



MONTSERRAT

## CHAPTER 9.06

# ANIMALS (DISEASES AND IMPORTATION) ACT and Subsidiary Legislation

**Revised Edition**

showing the law as at 1 January 2013

This is a revised edition of the law, prepared by the Law Revision Commissioner under the authority of the Revised Edition of the Laws Act.

This edition contains a consolidation of the following laws—

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## CHAPTER 9.06

### ANIMALS (DISEASES AND IMPORTATION) ACT

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## CHAPTER 9.06

### ANIMALS (DISEASES AND IMPORTATION) ACT

*(Acts 15 of 1954, 3 of 1956, 10 of 1957, 10 of 1981, 9 of 2011 and  
S.R.O. 46/1993)*

#### Commencement

*[1 April 1959]*

#### PART 1

#### PRELIMINARY

#### Short title

1. This Act may be cited as the Animals (Diseases and Importation) Act.

#### Interpretation

2. In this Act—
  - “**animal**” means any bovine, canine, equine, feline, goat, guinea pig, monkey, rabbit, sheep or swine, and any bird (including poultry), fish, insect and any other animal whatsoever, whether similar to the foregoing or not;
  - “**animal carcase**” means a 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, fashings, hooves, horn, claws, hair, bristles, wool, feathers, offal, blood, whether fresh or dehydrated, meat scraps of animal or any other parts of an animal (other than meat or offal for consumption by humans or animals) which have been separated from the carcase;
  - “**Chief Veterinary Officer**” means the person appointed as such under section 3;
  - “**defined port**” means a port as defined by any regulations made under section 14;
  - “**disease**” means a prescribed disease;
  - “**diseased**” means affected with a prescribed disease;
  - “**fish**” includes crustacea and turtle;

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

“**infected area**” means an area declared as such under section 5 or 6;

“**infected place**” means a place declared as such under section 5;

“**inspector**” means a veterinary inspector appointed under section 3;

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

“**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 Chaguaramus, 4 July 1973;

“**Minister**” means the Minister responsible for the administration of this Act;

“**owner**” includes the person in possession or charge of any animal;

“**port of entry**” means a port of entry prescribed under section 15(2)(a) and includes an airport of entry;

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

“**prescribed disease**” means any of the diseases prescribed in the Schedule hereto and any other disease which the Governor acting on the advice of Cabinet may by order declare to be a prescribed disease for the purposes of this Act; (*Amended by Act 9 of 2011*)

“**prescribed port area**” means the area of any port of entry, the limits of which are defined under section 15(2)(b);

“**vessel**” includes “**aircraft**” and “**port**” includes “**airport**”;

“**Veterinary Authority**” means—

- (a) in relation to Montserrat, the Chief Veterinary Officer;
- (b) in relation to any other Member State, the Authority appointed to administer the legislation of that State enacted for purposes equivalent to those for which this Act has been enacted;
- (c) in relation to any other country, the public authority or officer charged with the duty of administering the law of that country with respect to animal importation, exportation and quarantine;

“**veterinary biological product**” means any substance commonly known as hormones, vaccines, sera, toxins, antitoxins, 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;



**“veterinary inspector”** means a person appointed as such under section 3.  
(*Substituted by Act 10 of 1981*)

### **Appointment of Chief Veterinary Officer and veterinary inspectors**

**3 (1)** The Governor acting on the advice of Cabinet may, by order, appoint such public officer as he thinks fit to be the Chief Veterinary Officer for the purposes of this Act. (*Amended by Act 9 of 2011*)

**(2)** It shall be the duty of the Chief Veterinary Officer to administer this Act under general direction of the Minister.

**(3)** The Minister may appoint as veterinary inspectors for the purposes of this Act, such duly qualified veterinarians, and such other persons whom he considers fit persons to be so appointed, as appear to him to be necessary for those purposes.

**(4)** It shall be the duty of veterinary inspectors to carry out, subject to the directions of the Chief Veterinary Officer, the provisions of this Act.

**(5)** The Chief Veterinary Officer shall have all the powers of a veterinary inspector under this Act.

(*Substituted by Act 10 of 1981*)

## PART 2

### CONTROL OF DISEASED OR SUSPECTED ANIMALS

#### **Segregation and notification of diseased animals, etc.**

**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) is given, if not the inspector, shall forthwith give information thereof to the inspector.

#### **Infected places**

**5. (1)** Where there is evidence that any disease exists in any stable, shed, pen, field, pasture or other similar place, the inspector 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. A copy of such notice shall 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 acting on the advice of Cabinet under the provisions of subsection (4):

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 copies of such notice to the Governor and where any such notice has been withdrawn the inspector shall forthwith inform the Governor to that effect.

