



ST. HELENA

CHAPTER 96

ANIMALS (DISEASES) ORDINANCE and Subsidiary Legislation

Non-authoritative Consolidated Text

This is not an authoritative 'revised edition' for the purposes of the Revised Edition of the Laws Ordinance; it has been prepared under the supervision of the Attorney General for the purpose of enabling ready access to the current law, and specifically for the purpose of being made accessible via the internet.

Whilst it is intended that this version accurately reflects the current law, users should refer to the authoritative texts in case of doubt. Enquiries may be addressed to the Attorney General at Essex House, Jamestown

[Telephone (+290) 2270; Fax (+290) 2454; email pa.lawofficers@legalandlands.gov.sh]¹

Visit our [LAWS page](#) to understand the St. Helena legal system and the legal status of this version of the Ordinance.

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¹ These contact details may change during 2011 or early in 2012. In case of difficulty, email shgwebsite@sainthelena.gov.sh or telephone (+290) 2470.

CHAPTER 96**ANIMALS (DISEASES) ORDINANCE****ARRANGEMENT OF SECTIONS**

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CHAPTER 96**ANIMALS (DISEASES) ORDINANCE**

(Ordinance 3 of 1944, Legal Notice 4 of 1967 and Ordinances 2 of 1972, 2 of 2001, 7 of 2003 and 15 of 2011)

AN ORDINANCE TO CONTROL CONTAGIOUS DISEASES IN ANIMALS.

Commencement

[15 August 1944]

Short title

1. This Ordinance may be cited as the Animals (Diseases) Ordinance.

Interpretation

2. In this Ordinance, unless the context otherwise requires—

“**Agricultural Authority**”² means the person appointed by the Governor under section 2A;

“**animals**” includes all beasts, birds, reptiles, fishes and insects, and the young, eggs and semen thereof;

“**authorised officer**”³ ...;

“**carcase**” includes part of a carcase, and the meat, bones, hide, skin, hoofs, horns, offal or any part of an animal separately or otherwise, or any portion thereof;

“**Committee**” means a Council Committee⁴;

² Definition of “Agricultural Authority” inserted by Ord. 15 of 2011

³ Definition of “authorised officer” repealed by Ord. 15 of 2011

⁴ Agricultural and Natural Resources Committee — see LN 4/1967

“Inspector”⁵ means a veterinary officer, customs officer, environmental health officer and any other person appointed as such by the Agricultural Authority.

Appointment of Agricultural Authority and delegation of powers

2A.⁶ (1) The Governor may by notice in the *Gazette* appoint a public officer to be the Agricultural Authority for purposes of the administration of this Ordinance.

(2) The functions of the Agricultural Authority, other than the appointment of an Inspector, may be performed by any other public officer authorised by the Agricultural Authority in that behalf and acting in accordance with such general or special directions as he may give from time to time.

Regulations

3. (1) The Governor in Council may, for the purpose of preventing the introduction of disease into St. Helena, or the communication thereof, make regulations prohibiting or controlling the importation of animals or any specified kind thereof into St. Helena, and for the control, seizure, detention and disposal (including slaughter) of any animals within St. Helena.

(2) The powers conferred under subsection (1) shall include the power to make regulations for—

- (a) prescribing the powers and duties of the Committee;
- (b)⁷ prescribing the duties of the Agricultural Authority and Inspectors;
- (c) prescribing and regulating the burial, disposal or treatment of carcases of animals slaughtered under the provisions of any regulations made under this Ordinance, or dying while suspected of any disease;
- (d) prohibiting or regulating the sending or carrying of dung or other thing likely to spread disease;
- (e) prescribing or regulating the disinfection of any place occupied or filled by an animal slaughtered on account of or suspected of any disease;
- (f)⁸ prescribing and regulating the payment of fees or charges, and the recovery of expenses, in connection with the administration of this Ordinance.

Enforcement

4.⁹ Members of the Police Force and Inspectors appointed under this Ordinance shall, subject to the general directions of the Agricultural Authority, enforce the provisions of this Ordinance and of every regulation made thereunder.

