animal movement in interests of their safety.

CAP. 19) *Animals (International Movement
and Disease)*

Animal Quarantine

12. Quarantine stations.
13. Requirements of quarantine and exemptions therefrom.
14. Quarantine of animals.

Powers of arrest and search

15. Powers of arrest.
16. Powers of search.
17. Powers to detain vessels and aircraft.

Miscellaneous

18. Penalties.
 19. Regulations.
 20. Review of the Schedule.
 21. Regulations subject to negative resolutions.
- SCHEDULE.
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ANIMAL (INTERNATIONAL MOVEMENT AND
DISEASE)

An Act to control the importation into Antigua and Barbuda and to regulate the movement from Antigua and Barbuda of animals, birds, fish, insects and reptiles and of animal carcasses, parts and meats, veterinary biological products, litter and fodder for the purposes of preventing the introduction of disease into Antigua and Barbuda and into other Member States of the Caribbean Community and of providing for the safe and humane movement of animals from Antigua and Barbuda and for other matters related thereto or connected therewith.

(1st January, 1987.)

34/1986.

1. This Act may be cited as the Animals (International Movement and Disease) Act ^{s^ho^rt} title.

Preliminary

2. In this Act—

Interpretation.

"animal" means any bovine, canine, equine, feline, goat, guinea pig, monkey, rabbit, sheep and swine and any bird (including poultry), fish, insect (excluding bees but including any member of the class *Insecta* and of the class *Arachnida*), reptile and any other animal whatsoever, whether similar to the foregoing or not;

"animal carcase" means the carcase of any animal and includes the meat of the animal and such of its offal as is intended for consumption by humans or animals.

"animal parts" means the bones and bonemeal, untanned hides and skins, flashings, hooves, horns, claws, hair, bristles, wool, feathers, offal, blood, whether fresh or dehydrated, meat scraps of an animal or any others parts of an animal other than

4 **CAP. 19)** *Animals (International Movement and Disease)*

the meat or offal for consumption by humans or animals, which have been separated from the carcass;

“country” includes territory;

“fish” includes crustacea and turtle;

“fodder” means grass, hay or any other like substance commonly used as animal feed;

“inspector” means an inspector appointed by the Minister under section 4.

“litter” means straw or any other substance commonly used as bedding for, or otherwise used for or about, animals and includes any such substance when used as packing materials;

“Member State” means a Member State for the time being of the Caribbean Common Market as established by the Annex to the Treaty establishing the Caribbean Community, done at Chaguaramas, 4 July 1973;

“port of entry” means a prescribed port of entry and includes an airport of entry;

“poultry” means domestic fowl, turkey, goose, duck, guinea fowl, pheasant, pigeon or quail;

“prescribed disease” means—

Schedule.

(a) any of the diseases specified in the Schedule;

(b) any other disease prescribed for the purposes of this Act;

(c) any other disease which the Minister or the Veterinary Authority with the approval of the Minister, directs in writing to be a prescribed disease and notice of which is published in the *Gazette* and in a newspaper as soon as practicable after the direction has been given;

"prescribed port area" means the area of any port of entry, the limits of which are prescribed;

"Veterinary Authority" means—

(a) the Authority appointed under section 3 to administer this Act including the Regulations;

(b) in relation to any other Member State, the Authority appointed to administer the legislation of that State enacted for purposes corresponding to the purposes of this Act;

"veterinary biological product" means any substance commonly known as hormones, vaccines, sera, toxins, anti-toxins, antigens and micro-organisms living or killed, or any other biological substance which is intended solely for use in the practice of veterinary medicine, and includes semen of animals for use in artificial insemination.

Administration

3. (1) The Minister may, by order, appoint such public authority as he thinks fit to be the Veterinary Authority for the purposes of this Act.

Appointment and functions of Veterinary Authority.

(2) It shall be the duty of the Veterinary Authority to administer this Act and the Regulations.

(3) The Veterinary Authority shall on application in writing by an exporter of any animal, animal carcass, animal parts, veterinary biological product, fodder or litter, which is to be exported from Antigua and Barbuda and on the payment of the prescribed fee (if any), provide the exporter with such certificate relating to the health, or to any period of quarantine in Antigua and Barbuda, of any animal or relating to the carcass, animal parts, veterinary biological product, fodder or litter, as is required by the law of the country of importation thereof, to be provided by the Veterinary Authority.

