



TRINIDAD AND TOBAGO

No. 19—1954

[L.S.]

I ASSENT,

H. E. RANCE,
Governor.

22nd April, 1954.

AN ORDINANCE to make further and better provisions for controlling the Importation of Animals, Birds, Reptiles and Insects, and for regulating the treatment and disposal of animals which are suffering or are suspected to be suffering from any disease, and for other matters related thereto or connected therewith.

[By Proclamation]Commence-
ment

ENACTED by the Governor of Trinidad and Tobago with the advice and consent of the Legislative Council thereof.

Enactment

1. This Ordinance may be cited as the *Animals (Diseases and Importation) Ordinance, 1954*, and shall come into operation on a date to be appointed by the Governor by Proclamation published in the *Royal Gazette*.

Short title and
commencement

PART 1

PRELIMINARY

Interpretation

2. In this Ordinance the following expressions, unless the context otherwise requires, shall have the meanings hereby respectively assigned to them, that is to say :—

“animal” includes cattle, horses, mules, asses, sheep, swine, goats, dogs and feline animals and all animals of whatsoever kind whether similar to the foregoing or not;

“bird” does not include poultry;

“carcase” means the carcase of any animal and includes any part of the carcase or of the meat, bones, hide, skin, hoofs, horns, offal or other part of an animal;

“cattle” includes bulls, cows, oxen, steers, heifers, calves and the water buffalo;

“defined port” means a port as defined by any regulation made under section 15 of this Ordinance;

“disease” means any disease for the time being included in the Schedule to this Ordinance;

“diseased” means affected with disease;

“feline animals” means cats and all other animals of the feline tribe, wild or domesticated;

“fodder” means grass, hay or any other substance commonly used for the food of animals;

“foreign” applied to animals and things means brought to the Colony from any place outside the Colony;

“infected area” means an area declared as such under section 5 or 6 of this Ordinance;

“infected place” means a place declared as such under section 5 of this Ordinance;

“litter” means straw or any other substance commonly used for the bedding for, or otherwise used for or about animals;

“Minister” means the Minister for the time being charged with the administration of agriculture and animal husbandry;

“poultry” means domestic fowls, turkeys, geese, ducks, guinea fowls and pigeons;

“suspected” means suspected of being diseased.

3. The Inspector for the purposes of this Ordinance shall be the Deputy Director of Agriculture (Animal Husbandry) and it shall be the duty of all Veterinary Officers and Livestock Officers attached to the Department of Agriculture to assist the Inspector in the carrying out of the provisions of this Ordinance and for that purpose such Veterinary Officers and Livestock Officers shall have all the rights and powers conferred upon the Inspector by this Ordinance for the carrying out of the provisions thereof, and of any regulations made thereunder.

PART 2

CONTROL OF DISEASED OR SUSPECTED ANIMALS

4. (1) Every person having in his possession or under his charge any diseased animal shall :—

- (a) as far as practicable keep such animal separate from animals not so diseased; and
- (b) with all practicable speed give notice of the fact of the animal being so diseased to the Inspector or to the person in charge of the nearest police station.

(2) The person to whom notice under subsection (1) of this section is given, if not the Inspector, shall forthwith give information thereof to the Inspector.

5. (1) Where the Inspector suspects that any disease exists in any stable, shed, pen, field, pasture, or other similar place, he shall forthwith sign a notice to that effect and such notice shall contain a declaration that such place, the limits whereof shall be therein specified, is an infected place. The Inspector shall serve a copy of such notice, or cause the same to be served, upon the occupier of such place.

(2) Upon the service of such notice, the place therein specified shall be an infected place subject to confirmation or otherwise by the Governor in Council under the provisions of subsection (4) of this section.

Provided that the Inspector may, at any time within seven days of such service and before such confirmation or otherwise, withdraw such notice and thereupon such place shall cease to be an infected place.

(3) The Inspector shall with all practicable speed send a copy of such notice to the Minister who shall cause the same to be placed before the Governor in Council; and where any such notice has been withdrawn, the Inspector shall forthwith inform the Minister who shall bring such withdrawal to the attention of the Governor in Council.

(4) Upon the receipt of a copy of such notice, the Governor in Council shall forthwith consider the same, and, if satisfied that such course is expedient or necessary, shall by order declare the place specified in such notice to be an infected place and also by order declare that any area containing, adjoining or surrounding, such place is an area infected with disease and such order shall specify the limits of such infected area.