Powers of police force

5. (1) Where a person is seen or found committing, or is reasonably suspected of being engaged in committing, an offence against this Ordinance, a policeman may without warrant stop and detain him and, if his name and address are not known to the policeman, and such person fails to give them to the satisfaction of the policeman, the policeman may without warrant, apprehend him. The policeman may, whether so stopping or detaining or

⁵ Definition of “Inspector” substituted by Ord. 15 of 2011

⁶ Section 2A inserted by Ord. 15 of 2011

⁷ Section 3(2)(b) amended by Ord. 15 of 2011

⁸ Section 3(2)(f) substituted by Ord. 15 of 2011

⁹ Section 4 amended by Ord. 15 of 2011

apprehending the person or not, stop, detain and examine any animal, vehicle, boat or thing to which the offence or suspected offence relates and require the same to be forthwith taken back to or into any place wherefrom it was unlawfully removed and execute and enforce that requisition.

(2) If any person obstructs or impedes or assists to obstruct or impede a policeman or other officer in the execution of this Ordinance or of a regulation made thereunder, the policeman or officer may, without warrant, apprehend the offender.

(3) A person apprehended under this section shall be taken with all practicable speed before a Justice of the Peace and shall not be detained without a warrant longer than is necessary for that purpose and all enactments relating to the release of persons on recognizances taken by a policeman shall apply in the case of a person apprehended under this section.

(4) The foregoing provisions of this section respecting a policeman, extend and apply to any person called by a policeman to his assistance.

(5) A policeman shall forthwith make a report in writing to his superior officer of every case in which he stops any person, animal, vehicle, boat or thing under this section, and of his proceedings consequent thereon.

(6) Nothing in this section shall take away or abridge any power or authority that a policeman would have had if this section had not been enacted.

Powers of Agricultural Authority and Inspectors

6.¹⁰ The Agricultural Authority and an Inspector shall have, for the purposes of this Ordinance, all the powers which a policeman has under this Ordinance.

Penalties for offences

7.¹¹ A person who is guilty of an offence against this Ordinance or against any Regulation made hereunder, is liable on summary conviction to a fine not exceeding £5,000, or to imprisonment not exceeding 12 months, or to both.

Offences

8. If any person without lawful authority or excuse, proof whereof shall lie on him, does any of the following things he shall be guilty of an offence against this Ordinance—

- (a) if he does anything in contravention of this Ordinance or of any regulations made thereunder;
- (b) if when required to keep an animal separate as far as practicable or to give notice of disease with all practicable speed, he fails to do so;
- (c) if he fails to give, produce, observe or do any notice, licence, regulation or thing, which he is required to give, produce, observe or do;
- (d) if he does anything which by this Ordinance or any regulation made thereunder is made or declared to be not lawful;
- (e) if he does or omits anything the doing or omission whereof is declared by this Ordinance or by any regulation made thereunder to be an offence against this Ordinance;
- (f) if he refuses to any person acting in the execution of this Ordinance, or of any regulation made thereunder, admission to any land, building, place, vessel, pen,

¹⁰ Section 6 is amended by Ord. 15 of 2011

¹¹ Section 7 substituted by Ord. 15 of 2011

vehicle or boat, which such person is entitled to enter or examine, or obstructs or impedes such person in the execution of his duty, or assists in any such obstructing or impeding; or

- (g) if he does any act with intent to evade the provisions of this Ordinance or any regulation made thereunder, or offers or obtains, or attempts to offer or obtain, any licence, certificate or instrument that may be required of him, by means of a false pretence, or makes any declaration or statement false in any material particular.
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ANIMALS (DISEASES) REGULATIONS**ARRANGEMENT OF REGULATIONS****REGULATION**

1. Short title
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 5. Importation of dogs or cats from scheduled countries
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 7. Animals infected with disease
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 9. Animal having scheduled disease
 10. Power to seize animals
 11. Procedure regarding animals seized under regulation 10
 12. Notice of seizure
 13. Quarantine areas
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ANIMALS (DISEASES) REGULATIONS – SECTION 3

*(Legal Notices 6 of 1950, 14 of 1950, 24 of 1955,
10 of 1956, 6 of 1958, 11 of 1960, 29 of 1966, 4 of 1967 and Ord. 2/1967)*