(4) Upon receipt by the Governor of the copies of such notice the Governor acting on the advice of Cabinet shall, unless such notice has been withdrawn, forthwith consider the matter and—

- (a) 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 may 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; or
- (b) if not so satisfied, shall by order revoke the notice of the inspector, and thereupon as from the time specified in that behalf by such order such place shall cease to be an infected place.

*(Amended by Act 9 of 2011)*

### **Infected areas**

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

(2) The Governor acting on the advice of Cabinet may in his absolute discretion, by order, prohibit during such time as may be specified in such order—

- (a) the use in any manner whatever of any public road through an infected area or of any part of such public road; or
- (b) the use, except in compliance with such conditions as may be specified in such order, of any such public road or of any part of such public road.

*(Amended by Act 9 of 2011)*

### **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 had 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 Act, or which dies as the result of disease, shall be destroyed, buried, or otherwise disposed of as soon as possible in accordance with the regulations made under this Act 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.

### **Compensation**

10. (1) The Governor may in his discretion award, for the compulsory slaughter of any animal under the provisions of this Act, compensation which shall be payable out of the general revenue of Montserrat. 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 has, in the opinion of the Governor, been guilty in relation to the animal, of an offence against this Act.

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

### **Order amending definition of disease**

11. The Governor acting on the advice of Cabinet may from time to time by order amend the Schedule to this Act.

*(Amended by Acts 10 of 1981 and 9 of 2011)*

### **Regulations**

12. (1) The Governor acting on the advice of Cabinet may make regulations generally for the control and treatment of diseased or suspected animals and for the prevention and spread of disease. *(Amended by Act 9 of 2011)*

(2) Regulations made under subsection (1) may, without prejudice to the generality of such power, make provision with regard to—

- (a) the exception, adaptation and modification of the provisions of this Act 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 removed from an infected place or infected area;
- (f) the movement, isolation, segregation, 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, exhibition or marking, of animals;
- (h) the removal, transport, treatment, examination, cleansing and disinfecting, of carcasses, fodder, litter, dung and other things likely to spread disease;
- (i) the cleansing, disinfecting and examination of places used by, and vehicles used for the transport of, 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;
- (k) the penalties for the breach of any such regulations.

### PART 3

#### REGULATION OF IMPORTATION OF ANIMALS, CARCASSES, ETC.

##### **Restriction on importation of animals, etc.**

**13. (1)** No animal, animal carcase, animal parts, veterinary biological product, fodder or litter shall be imported into Montserrat, unless imported from a country or part of a country prescribed under section 15(1) and under and in accordance with an import permit issued by the Chief Veterinary Officer in the prescribed manner.

**(2)** Any person who wishes to import into Montserrat any animal or any of the things mentioned in subsection (1) shall apply to the Chief Veterinary Officer in the prescribed manner.

**(3)** On receipt of an application made in accordance with subsection (2), the Chief Veterinary Officer may, subject to such terms and conditions as he thinks fit to impose, issue to the applicant an import permit in the prescribed form.

*(Substituted by Act 10 of 1981)*

##### **Penalties for importation of animals etc. without permit**

**14. (1)** Any person importing any animal, animal carcase, animal parts, veterinary biological product, fodder or litter into Montserrat—

*(a)* who has not obtained, in respect thereof, an import permit issued under section 13(3);

*(b)* who contravenes or fails to comply with any term or condition contained in an import permit issued under section 13(3) shall be guilty of an offence.

**(2)** Any animal, animal carcase, 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 a veterinary inspector or officer of customs and excise and, on conviction of any person who may be charged with that offence, shall be forfeited to the Crown and may be detained, destroyed or otherwise disposed of as the Minister shall direct, without liability on the Crown for any such detention, destruction or disposal.