(5) If the Governor in Council is not satisfied that such course is expedient or necessary, he shall by order, revoke such notice and thereupon, as from the time specified in that behalf by such order, the stable, pen, shed, field, pasture or other place shall cease to be an infected place.

Infected areas

6. (1) The Governor whenever it appears necessary or expedient to do so by reason of the existence of any disease, may by order declare any area in the Colony to be infected with disease, and such order shall specify the limits of such infected area.

(2) The Governor may, if he shall think fit, by order, extend, reduce or otherwise alter the limits of any infected area.

Defined port

7. No defined port or part thereof, shall be declared to be an infected place or an infected area.

Slaughter of
diseased or
suspected
animals

8. (1) The Inspector may cause any diseased or suspected animal, or any animal which has been in the same stable, shed, pen, field, pasture, or other similar place, or in the same herd or flock as, or in contact with, any diseased or suspected animal, whether or not any such place has been declared to be an infected place or is within an infected area, to be slaughtered in order to prevent the spread of the disease; and for such purpose the Inspector may give all such directions as he may consider necessary.

(2) The Inspector may, for the purpose of observation and treatment, take possession of and retain any animal liable to be slaughtered under this section, but subject to payment of compensation as in the case of actual slaughter.

Disposal of
animals

9. Any animal slaughtered under the provisions of this Ordinance, or which dies as the result of disease, shall be destroyed, buried, or otherwise disposed of, as soon as possible in accordance with regulations made under this Ordinance and in accordance with the orders, either general or particular, of the Inspector; and for such purposes the Inspector may use any suitable ground in the possession or occupation of the owner of the animal.

10. Where any part of the Colony is stated or declared to be an infected area, it shall not be lawful to allow any animal to be taken or moved or to stray into or out of such infected area otherwise than in the prescribed manner. Straying of animals

11. (1) The Governor may in his discretion award for the compulsory slaughter of any animal under the provisions of this Ordinance, such compensation, as he may think fit, which shall be payable out of moneys to be provided for the purpose by the Legislature. The amount of any such compensation shall not exceed the value of the animal immediately before slaughter, and compensation may be reduced or refused where the owner or the person having charge of the animal has, in the opinion of the Governor, been guilty, in relation to the animal, of an offence against this Ordinance. Compensation

(2) No compensation shall be payable in respect of any animal compulsorily slaughtered when in a quarantine station, if, in the opinion of the Inspector, such animal was diseased at the time of importation.

12. The Governor in Council may, from time to time, by order amend the Schedule to this Ordinance by adding thereto or deleting therefrom the name of any particular disease, or otherwise. Order amending definition of disease

13. (1) The Governor in Council may make regulations generally for the control and treatment of diseased or suspected animals and for the prevention and spread of disease. Regulations

(2) Regulations made under this section may, without prejudice to the generality of such power, make provision with regard to :—

- (a) the adaptation and modification of the provisions of this Ordinance in relation to any animals suffering from any particular disease;
- (b) the notices to be given by persons in possession or in charge of diseased animals in the case of any particular disease, or in the case of illness of any such animal, and the persons to whom such notices are to be given;
- (c) the notification to the public of infected places or infected areas and the removal of anything into, within or out of such places or areas, and the cleansing or disinfecting of such places or areas;

- (d) the movement of persons into, within or out of infected places or infected areas, and the prevention of the spread of disease by persons in contact with diseased or suspected animals;
- (e) the treatment, disinfecting, destruction, burial, disposal, and digging up, of anything in, or the removal of anything from, an infected place or an infected area;
- (f) the movement, isolation, segregation, examination, treatment, slaughter, destruction, disposal, burial, seizure, detention, and exposure for sale of diseased or suspected animals;
- (g) the removal, transport, treatment, isolation, examination, testing, cleansing, disinfecting, protection from suffering, exposure for sale, exhibiting or marking of animals;
- (h) the removal, transport, treatment, examination, cleansing, and disinfecting of carcasses, fodder, litter, dung and other things;
- (i) the cleansing, disinfecting, and examination of places and vessels used by, and vehicles used for the transport of, animals, and of markets and other places used in connection with animals;
- (j) the fees and expenses incurred for any purpose for which regulations may be made under this section, and the persons by whom they are to be paid, and the manner in which they may be recovered.

(3) Regulations made under this section may prescribe in respect of any contravention thereof or failure to comply therewith a penalty not exceeding two hundred and forty dollars on summary conviction.