Short title

1. These regulations may be cited as the Animals (Diseases) Regulations.

Interpretation

2. In these regulations, unless the context otherwise requires—

“effective wire cage muzzle” means a muzzle of wire so constructed as to render it impossible for the animal wearing it to bite any person or animal but not so as to prevent such animal from breathing freely or lapping water;

“infected area” means any area declared by the Council Committee, by notice in the *Gazette*, to be an infected area in accordance with regulation 16 of these regulations;

“parrot” means any bird of the order Psittaciformes, including any of the birds commonly called parrots, parakeets, budgerigars, love birds, macaws, cockatoos, cockatiels, conures, lorries and lorikeets;

“**public place**” includes any street, highway, thoroughfare, bridge, park, garden or pleasure ground, and any unenclosed land or other place to which the public or any part of the public have for the time being access;

“**restricted animal**” means any animal of any class or classes of animals, specified by the Council Committee, by notice in the *Gazette*, declaring an area to be an infected area;

“**scheduled disease**” means a disease named in the Second Schedule to these regulations.

Licence to import animals

3.¹² No animal shall be imported or brought into St. Helena except under licence previously granted by the authorised officer and upon production of a veterinary certificate conforming to the requirements as laid down by the authorised officer at the time of granting the import licence:

Provided that no parrots or monkeys may be imported into St. Helena under any conditions whatsoever.

Importation of animals other than dogs or cats

4.¹³ Any animal, other than a dog or cat, imported under licence granted by the authorised officer shall be detained in quarantine at the expense of the owner, or other person having charge of the animal, for a period of not less than one month or more than six months.

Importation of dogs or cats from scheduled countries

5.¹⁴ (1) Any dog or cat imported directly into St. Helena from one of the countries specified in the First Schedule to these regulations may be imported without detention in quarantine if the prescribed veterinary certificate states that—

- (a) such dog or cat is in good health and free from symptoms of infectious and contagious diseases; and
- (b) there has been no rabies among unquarantined dogs and cats 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; and if such dog or cat has been in quarantine in such country, that it has completed a six months period of quarantine:

Provided that if any dog or cat so imported has during the period of transportation been in contact with any other cat or dog other than a dog or cat—

- (i) in respect of which a certificate in the terms prescribed in this paragraph of this regulation has been given; or
- (ii) which has been released from quarantine in any of the countries specified in the First Schedule to these regulations as being free of rabies,

it shall be detained in quarantine, at the expense of the owner, or other person having charge of the animal, for a period of not less than six months or more than nine months.

(2) This regulation shall apply to a dog or cat imported directly into Ascension from St. Helena or into St. Helena from Ascension as if St. Helena and Ascension were countries specified in the First Schedule to these regulations.

¹² Regulation 3 amended by L.N. 10/1956

¹³ Regulation 4 inserted by L.N. 10/1956

¹⁴ Regulation 5 amended by L.N. 10/1956 and L.N. 29/1966

Importation of dogs or cats from unscheduled countries

6.¹⁵ Any dog or cat imported into St. Helena from any country not specified in the First Schedule to these regulations, upon production of a veterinary certificate stating that such dog or cat is in good health and free from symptoms of infectious and contagious diseases, shall be detained in quarantine at the expense of the owner, or other person having charge of the animal, for a period of not less than six months or more than nine months.

Animals infected with disease

7.¹⁶ The authorised officer, if he has reasonable cause to believe that any animal is infected with any disease scheduled in the Second Schedule to these regulations may, at his discretion, and whether he has previously granted an import licence in respect of the animal or not, refuse to permit the introduction of such animal into St. Helena, and in so doing shall not be liable for any loss caused to the owner or other person having charge of the animal.