*(Substituted by Act 10 of 1981)*

##### **Regulation of importation of animals, etc.**

**15. (1)** The Governor acting on the advice of Cabinet may by Regulation prescribe the conditions under which, and the countries or parts of countries from which animals, animal carcasses, animal parts, veterinary biological products, fodder or litter may be imported into Montserrat. *(Amended by Act 9 of 2011)*

(2) Without prejudice to the generality of subsection (1), regulations made under that subsection may make provision—

- (a) prescribing the ports of entry where animals and the things mentioned in that subsection which are to be imported into Montserrat 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 Montserrat;
- (c) prohibiting, restricting, or regulating the movement into, within or out of a prescribed port area, of animals which are to be imported into Montserrat;
- (d) providing for the cleansing and disinfecting, and the subjecting to quarantine, of vessels and aircraft used for the transportation of animals to Montserrat;
- (e) prescribing and regulating the examination, inspection, seizure and detention of any animal or thing mentioned in subsection (1) prior or subsequent to its landing in Montserrat;
- (f) prescribing and documentation to be provided in connection with the importation into or landing in Montserrat of any animal or thing mentioned in subsection (1), including the certificate to be issued by the Veterinary Authority of the country from which such animals or things are to be exported;
- (g) prescribing and regulating the testing of any veterinary biological product which is to be, or may be, imported into Montserrat;
- (h) prescribing the times at which and conditions under which animals may be slaughtered in a prescribed port area;
- (i) prohibiting or regulating the movement of any thing, other than an animal, mentioned in subsection (1) into, within or out of a prescribed port area; and regulating the disposal of any such thing;
- (j) prescribing the mode of cleansing and disinfection in a prescribed port area of any items, utensil or thing, including the hands or feet, the wearing apparel or articles in the possession of any person arriving in Montserrat 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 Montserrat by tagging or in any other manner, whether as a condition of landing or otherwise;
- (l) providing for the application to animals imported into Montserrat of any test for any prescribed or other infectious or contagious disease or of any treatment or vaccination or inoculation for any such disease.

*(Substituted by Act 10 of 1981)*

### **Power of Governor acting on the advice of Cabinet to prohibit importation of animals, carcasses, etc., in certain cases**

**16. (1)** The Governor acting on the advice of Cabinet may, whenever he deems it necessary in order to prevent the introduction of any prescribed disease into Montserrat, or the spread of any such disease therein, by order prohibit the importation into Montserrat of such animals, animal carcasses, animal parts, veterinary biological product, fodder or litter, as he shall specify in the order, from such country or from such part of any country as he shall specify in such order.

**(2)** The Governor acting on the advice of Cabinet shall, as soon as practicable after making an order under subsection (1), give notice of such prohibition to the Veterinary Authority in every other Member State, and shall give like notice of the revoking of any such order.

*(Substituted by Act 10 of 1981 and amended by Act 9 of 2011)*

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

**17.** The Governor acting on the advice of Cabinet may by Regulations prescribe the conditions under which, and the countries from which cooked meats, cooked canned meats and cooked meat by-products may be imported into Montserrat.

*(Substituted by Act 10 of 1981 and amended by Act 9 of 2011)*

### **Regulation of importation of equipment etc. used in connection with animals etc.**

**18.** The Governor acting on the advice of Cabinet may make Regulations for the purposes of this Act, prohibiting or regulating the introduction into Montserrat of any equipment, container or utensil which has been used in connection with any animal, animal carcass, animal parts, fodder or litter, and which is capable of transmitting any prescribed or other infectious or contagious disease affecting animals.

*(Substituted by Act 10 of 1981 and amended by Act 9 of 2011)*

## PART 4

## CONTROL OF MOVEMENT OF ANIMALS

**Regulation of movement of animals**

**19.** (1) The Governor acting on the advice of Cabinet may, for the purpose of the safe and humane movement of animals between Montserrat and another country, prescribe the conditions under which animals may be moved, whether by vessel or by aircraft, into Montserrat from another country and from Montserrat to another country, and in particular may make regulations—

- (a) for ensuring for such animals a proper supply of water and feed and proper ventilation during their transportation from Montserrat or upon their landing in Montserrat, as the case may be;
- (b) for protecting such animals from unnecessary suffering on loading or unloading in Montserrat and during their transportation from Montserrat.

(2) The Governor acting on the advice of Cabinet whenever he deems it necessary for the safe and humane treatment of animals which are to be moved from Montserrat to another country, may by order prohibit, or require the postponement for such period as he shall specify of—

- (a) the movement from Montserrat of such animals as he shall specify; or
- (b) the transportation from Montserrat of any animals on such vessel or aircraft as he shall specify.

*(Substituted by Act 10 of 1981 and amended by Act 9 of 2011)*

**Chief Veterinary Officer's certificate**

**20.** (1) The Chief Veterinary Officer shall, on application in writing by an exporter of any animal, animal carcase, animal parts, veterinary biological product, fodder or litter, which is to be exported from Montserrat and upon payment of the prescribed fee, provide to the exporter such certificate as may be required by the law of the country of importation thereof relating to the health, or to any period spent in quarantine in Montserrat, of any animal or relating to such carcase, animal parts, veterinary biological product, fodder or litter.