PART 3

IMPORTATION

14. (1) No bird, reptile or insect may be imported into the Colony save under and in accordance with a licence granted by the Director of Agriculture under the provisions of section 16 of this Ordinance.

(2) Any person who—

- (a) imports into the Colony any bird, reptile, or insect, otherwise than under and in accordance with a licence in that behalf granted under section 16 of this Ordinance; or

- (b) contravenes or fails to comply with any of the provisions of any such licence;

shall be guilty of an offence; and any bird, reptile or insect in respect of which any such offence is alleged to have been committed may be seized by any person acting under the directions of the Inspector or by any constable, and shall be forfeited to the Crown, if the person importing such bird, reptile or insect is convicted of an offence under this section.

15. (1) The Governor in Council may, for the purpose of preventing the introduction or spread of any disease into the Colony, make regulations prohibiting, restricting, controlling or regulating the importation or landing of animals or poultry, or any specific kind thereof, or of carcasses, fodder, litter, dung, or other similar things. Regulations controlling the importation of animals, &c.

(2) Regulations made under this section may, without prejudice to the generality of such power, make provision with regard to—

- (a) specifying and defining the ports at which animals or poultry or carcasses, fodder, grain, litter, dung or similar things, may be landed;
- (b) controlling, prohibiting or regulating the movement of animals or poultry, or of carcasses, fodder, litter, dung or similar things into, within or out of, any defined port;
- (c) controlling the examination, cleansing, destruction, disposal, seizure and detention of any animal or poultry or of carcasses, fodder, litter, dung or other similar things, in a port;
- (d) the fees and expenses incurred for any purposes for which regulations may be made under this section, and the persons to whom they are to be paid and the manner in which they may be recovered.

(3) Regulations made under this section may prescribe in respect of any contravention thereof or failure to comply therewith a penalty not exceeding two hundred and forty dollars on summary conviction.

16. (1) The Director of Agriculture may grant to any person a licence to import any bird, reptile or insect into the Colony, and may, notwithstanding anything contained in any regulations made under section 15 of this Ordinance, for the purposes of any exhibition, performance or circus, grant a licence to import any particular animal into the Colony. Import licences for birds, &c.

(2) Any licence granted under this section may contain such terms and conditions as the Director of Agriculture may think necessary.

(3) Every person desirous of applying for a licence under this section shall make application to the Director of Agriculture in such form as the Director may require.

Quarantine
Stations

17. The Governor in Council may by order under this section appoint quarantine stations in such places as he may deem necessary and all animals, birds, reptiles or insects, required to be quarantined under this Ordinance or any regulations made, or licence granted thereunder, shall be placed within such stations in accordance with the orders of the Inspector.

Imported
animals, &c.,
to be
quarantined

18. All animals, birds, reptiles and insects imported into this Colony shall, subject to any regulations made under this Ordinance or to the terms and conditions of any licence granted under this Ordinance, be placed in a quarantine station for such time and under such conditions as may be specified in such regulations or in any such licence.

PART 4

GENERAL

Powers of
apprehension

19. (1) Where any person is found committing, or is reasonably suspected of being engaged in committing, an offence against this Ordinance or against any regulation made thereunder, any constable may without warrant stop and detain him, and if his name and address are not known to the constable and he fails to give them to the satisfaction of the constable, such constable may without warrant apprehend him and may, whether he has so stopped, detained or apprehended such person or not, stop, detain and examine any animal, bird, reptile, insect, vehicle, boat or other thing, to which the offence or suspected offence relates and require it to be forthwith taken back to or into any place or district wherefrom or whereout it was unlawfully removed, and execute and enforce that requisition.

(2) If any person obstructs or impedes a constable in the execution of his duty under this Ordinance or of any regulation or order made thereunder, or assists in any such obstructing or impeding, the constable may without warrant arrest the offender.

20. The Inspector shall have all the powers given to a ^{Powers of Inspector} constable under section 19 of this Ordinance and may at any time enter—

(a) any pen, building, land or place, where he has reasonable grounds for supposing :—

(i) that disease exists, or has, within fifty-six days prior to such entry existed; or

(ii) that the carcase of any diseased or suspected animal is or has been kept or has been buried, destroyed or otherwise disposed of; or

(iii) that there is to be found therein anything or any place in respect whereof any person has on any occasion failed to comply with the provisions of this Ordinance or of any regulations made thereunder; or

(iv) that this Ordinance or any regulation made thereunder has not been or is not being complied with;

(b) any vehicle, vessel, or boat, in which or in respect whereof he has reasonable grounds for believing that this Ordinance or any regulation made thereunder has not been or is not being complied with.