(4) For the purpose of providing any certificate mentioned in subsection (3), the Veterinary Authority may direct that any animal, animal carcass, animal parts, veterinary

(a) who has not obtained, in respect thereof, an import permit issued under section 5, or

(b) who contravenes or fails to comply with any term or condition contained in the import permit issued in respect thereof under section 5,

shall be guilty of an offence.

(2) Any animal, animal carcass, animal parts, veterinary biological product, fodder or litter in respect of which an offence under subsection (1) is alleged to have been committed may be seized by an inspector and, on conviction of any person who may be charged with the offence, shall be forfeited to the Crown and may be detained, destroyed or otherwise disposed of as the Minister shall direct without liability in the Crown for any such detention, destruction or disposal.

7. (1) The Minister may, for the purposes of this Act, prescribe the conditions under which, and the countries or parts of countries from which, animals, animal carcasses, animal parts, veterinary biological products, fodder, litter, dung and other similar things may be imported into Antigua.

Regulation of importation of animals, animal carcasses, and other things.

(2) Without prejudice to the generality of subsection (1), the regulations may, in particular, make provision—

(a) prescribing the ports of entry where animals and the things mentioned in that subsection which are to be imported into Antigua and Barbuda may be landed;

(b) prescribing in respect of such ports of entry the limits of the areas which may be used in connection with animals and the things mentioned in subsection (1) which are to be imported into Antigua and Barbuda;

(c) prohibiting, restricting or regulating the movement into, within or out of a prescribed port area, of animals which are to be imported into Antigua and Barbuda;

(d) providing for the cleansing and disinfecting, and the subjecting to quarantine of vessels and aircraft used for the transportation of animals to Antigua and Barbuda;

CAP. 19) *Animals (International Movement and Disease)*

biological products, fodder or litter shall be examined or inspected by an inspector.

(5) Subject to this Act and the Regulations, the Veterinary Authority shall provide any documentation or information, as may reasonably be requested by the Veterinary Authority of another Member State and which appears to be necessary in preventing the introduction of any prescribed disease into that Member State, or the spread therein of any such disease, as consequence of the movement of any animal, animal carcass, animal parts, veterinary biological product, fodder or litter, dung or other similar thing from Antigua and Barbuda to that Member State or which relates to the provision of the safe and humane movement of animals between Antigua and Barbuda and that Member State.

Appointment and functions of inspectors.

4. The Minister may appoint inspectors for the purposes of this Act; and it is the duty of the inspectors to carry out the provisions of this Act and the Regulations.

Regulation of importation of animals, animal carcasses and other things

Restrictions on importation of animals, animal carcasses and other things.

5. (1) No animal, animal carcass, animal parts, veterinary biological products, fodder or litter shall be imported into Antigua and Barbuda, unless imported from a prescribed country or any part thereof and in accordance with an import permit issued by the Veterinary Authority.

(2) Any person who wishes to import into Antigua and Barbuda any animal or any of the things mentioned in subsection (1) shall apply to the Veterinary Authority in the prescribed manner.

(3) On receipt of an application made in accordance with subsection (2), the Veterinary Authority may, subject to such terms and conditions as it thinks fit to impose, issue to the applicant an import permit which shall be in the prescribed form.

Penalties for importation of animals, animal carcasses, and other things without a permit.

6. (1) Any person importing any animal, animal carcass, animal parts, veterinary biological product, fodder or litter into Antigua and Barbuda—

(e) prescribing and regulating the examination, inspection, seizure and detention of any animal or thing mentioned in subsection (1) prior or subsequent to its being landed in Antigua and Barbuda;

(f) prescribing the documents, and their contents, which are to be provided in connection with the importation into or landing in Antigua and Barbuda of any animal or thing mentioned in subsection (1), including the certificate which is to be issued by the Veterinary Authority of the country from which such animal or thing is to be exported;

(g) prescribing and regulating the testing of any veterinary biological product which is to be, or may be, imported into Antigua and Barbuda;