Conditions may be attached to licence

8. The authorised officer may insert in any licence granted under these regulations, approving the introduction into St. Helena of any imported animal, such conditions as may be considered necessary or desirable for regulating or prescribing—

- (a) the mode of introduction, and the period and method of detention and isolation of the animal;
- (b) the person or persons by whom and the premises on which the animal shall be detained and isolated;
- (c) the movement of the animal to the place of detention;
- (d) the confinement of the animal in a suitable hamper, crate, box or other receptacle, or the muzzling of the animal during its movements along a highway or thoroughfare;
- (e) the mode of isolation of the animal;
- (f) the notice to be given of the death or the loss of the animal, or of any matter arising in connection with the movement, detention or isolation of the animal, and the persons by whom and to whom the notice is to be given; and
- (g) generally in regard to any matter which the circumstances of the case may reasonably require.

Animal having scheduled disease

9. Every person having in his possession or under his charge an animal infected or believed to be infected with any scheduled disease shall—

- (a) keep that animal separate from animals not so infected until such time as the animal is seized under the provisions of regulation 10 or the authorised officer orders otherwise; and
- (b) with all practicable speed give notice of the fact to the authorised officer, to the Chief Medical Officer, and to the constable in charge of the nearest police station.

¹⁵ Regulation 6 inserted by L.N. 10/1956

¹⁶ Regulation 7 inserted by L.N. 10/1956

Power to seize animals

10. It shall be lawful for the authorised officer or any person acting under his orders, any constable, customs officer, or sanitary inspector, to seize—

- (a) any animal imported in contravention of the provisions of regulation 3;
- (b) any animal which is so kept as not to comply with any of the terms of the licence in pursuance of which it was imported;
- (c) any animal which has been infected with any scheduled disease or has been exposed to such infection, or is reasonably suspected of having been so infected or exposed;
- (d) any animal which is not muzzled or kept under control in the manner directed by the authorised officer.

Procedure regarding animals seized under regulation 10

11. (1) Where an animal is seized in pursuance of regulation 10(a) or (b), the authorised officer may detain the animal in quarantine for so long as he deems necessary or may release the animal to the custody of the owner or person in charge, subject to such conditions as he deems fit to impose.

(2) Where any animal is seized in pursuance of regulation 10(c), such animal shall be detained for such period as the authorised officer deems necessary in any place of isolation appointed by him for the purpose, and if, having regard to the history, health or condition of such animal, the authorised officer is of the opinion that it should be destroyed, the animal shall be destroyed in a manner to cause as little pain as possible.

Notice of seizure

12. (1) Where any animal seized in pursuance of regulation 10 is not destroyed or disposed of in the manner prescribed by regulation 11, there shall be served on the owner or keeper, if he be known, of the animal a notice in writing stating that the animal has been seized and will be liable to be sold or destroyed if not claimed within five clear days after the service of the notice.

(2) Where the owner or keeper of any animal so seized does not claim it within five clear days of the service of a notice as aforesaid, or, if such owner or keeper cannot be ascertained, then within a reasonable period, and if such owner or keeper does not in either case pay all the expenses incurred in the detention of the animal, such animal may be sold or may be destroyed in a manner to cause as little pain as possible.

(3) Where an animal is destroyed or sold in pursuance of subregulation (2), the owner or keeper, if he be known, may be required to pay the expenses of the seizure, detention, and sale or destruction of such animal, or the balance thereof remaining after deducting the proceeds of the sale, if any.

Quarantine areas

13. (1) The Committee may by notice in the *Gazette* declare any place to be a quarantine area for such period as it may consider necessary.

(2) No person shall under any pretext whatsoever enter any place which has been declared to be a quarantine area under subregulation (1) unless he is the holder of a written

permit signed by the authorised officer, who may attach to such permit such conditions as he may consider necessary, and may grant or refuse a permit at his discretion.

(3) Any person who shall enter any place which has been declared to be a quarantine area under the provisions of subregulation (1), without a permit issued in accordance with subregulation (2), or who, being the holder of a permit, fails to carry out the conditions stated thereon, shall be liable to prosecution under the Animals (Diseases) Ordinance.

Slaughter of restricted animals for consumption

14. (1) No restricted animal in an infected area shall be slaughtered for consumption.

(2) No restricted animal outside an infected area shall be slaughtered for consumption except in the presence of the Sanitary Inspector.