(2) For the purpose of providing any certificate referred to in subsection (1) the Chief Veterinary Officer may direct that any animal, animal carcase, animal parts, veterinary biological product, fodder or litter shall be examined by a veterinary inspector.

(3) Subject to this Act, the Chief Veterinary Officer shall provide such documentation or information as may reasonably be requested by another Member State as being necessary to prevent the introduction of any



prescribed disease into that Member State, or the spread therein of any such disease, as a consequence of the movement of any animal, animal carcase, animal parts, veterinary biological product, fodder or litter from Montserrat to that Member State or which relates to the provision of safe and humane movement of animals between Montserrat and that Member State.

*(Substituted by Act 10 of 1981)*

## PART 5

### ANIMAL QUARANTINE

#### Quarantine stations

**21. (1)** The Governor acting on the advice of Cabinet may by regulation prescribe the stations which may be used for the quarantining of animals for the purposes of this Act and may prescribe different stations for the quarantining of different categories of animals.

**(2)** The Governor acting on the advice of Cabinet may not prescribe a station under subsection (1) unless he is satisfied that such station meets international standards for the reception and quarantining of the animals to be received there and, in particular, that a veterinary inspector or a duly qualified veterinarian authorised for the purpose by the Minister is available to provide veterinary attention in respect of the station on every day of the year.

*(Substituted by Act 10 of 1981 and amended by Act 9 of 2011)*

#### Requirement of quarantine and exemptions therefrom

**22. (1)** Every animal which is imported into Montserrat shall, unless exempted under subsection (3), upon landing be placed in quarantine for such period and under such conditions as may be prescribed by regulations made under subsection (2).

**(2)** The Governor acting on the advice of Cabinet may make regulations in respect of the quarantining of animals which are subject to the requirement of 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 such animals shall be kept in quarantine and may prescribe different periods and different conditions for different categories of animals. *(Amended by Act 9 of 2011)*

**(3)** The Governor acting on the advice of Cabinet may, by regulation, prescribe any categories of animals which shall be exempted, and the conditions under which such animals shall be exempted, from the requirement of quarantine under subsection (1). *(Amended by Act 9 of 2011)*

**(4)** Notwithstanding that any animal to be imported into Montserrat is exempted from the requirement of quarantine under subsection (1) by

virtue of Regulations made under subsection (3), a veterinary 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 Montserrat 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 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 landing be subject to the requirements of quarantine under subsection (1).

(5) Nothing in this section shall restrict the power of the Chief Veterinary Officer to impose, as a condition of an import permit issued under section 13 in respect of any animal to be imported into Montserrat, a requirement of quarantine in respect of that animal and to give directions therein with respect to the period and conditions of quarantine of such animal.

*(Substituted by Act 10 of 1981)*

### **Quarantining of animals**

**23. (1)** An animal which is, by virtue of this Act, subject to the requirement of quarantine shall, on landing, be placed in such prescribed quarantine station as the veterinary inspector who inspects the animal at the time of its arrival in Montserrat shall direct.

(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 a veterinary inspector, shows symptoms of any disease, the spread of which would endanger animal health in Montserrat, may with the approval of the Minister be destroyed without payment of any compensation.

*(Substituted by Act 10 of 1981)*

## **PART 6**

### **GENERAL**

### **Powers of arrest**

**24. (1)** Where any person is found committing, or is reasonably suspected of being engaged in committing, an offence against this Act or against any regulation made thereunder, any police officer or veterinary inspector may without warrant stop and detain him, and if his name and address are not known to the police officer or veterinary inspector and he fails to give them to the police officer or veterinary inspector, such police

officer or veterinary inspector may without warrant arrest him and may, whether he has so stopped, detained or arrested 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 police officer or veterinary officer in the execution of this Act or of any regulations made thereunder, or assists in any such obstructing or impeding, the police officer or veterinary officer may without warrant arrest the offender.

(3) A person arrested under this section shall not be detained without warrant longer than is necessary for the purpose of being taken before a Magistrate, and the provisions of the Police Act, in relation to the granting of bail shall apply to any such person.

*(Amended by Act 10 of 1981)*

### **Powers of inspector**

**25. (1)** A police officer, veterinary inspector, or officer of customs and excise 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, existed; or
  - (ii) that the carcass 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 any thing or any place in respect whereof any person has on any occasion failed to comply with the provisions of this Act or of any regulations made thereunder; or
  - (iv) that this Act or any regulations made thereunder have not been or are not being complied with;
- (b) any vehicle, vessel or boat, in which or in respect whereof he has reasonable grounds for believing that this Act or any regulations made thereunder have not been or are not being complied with.