(h) prescribing the times at which, and prescribing and regulating the mode and conditions under which animals may be slaughtered in a prescribed port area;

(i) prohibiting or regulating the movement of any of the things, other than animals, mentioned in subsection (1) and any utensil used in connection therewith into, within or out of a prescribed port area and regulating the disposal of any such thing or utensil;

(j) requiring and regulating the mode of cleaning and disinfecting in a prescribed port area of any items whatsoever, including the hands or feet, the wearing apparel or articles in the possession of any person arriving in Antigua and Barbuda on any vessel or aircraft being used for the transportation of animals or from any country in which there is an outbreak of a prescribed or any other infectious or contagious disease affecting animals;

(k) prescribing the marking of any animals imported into Antigua and Barbuda by tagging or in any other manner, whether as a condition of landing or otherwise;

(l) providing for the application to animals imported into Antigua and Barbuda of any test for any prescribed or other infectious or contagious disease or of any treatment or vaccination or inoculation for any such disease.

8. (1) Notwithstanding the provisions of any Regulations, the Minister, whenever he deems it necessary in order to prevent the introduction of any prescribed disease into Antigua and Barbuda or the spread of any such disease therein may, by Order, prohibit the landing in Antigua and Barbuda of such animals, animal carcasses, animal parts, veterinary biological product, fodder, litter, dung or other similar things as he shall specify in the order, which have been or may be brought to Antigua and Barbuda from such country or from such part of any country, as he shall specify in the order.

Power of Minister by order to prohibit importation of animals, animal carcasses, and other things in certain cases.

(2) The Minister shall, as soon as practicable after making an order under subsection (1), send notice of the prohibition and, as soon as practicable after the removal of the prohibition, notice thereof, to the Veterinary Authority in every other Member State.

9. The Minister may prescribe the conditions under which, and countries from which cooked meats, cooked canned meats and by-products of cooked meat may be imported into Antigua and Barbuda.

Regulation of importation of cooked meats, canned meats and meat by-products.

10. The Minister may make regulations, prohibiting or regulating the importation into Antigua and Barbuda of any equipment, container or utensil which has been used in connection with any animal, animal carcass, animal parts, fodder or litter, dung or similar thing and which is capable of transmitting any prescribed or other infectious or contagious disease affecting animals.

Regulation of importation of equipment used in connection with animals, animal carcasses, and other things.

Regulation of movement of animals

11. (1) The Minister may for purpose of the safe and humane movement of animals between Antigua and Barbuda and another country, prescribe the conditions under which such animals may be moved by vessel or by aircraft, into Antigua and Barbuda from another country, and from Antigua and Barbuda to another country, and in particular, the Regulations may make provision—

Regulation of animal movement in interest of their safety.

(a) for ensuring for such animals a proper supply of water and feed and proper ventilation during their transportation from Antigua and Barbuda or upon their landing in Antigua and Barbuda, as the case may be;

CAP. 19) *Animals (International Movement
and Disease)*

(b) for protecting such animals from unnecessary suffering on being loaded or unloaded in Antigua and Barbuda and during their transportation from Antigua and Barbuda.

(2) The Minister whenever he deems it necessary for the safe and humane treatment of animals which are to be moved from Antigua and Barbuda to another country, may by order, prohibit, or require the postponement for such period as he shall specify in the order of—

(a) the movement from Antigua and Barbuda of such animals as he shall specify in the order; or

(b) the transportation from Antigua and Barbuda of any animals on such vessel or aircraft as he shall specify in the order.

Animal Quarantine

12. (1) The Minister may prescribe the stations which may be used for the quarantining of animals for the purposes of this Act and different stations may be prescribed for the quarantining of different categories of animals.

(2) The Minister may not prescribe a station unless he is satisfied that the station meets international standards for the reception and quarantining of the animals to be received there and, in particular, that an inspector or a duly qualified veterinarian authorised for the purpose by the Minister is available to provide veterinary attention at the station daily.

13. (1) Every animal which is imported into Antigua and Barbuda shall, unless exempted by virtue of Regulations, upon being landed be placed in quarantine for such period and subject to such other conditions as may be prescribed.