21. Any person who—

Offences

(a) when required by this Ordinance, or by any regulation made thereunder, to keep any animal separate as far as practicable, or to give any notice of disease with all practicable speed, fails to do so without lawful authority or reasonable excuse, proof whereof shall lie on him; or

(b) contravenes or fails to comply with any directions given under section 8 of this Ordinance; or

(c) refuses to the Inspector or any other person acting in the execution of this Ordinance or any regulations made thereunder, admission to any pen, building, land, place, vehicle, vessel, or boat, which such Inspector or any person is entitled to enter or examine, or obstructs or impedes the Inspector or any person in the execution of his duty, or assists in any such obstructing or impeding; or

- (d) throws or places or causes to be thrown or placed into or in any river, stream, drain, or other water or into or in the sea within three miles of the shore, the carcass of an animal which has died of disease or has been slaughtered as diseased or suspected; or
- (e) takes or allows to be taken, unless otherwise required by this Ordinance or by any regulations made thereunder, or allows to stray, any diseased animal in or upon any common, public road, or public place; or
- (f) digs up, or causes or allows to be dug up, the buried carcass of any animal which has been slaughtered under this Ordinance as diseased or suspected or which has died or is suspected of having died from any disease; or
- (g) takes or moves, or allows to be taken or moved any animal, carcass, fodder, litter, dung, or other thing, into or out of any infected place or infected area otherwise than in accordance with this Ordinance or with any regulations made thereunder; or
- (h) allows any animal to stray into or out of any infected place or infected area;

shall be guilty of an offence against this Ordinance.

Penalty

22. Any person guilty of an offence against this Ordinance shall, save where otherwise expressly provided, be liable for each such offence on summary conviction to a fine not exceeding two hundred and forty dollars or to imprisonment with hard labour for any term not exceeding six months or to both such fine and such imprisonment.

Regulations to be laid before the Legislature

23. (1) All regulations made under this Ordinance shall be laid before the Legislature as soon as possible after they are made, and if the Legislature, within the period of forty days beginning with the day on which the regulations are laid before it, resolves that they be annulled, they shall thenceforth be void, but without prejudice to the validity of anything previously done thereunder or to the making of new regulations.

(2) In reckoning any period of forty days, no account shall be taken of any time during which the Legislature is dissolved or prorogued or during which the Legislature is adjourned for more than seven days.

24. Subject to any specific provision in any regulations under this Ordinance, nothing in this Ordinance, or in any regulations made thereunder, shall be construed as restricting or prohibiting the transport of any person, animal, or thing, by public road through an infected place or an infected area if such person, animal, or thing, is not detained within such place or area.

Transport through infected places and areas

25. The Governor in Council may by order apply, subject to such exceptions, adaptations and modifications as may be therein set out, the provisions of this Ordinance, and of any regulations made thereunder, to poultry.

Power to apply Ordinance to poultry

26. Nothing in this Ordinance shall apply to bees.

Saving

27. The following are hereby repealed:—

Repeal

The Diseases of Animals Ordinance.

Ch. 25. No. 2

Sections 13 and 14 of the Dogs Ordinance.

Ch. 25. No. 4

The Feline Animals Ordinance.

Ch. 25. No. 5

SCHEDULE

Diseases within the meaning of this Ordinance :

Section 2

Anthrax
 Bang's Disease (contagious abortion, brucellosis)
 Bovine Piroplasmiasis (commonly called splenic fever)
 Contagious Pleuro-pneumonia
 Dourine
 Epizootic Lymphangitis
 Equine Infectious Anaemia (swamp fever)
 Foot and Mouth Disease
 Foot Rot
 Glanders
 Mal de Caderas
 Nagana (T. Vivax)
 Newcastle Disease
 Paralytic Rabies (Bat transmitted)
 Rabies
 Rinderpest (that is to say, the disease commonly called cattle plague)
 Sheep Scab
 Surra
 Swine fever (hog cholera)
 Tuberculosis (bovine and avian)
 Variola Ovina or sheep pox
 Variola Vaccinia or cow pox.

Passed in Council this second day of April in the year of Our Lord one thousand nine hundred and fifty-four.

T. F. FARRELL
Clerk of the Council.