(2) A veterinary inspector or officer of customs and excise exercising any of the powers mentioned in subsection (1) shall, if required by the owner, occupier or person in charge of the pen, building, land, place, vehicle, vessel or boat, state in writing his reasons for the exercise of such powers and shall upon demand by such person produce written evidence of his appointment.

(3) Where the Chief Veterinary Officer is satisfied that an offence under the Act has been committed on board any vessel in a prescribed port, such vessel may be detained for such time as may be necessary to bring a charge relating to such offence before a court.

(4) The Chief Veterinary Officer shall deliver, in writing, to the master or captain of any vessel detained under the provisions of subsection (1) particulars of the offence for which it is detained as soon as possible after such detention.

*(Amended by Act 10 of 1981)*

## Offences

26. Any person who, without lawful authority or excuse, the proof whereof shall lie on him—

- (a) when required by this Act, or by any regulations or order made thereunder, to keep any animal separate as far as practicable, or to give any notice of disease with all practicable speed, fails so to do; or
- (b) contravenes or fails to comply with any directions given by the inspector under section 8; or
- (c) refuses to the inspector, acting in execution of this Act or of any regulations made thereunder, admission to any pen, building, land, place, vehicle, vessel or boat, which such inspector is entitled to enter or examine, or obstructs or impedes him from so entering or examining, or otherwise in any respect obstructs or impedes the inspector or any police officer 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, creek, ghaut, pond, well, drain or other water or watercourse, 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 Act or by any regulations or order 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 Act 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 Act or with any regulations or order made thereunder; or

- (h) allows any animals to stray into or out of any infected place or infected area; or
- (i) being the master or captain or owner of a vessel causes, requires or permits the landing of any animal, animal carcase, animal parts, veterinary biological product, fodder or litter or any equipment, container or utensil which has been used in connection with any animal or any thing mentioned in this subsection; or
- (j) in any way contravenes or fails to comply with any requirement of this Act or of any regulation or order made thereunder,

shall be guilty of an offence against this Act.

*(Amended by Act 10 of 1981)*

### **General penalty**

**27.** Any person guilty of an offence against this Act shall, save where otherwise expressly provided, be liable for each such offence on summary conviction to a fine of \$1,000 or to imprisonment for six months, or to both such fine and imprisonment.

*(Amended by Act 10 of 1981)*

### **Evidence and presumptions**

**28. (1)** Where the owner is charged with an offence against this Act, or against any regulations or order made thereunder, relative to disease or to any illness of the animal, he shall be presumed to have known of the existence of the disease or illness unless and until he shows to the satisfaction of the court that he had no knowledge thereof and could not with reasonable diligence have obtained the knowledge.

**(2)** Where a person is charged with an offence against this Act, or against any regulations or order made thereunder, in not having duly cleansed or disinfected any place, vessel, or thing, belonging to him or in his charge and a presumption against him on the part of the prosecution is raised, it shall lie on him to prove the due cleansing and disinfection thereof.

**(3)** The certificate of the inspector to the effect that any animal is or was affected with a disease specified in the certificate shall for the purposes of this Act or of any regulations or order made thereunder be conclusive evidence in all courts of justice of the matter certified.

### **Transport through infected places and areas**

**29.** Except as specifically provided in any regulations or order under this Act, nothing in this Act, or in any regulations made thereunder shall restrict

or prohibit 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.

### Regulations

30. The Governor acting on the advice of Cabinet may make regulations—

- (a) prescribing the fees payable for any purpose for which any regulations under this Act are made, the persons by whom and to whom they are to be paid and the manner in which they may be recovered;
- (b) prescribing anything which is required or authorised to be prescribed;
- (c) generally for the carrying into effect of this Act.  
(*Substituted by Act 10 of 1981 and Amended by Act 9 of 2011*)

### Saving of existing subsidiary legislation

31. Any rules, regulations, orders in council and proclamations made under or by virtue of any of the Acts repealed by this Act and in force immediately before the coming into operation of this Act shall be deemed to have been made under this Act and shall continue in force and may be amended and varied until other provisions shall be made by virtue of this Act.