(2) The Minister may make regulations in respect of the quarantining of animals that are subject to the requirement of being placed in quarantine under subsection (1) and without prejudice to the generality of such power, may by such Regulations prescribe, in relation to such categories of animals as are specified therein, the period of time during which, and the conditions under which, such animals shall

Quarantine
stations.

Requirement of
quarantine and
exemptions
therefrom.

be kept in quarantine and he may prescribe different periods and different conditions for different categories of animals.

(3) The Minister may prescribe the categories of animals which shall be exempted, and the conditions under which such animals shall be exempted, from the requirement of being placed in quarantine under subsection (1).

(4) Notwithstanding that any animal to be imported into Antigua and Barbuda is exempted from the requirement of being placed in quarantine under subsection (1) an inspector who has cause to suspect that—

(a) the animal may be suffering from a prescribed or other infectious or contagious disease; or

(b) the animal may have been in contact during its transportation to Antigua and Barbuda with any other animal which is or may be suffering from such a disease or with any other animal which is not so exempted from the requirement of being placed in quarantine; or

(c) the animal has otherwise been exposed to the risk of contracting such a disease;

may in his discretion direct that the animal shall, on being landed, be subject to the requirement of being placed in quarantine.

(5) Nothing in this section shall be construed as restricting the power of the Veterinary Authority to impose as a condition in an import permit issued under section 5 in respect of any animal to be imported into Antigua and Barbuda the requirement that the animal be placed in quarantine and to give directions therein with respect to the period and conditions of quarantine of that animal.

14. (1) An animal which is, by virtue of this Act, subject to the requirement of being placed in quarantine shall, on being landed, be placed in such prescribed quarantine station as the inspector who inspects the animal prior to its being landed in Antigua and Barbuda shall direct.

Quarantine of
animals.

(2) Any animal which, whilst in a quarantine station by virtue of subsection (1), develops any prescribed or other infectious or contagious disease or, in the opinion of the

inspector, shows symptoms of any such disease, the spread of which would endanger animal health in Antigua and Barbuda may with the approval of the Minister, be destroyed without payment of any compensation.

Powers of arrest and search

Powers of arrest.

15. (1) Where any person—

(a) imports or lands in contravention of this Act or the Regulations any animal, animal carcase, animal parts, veterinary biological product, fodder, litter, dung, or similar thing or any equipment, container or utensil which has been used in connection with any animal or with any of the things mentioned in the paragraph;

(b) fails to comply with any requirement of this Act or the Regulations to place any animal in quarantine or with any conditions imposed pursuant thereto;

(c) fails to comply with any requirement of this Act or the Regulations, relating to the keeping or retention of any animal in quarantine, or to its removal therefrom, or any condition imposed pursuant thereto;

(d) fails to comply with any requirement of this Act or the Regulations or any condition imposed pursuant thereto, relating to the disinfection of any animal carcase, animal parts, fodder, litter, dung, or similar thing or of any equipment, container or utensil or of any part of the person or his wearing apparel or any article in his possession;

any police officer or any inspector may, without a warrant stop and detain him, and if his name and address are not known to the police officer or inspector or cannot reasonably be ascertained, the police officer or inspector may arrest him without a warrant.

(2) Where any person obstructs or impedes any police officer or inspector in the execution of his duties under this Act or the Regulations, the police officer or inspector may arrest that person without a warrant.

(3) A person arrested under this section shall be taken with all practicable speed before a magistrate and shall not

be detained without a warrant longer than is necessary for that purpose.

16. (1) An inspector may, without a warrant, at any time enter and search any land, building or place or may stop, detain and examine any vessel, aircraft or vehicle, wherein he has reasonable grounds for believing— **powers of search.**

(a) that there is any animal, animal carcase, animal parts, veterinary biological product, fodder, litter, dung or similar thing, or any equipment, container or utensil which has been used in connection with any animal or thing mentioned in this paragraph, which has been imported or landed in contravention of this Act or the Regulations or in respect of which there has been a failure to comply with any requirement imposed pursuant thereto;

(b) that there is any animal in respect of which there has been a failure to comply with any requirement of this Act or the Regulations, or any condition imposed pursuant thereto, to place it in quarantine or relating to the keeping or retention of it in quarantine or its removal therefrom.