Notification of animal deaths

15. Should any animal, except an animal which has been slaughtered in a registered slaughter-house in Jamestown, or elsewhere with the permission of the Sanitary Inspector, die, either from natural causes or through accident, the person having such animal in his possession or under his charge shall, within four hours, report the death of such animal to the office of the Chief Agricultural and Natural Resources Officer¹⁷.

Control of animals, etc

16.¹⁸ (1) Should the Committee have reasonable cause to suspect the presence of any disease scheduled in the Second Schedule to these regulations in any area, the Committee may declare such area to be an infected area for such class or classes of animals as they shall deem necessary.

(2) Where the Committee has declared any area to be an infected area, the authorised officer may—

- (a) issue such instructions as he shall deem necessary for the purpose of controlling the movement of restricted animals or parts thereof, into, within or out of such area;
- (b) order such measures to be taken as he shall deem necessary for the cleaning and disinfecting of infected places or areas or parts thereof;
- (c) order such measures to be taken as he shall deem necessary for the destruction, burial, disposal or treatment of carcasses, fodder, litter, utensils, pens, animal-housing, drug or other things being in an infected place or area or removed thereout.

(3) The Committee may at any time by notice in the *Gazette* direct that every animal or class of animals specified in the notice shall at all times—

- (a) whilst in or on any public place be efficiently muzzled with an effective wire cage muzzle; and
- (b) whilst in or on any other place be kept under control by being—
 - (i) confined in a kennel or other enclosure from which the animal cannot escape; or
 - (ii) secured to some premises by a collar and chain; or
 - (iii) efficiently muzzled with an effective wire cage muzzle; or
 - (iv) accompanied by the owner or some person deputed by him and under effectual control.

¹⁷ *Gazette Notice No. 63 of 1 July 2011: Title changed to Director of Agriculture and Natural Resources*

¹⁸ *Regulation 16 amended by L.N. 4/1967*

The words “other place” appearing in subregulation (3)(b) shall not be deemed to include any vessel unless the same shall be alongside any wharf, quay, jetty or other public place.

Movement of restricted animals

17. No person shall move or cause to be moved, except under the authority of a written permit signed by the authorised officer, who may grant or refuse such a permit at his discretion and impose thereon such conditions as he may deem necessary, any restricted animal or part thereof, into, within or out of an infected area.

Offences

18. If any person contravenes or fails to comply with any of these regulations, or any order, instruction, or direction given, or requirement imposed, under any of these regulations, he shall be guilty of an offence against that regulation, and shall be liable to prosecution under the Animals (Diseases) Ordinance.

Scale of fees

19. The scale of fees set out in the Third Schedule to these regulations shall be charged in respect of the several matters to which they relate.

FIRST SCHEDULE

(Regulation 3)

Great Britain
Northern Ireland
Republic of Ireland

SECOND SCHEDULE

(Regulation 3)

Actinomycosis
Anthrax
Bee diseases—
 Acarine, Amoeba and Nosema Diseases;
 Apimyasis;
 Brood Disease
Black-quarter
Bovine Mastitis
Bovine piroplasmiasis including East Coast Fever and Redwater
Brucellosis in cattle and goats
Canine distemper
Cattle Plague or Rinderpest
Contagious pleuro-pneumonia of cattle
Epizootic Lymphangitis
Foot and Mouth Disease

This e-version of the text is not authoritative for use in court.

Fowl Cholera
Fowl Plague
Fowl Typhoid
Glanders (including Farcy)
Johne's Disease
Lumpy Skin disease
Newcastle Disease
Psittacosis
Psoreptic and Sarcoptic Mange in animals other than sheep
Pullorum Distemper
Rabies
Sheep Pox
Sheep Scab
Swine Erysipelas
Swine fever
Trypanosomiasis
Tuberculosis

THIRD SCHEDULE

(Regulation 19)

For the detention in quarantine of—

- | | | |
|-----|--|----------|
| (a) | dogs and cats, per animal for each week or part thereof | 25 pence |
| (b) | all other animals per animal for each week or part thereof | 50 pence |
| (c) | birds, per dozen, birds or part thereof, for each week or part thereof | 25 pence |

and in addition a charge for maintenance (payable in advance) for each week or part thereof at a rate to be fixed by the authorised officer.