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## SCHEDULE

(Section 2)

(Act 10 of 1981 and S.R.O. 46/1993)

### PRESCRIBED DISEASES

African Horse Sickness	Malignant Catarrhal Fever
African Swine Fever	Mange, Ovine (or Sheep Scab)
Amblyomma variegatum and its associated diseases	Newcastle Disease
Anthrax	Para-Tuberculosis (John's Disease)
Antrophic Rhinitis	Pox
Bovine loukosis	Psittacosis Orinithosis
Bovine Viral Diarrhoea	Pullorum Disease
Blue Tongue	Rabies
	Rinderpast

Brucellosis	Salmonellosis
Bubonic Plague	Sarcoptic Mange (in horses)
Canine Distemper	Scabies
Chronic Respiratory Disease	Scapie
Contagious Bovine Pluero-pneumonia	Shigellosis
Contagious Equine Metritis	Swine Erysipelas
Dermatophilosis	Swine Fever (or Hog Cholera)
Epizootic Abortion	Swine Vesicular Disease
Epizootic Lymphangitis	Theileriasis
Equine Encephalomyelitis	Trypanosomiasis (including Dourine or <i>Mal de Coit, Mal de Caderas, Surra</i> and Tryponosam Vivax Infection)
Equine Infectious Anaemia	
Equine Influenza	
Foot and Mouth Disease	Tuberculosis
Fowl Cholera	Ulcerative Lymphangitis
Fowl Typhoid	Vesicular Exanthema
Glanders (or Farcy)	Vesicular Stomatitis
Haemorrhagic Septicaemia	Virus Pneumonia
Heartwater	Yellow Fever
Herpes Virus Group	
Infectious Bovine Rhinotracheitis	
Infectious Laryngotracheitis	
Leptospirosis	
Leukosis (Marek's Disease)	

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**AMBLYOMMA VARIEGATUM, HEARTWATER AND  
DERMATOPHILOSIS (PREVENTION AND CONTROL) REGULATIONS**

ARRANGEMENT OF REGULATIONS

REGULATION

1. Short title
2. Interpretation
3. Notification of Amblyomma Variegatum, Heartwater or Dermatophilosis
4. Authority of Chief Veterinary Officer
5. Duty of owner of infested place
6. Control of infested animals
7. Infested animals to be marked
8. Disposal of carcass
9. Prohibition of movement of animals
10. Entry into land
11. Power to search vehicles, etc.
12. Control over the importation of animals
13. Stray animals
14. Quarantines
15. Penalty

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**AMBLYOMMA VARIEGATUM, HEARTWATER AND DERMATOPHILOSIS  
(PREVENTION AND CONTROL) REGULATIONS – SECTIONS 1, 13, 14, 15 AND 16**  
*(S.R.O. 45/1993 and Act 9 of 2011)*

**Commencement**

*[31 August 1993]*

**Short title**

1. These Regulations may be cited as the Amblyomma Variegatum, Heartwater and Dermatophilosis (Prevention and Control) Regulations.

**Interpretation**

2. In these Regulations—

“**infested area**” means an area which is declared to be an infested area for purposes connected with the control and elimination of Amblyomma Variegatum, Heartwater or Dermatophilosis;

“**infested place**” means any place which is declared by the Governor acting on the advice of Cabinet to be an infested place for purposes connected with the

control and elimination of *Amblyomma Variegatum*, Heartwater or Dermatophilosis; (*Amended by Act 9 of 2011*)

“**Inspector**” means a Veterinary Inspector appointed under section 3 of the Animals (Diseases and Importation) Act.

### **Notification of *Amblyomma Variegatum*, Heartwater or Dermatophilosis**

3. (1) Any person having in his possession or under his charge any animal infested with or suspected to be infested with *Amblyomma Variegatum*, Heartwater or Dermatophilosis or the carcass of an animal so infested or suspected, shall with all practicable speed give notice of the animal or carcass being or having been so infested or suspected, to the Chief Veterinary Officer, or the Director of Agriculture.

(2) Every Veterinary Surgeon or Inspector who, upon examining any animal or the carcass of any animal, is of the opinion or suspects that such animal is, or was when it died or was slaughtered, infested with *Amblyomma tick*, shall with all practicable speed give notice of the infestation or suspicion of infestation, to the Chief Veterinary Officer or to the Director of Agriculture.

### **Authority of Chief Veterinary Officer**

4. (1) The Chief Veterinary Officer shall, immediately after receipt of the notice referred to in paragraph (1) of regulation 3, proceed to the place to which the notice refers.

(2) The Chief Veterinary Officer may give directions in relation to the steps, which should be taken in dealing with any animal infested with the *Amblyomma Variegatum tick*, Heartwater or Dermatophilosis, and any other animal within any infested area or place and the owner or occupier of every such infested area or place shall comply with such directions.