(2) An inspector exercising any of the powers mentioned in subsection (1) shall, if required by the owner, occupier or other person in charge or control of the premises, vessel, aircraft or vehicle, state in writing his reasons for the exercise of such power.

17. (1) Where the Veterinary Authority is satisfied that there has been a failure on the part of the master or captain or other person in charge or control of any vessel or aircraft in a prescribed port to comply with a requirement of this Act or the Regulations, or with a condition imposed pursuant thereto, the vessel or aircraft may be detained until the Minister otherwise directs.

**Power to detain
vessels and
aircraft.**

(2) The Veterinary Authority shall forthwith deliver, in writing, to the master or captain or other person in charge or control of the vessel or aircraft particulars of the non-compliance.

Miscellaneous

Penalties.

18. (1) Any person who contravenes or fails to comply with any requirements of this Act or any Regulation or order made thereunder or any condition imposed pursuant thereto shall be guilty of an offence under this Act.

(2) Where any animal, animal carcase, animal parts, veterinary biological product, fodder, litter, dung or similar thing or any equipment, container or utensil which has been used in connection with any animal or with any of the things mentioned in this subsection is landed from any vessel or aircraft in contravention of this Act or the Regulations, the master or the captain or other person in charge or control of the vessel or aircraft and the owner thereof shall be guilty of an offence under this Act.

(3) A person who is guilty of an offence under this Act shall, where no other penalty is providing by this Act or by the Regulations, be liable on summary conviction to a fine of ten thousand dollars and to imprisonment for one year.

Regulations.

19. The Minister may make regulations—

(a) prescribing anything which is required or authorised by this Act to be prescribed;

(b) prescribing the fees which may be charged for any purpose under this Act and the regulations; the persons by whom and to whom they are to be paid and the manner in which they may be recovered;

(c) generally for the better carrying out of the provisions of this Act.

Review of the
Schedule.

20. (1) The Minister shall cause an annual review of the schedule to be made by the Veterinary Authority and he may pursuant to any such review, by regulations made under section 19 alter, vary or amend the schedule or substitute a new Schedule therefor.

(2) In carrying out the review under this section, the Veterinary Authority shall have regard to such recommendations as may be made in relation thereto by the Annual Meeting of Animal Quarantine Officials of Member States of the Caribbean Common Market.

21. Regulations made under the provisions of this Act shall be subject to negative resolutions of the Legislature.

Regulations
subject to
negative
resolutions.

SCHEDULE

Prescribed Diseases

African Horse Sickness	Malignant Catarrhal Fever
African Swine Fever	Mango, ovine (or Sheep Scab)
Anthrax	Newcastle Disease
Atrophic Rhinitis	Para-tuberculosis (Johne's Disease)
Bovine Leukosis	Pox
Bovine Viral Diarrhoea	Pseudo rabies (Anjesky's Disease)
Blue Tongue	Psittacosis Ornithosis
Brucellosis	Pullorum Disease
Bubonic Plague	Rabies
Campylobacteriosis (Vibriosis)	Rinderpest
Chronic Respiratory Disease	Salmonellosis
Contagious Bovine Pleuro-pneumonia	Sarcoptic Mange in horses
Contagious Equine Metritis	Scabies
Enzootic Bovine Leukosis	Scrapie
Epicootic Abortion (Chlamydial)	Shigellosis
Epizootic Lymphangitis	Swine Erysipelas
Equine Encephalomyelitis	Swine Fever (or Hog Cholera)
Equine Infectious Anaemia	Swine Vesicular Disease
Equine Influenza	Theileriasis
Foot and Mouth Disease	Trichomoniasis
Fowl Cholera	Trypanosomiases (including Dourine or <i>Mal de Coit</i>), <i>Mal de Caderas</i>
Fowl Typhoid	Surra and Trypanesom Vivax Infection)
Glanders (or Farcy)	Tuberculosis
Haemorrhagic Septicaemia	Ulcerative Lymphangitis
Herpes Virus Group	Vesicular Exanthema
Infectious Bovine Rhinotracheitis	Vesicular Stomatitis
Infectious Laryngotracheitis	Virus Pneumonia
Leptospirosis	Yellow Fever
Leukosis (Marek's Disease)	