### **Duty of owner of infested place**

5. The owner or occupier of an infested place shall—

- (a) prevent access of any other animal to any part of the premises, which has been exposed to infestation by any other animal infested with or suspected of being infested with *Amblyomma Variegatum*, Heartwater and Dermatophilosis;
- (b) detain on the premises any animal infested with or suspected of being infested with *Amblyomma Variegatum*, Heartwater and Dermatophilosis and any other animal which has been in the same shed, stable, building, yard or field with any such animal.

### **Control of infested animals**

6. (1) No person shall, in relation to any animal infested with, or suspected of being infested with *Amblyomma Variegatum*, Heartwater or Dermatophilosis—

- (a) expose any such animal in any market, fair, sale, yard or in any other place where animals are exposed for sale;

- (b) place any such animal in any place adjacent to any market, fair, sale yard or other place at which animals are exposed for sale;
- (c) carry, lead or drive or cause to be carried, led or driven, on any highway or thoroughfare, any such animals are exposed for sale;
- (d) place, keep or graze, or permit to be placed, kept or grazed, on the sides of any public road, or any land adjoining, or any land adjoining a public road which is unfenced or insufficiently fenced any such animal;
- (e) allow any such animal to stray on to a public road or on the sides thereof or to be on unenclosed land or in any field or place which is insufficiently fenced.

(2) In addition to any penalty recoverable against any person convicted of an offence against this regulation, every animal found in any place in contravention of the provisions of these Regulations may be moved by or at the directions of the Chief Veterinary Officer to some convenient place and there detained and isolated.

#### **Infested animals to be marked**

7. The Chief Veterinary Officer shall place or cause to be placed a clearly defined brand or mark or tag upon each animal infested or suspected to be infested with *Amblyomma Variegatum*, Heartwater or Dermatophilosis, and shall make a record of such brand or mark or tag together with a notation of the name of the owner of such animal in a register which he shall keep for the purpose.

#### **Disposal of carcass**

8. The carcass of every animal which dies within an infested place shall—
- (a) within twelve hours of death be buried within the infested place as near to the place where such animal died as practicable; and
  - (b) be buried with lime within the infested place in a pit not less than seven feet deep and such pit shall be dug near to the place where such animal died as practicable, and shall in no case be less than one hundred feet from any dwelling house, river, well, water course, drain or other channel.

#### **Prohibition of movement of animals**

9. It shall not be lawful for any animal to be moved from an infested area or place to an uninfested area or place by the owner or person in charge of such animal. Areas declared as infested areas pursuant to the *Animals (Diseases and Importation) Act* shall also be declared and announced in the newspapers and on radio by the Chief Veterinary Officer.

#### **Entry into land**

10. It shall be lawful for the Chief Veterinary Officer or any person acting under his direction to enter any land, premises or farm during normal working hours with or without police assistance for the purpose of inspecting any land to ascertain whether

any animal is infested with *Amblyomma Variegatum*, Heartwater or Dermatophilosis and to cause the infested animal to be treated.

### **Power to search vehicles, etc.**

11. The Chief Veterinary Officer may at all times enter and search any vehicle, vessel or boat in which or in respect whereof he has reasonable grounds for believing that any regulation has not been or is not being complied with.

### **Control over the importation of animals**

12. (a) Any animal imported into the Island shall on entering be inspected by a Veterinary Officer or Inspector to determine whether the animal is infested with *Amblyomma Variegatum*, Heartwater or Dermatophilosis.
- (b) No animal shall be imported in the Island which is infested with Heartwater disease.
- (c) Any animal imported in the Island which is found to be infested with *Amblyomma Variegatum* or Dermatophilosis shall be treated with an acaricide upon arrival within the Island, and placed in quarantine for fourteen days or for such longer period as the Chief Veterinary Officer may prescribe and during the period in quarantine shall be subject to further acaricide treatment by a Veterinary Officer.
- (d) The Governor acting on the advice of Cabinet whenever he deems it necessary in order to prevent the introduction of any disease into the Island or the spread of the disease may, by notice, prohibit the landing in the Island of such animals as he may specify in the Notice, which have been or may be brought into the Island from such country as he may specify in the Notice. (*Amended by Act 9 of 2011*)
- (e) All animals imported into the Island shall be accompanied by a certificate from the Veterinary Officer of the country from which such animal has been shipped that the animal is free from *Amblyomma Variegatum*, Heartwater or Dermatophilosis and that the animal has been treated with an acaricide within seven days before the date of shipment. The certificate should also state the acaricide used for the treatment of the animal.

### **Stray animals**

13. (1) Any stray animal found straying within any area infested with *Amblyomma Variegatum*, Heartwater or Dermatophilosis may be seized by a police officer, a Veterinary Officer or Inspector and taken to premises designated by the Chief Veterinary Officer.

(2) Any stray animal so seized under the provisions of sub-regulation (1) shall be treated for *Amblyomma Variegatum*, Heartwater or Dermatophilosis.

(3) If within three days the animal is not claimed by its owner, such animal, may, on the directions of the Chief Veterinary Officer, be slaughtered.

**Quarantines**

- 14.** (1) (a) Any premises, place or locality where the existence of the *Amblyomma Variegatum*, Heartwater or Dermatophilosis is officially confirmed, shall be placed under quarantine. The notification of quarantine shall be in writing, which shall be handed to the owner or to the person in charge of the farm, premises or infested place. The quarantine shall include all the animals in the premises or infested place.
- (b) The quarantined area shall be identified with posters indicating the terms and conditions under which the movement of animals out of the said area shall be permitted.
- (c) Any place or premises in which animals illegally moved from any quarantined area have been kept shall also be placed under quarantine. In addition, places or premises where animals have been moved into from infested areas shall also be placed under quarantine.
- (2) No animal shall be moved from any area, place or premises placed under quarantine by the Chief Veterinary Officer because of the presence of the *Amblyomma Variegatum*, Heartwater or Dermatophilosis except where such animal is being moved under a permit granted by the Chief Veterinary Officer.

**Penalty**

- 15.** Any person who contravenes or fails to comply with any provision of these Regulations is guilty of an offence and shall be liable on summary conviction to a fine of \$1,000 or to imprisonment for a term not exceeding twelve months.



## ANIMALS (IMPORTATION) CONTROL REGULATIONS

### ARRANGEMENT OF REGULATIONS

#### REGULATION

1. Short title
2. Interpretation
3. Importation of animals
4. Landing of animals
5. Inspection and disinfection of vessels and aircraft carrying animals
6. Quarantine of animals
7. Saving
8. Dogs and cats
9. Horses
10. Cattle, sheep and goats
11. Pigs
12. Rabbits, guinea pigs, turtles and caged birds
13. Monkeys
14. Carcasses of cattle, pigs, sheep and goats
15. Fodder and litter
16. Dung
17. Used or second-hand animal blankets, saddle cloths, felting pads, etc.
18. Used or second-hand animal trappings
19. Semen and biological products
20. Authentication of certificates
21. Penalty

#### SCHEDULES





**ANIMALS (IMPORTATION) CONTROL REGULATIONS – SECTION 14**

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

**Short title**

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

**Interpretation**

2. For the purposes of these Regulations—

“animal” shall not include a fish;

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

**Importation of animals**

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

(a) the provisions of these Regulations; and

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

**Landing of animals**

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

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

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

(a) if satisfied—

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

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

refuse permission for any such animal to be landed; or

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

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

**Inspection and disinfection of vessels and aircraft carrying animals**

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

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

### **Quarantine of animals**

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

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

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

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

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

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

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

### **Saving**

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

### Dogs and cats

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

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

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

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

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

### Horses

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

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

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

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

### **Cattle, sheep and goats**

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

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

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

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

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

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

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

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

### **Pigs**

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

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

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

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

### **Rabbits, guinea pigs, turtles and caged birds**

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

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

### **Monkeys**

13. No monkey shall be imported into Montserrat.

### **Carcasses of cattle, pigs, sheep and goats**

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

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

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

### **Fodder and litter**

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

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

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

### **Dung**

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

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

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

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

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

### **Used or second-hand animal trappings**

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

### **Semen and biological products**

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

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

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

### **Authentication of certificates**

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

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

### **Penalty**

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

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## **FIRST SCHEDULE**

*(Regulation 8)*

Great Britain  
Northern Ireland  
Republic of Ireland  
Jamaica  
St. Kitts and Nevis  
Barbados  
Anguilla

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**SECOND SCHEDULE**

*(Regulation 9)*

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

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**THIRD SCHEDULE**

*(Regulation 10)*

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

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**FOURTH SCHEDULE**

*(Regulation 11)*

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

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**FIFTH SCHEDULE**

*(Regulation 12)*

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

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**SIXTH SCHEDULE**

*(Regulation 14)*

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

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**SEVENTH SCHEDULE**

*(Regulation 15)*

Great Britain  
Canada  
United States of America  
British Caribbean Territories

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