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I assent,

CUTHBERT M SEBASTIAN

Governor-General.

5th March, 2012.

SAINT CHRISTOPHER AND NEVIS

No. 7 of 2012

ANACT to provide for the control of the movement of animals and animal related items into and within St. Christopher and Nevis; to prevent the introduction and spread of prescribed animal diseases within St. Christopher and Nevis and other countries; to ensure the safe and humane movement of animals to and from St. Christopher and Nevis; and to provide for related or incidental matters.

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BE IT ENACTED by the Queen's Most Excellent Majesty, by and with the advice and consent of the National Assembly of Saint Christopher and Nevis, and by the authority of the same as follows:

PART I - PRELIMINARY

1. Short title and commencement.

This Act may be cited as the Animals (National and International Movement and Prescribed Diseases Prevention) Act, 2012.

2. Interpretation.

In this Act, unless the context otherwise requires:

“animal” includes bovine, canine, feline, equine, goat, monkey, rabbit, sheep, swine, birds, poultry, fish, reptiles, insects, amphibians, eggs of any kind and all other animals of whatever kind, domestic or wild, terrestrial or aquatic, be they genetically engineered or altered or otherwise;

“animal carcass” includes the carcass and meat of an animal and such of its offal as is intended for human or animal consumption;

“animal disease” includes anthrax, avian influenza, bovine spongiform encephalopathy, brucellosis, contagious bovine plueropneumonia, equine encephalomyelitis, equine infectious anaemia, epizootic abortion, foot and mouth disease, glanders and farcy; haemorrhagic septicaemia, infectious laryngotracheitis, mange ovine (commonly known as “sheep scab”), melitensis infection (commonly known as “Malta fever”), Newcastle disease

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(commonly known as “fowl pest” or “fowl plague”), paralytic rabies (which are bat transmitted), psittacosis, rabies, rinderpest, sarcoptic mange in horse, scrapie, swine erysipelas, swine fever including African swine fever and hog cholera, tuberculosis, trypanosomiasis including dourine, mal de caderas, surra and trypanosoma vivax infection, variola ovina, variola vaccinia, and such other diseases as set out in the Schedule to this Act or which the Minister may by Order declare to be an animal disease;

“animal products” means the derivatives of animals intended for human or animal consumption or for pharmaceutical, agricultural, industrial or domestic use;

“animal parts” means the bones and the bone-meal, untanned hides and skins, flashings, hooves, horns, claws, hair bristles, wool, feathers, offal, whether fresh or dehydrated blood, meat scraps of an animal or any other part of an animal other than the meat or offal, intended for human or animal consumption which has been separated from the carcass;

“animal-related items” includes animal carcass, animal products, animal parts, veterinary biological products, fodder and litter;

“Authority” means the

- (a) Veterinary Authority established under section 3; or
- (b) Public Authority or public officer of any other country charged with the duty of administering the laws of that country with respect to the importation and quarantine of animals;

“bee disease” includes Acariasis of bees, American foul brood, European foul brood, Nosema of bees, Varroasis and any other disease which the Minister may by Order declare to be bee disease;

“captain” includes the master or person in charge or control of a sea-going vessel;

“Chief Veterinary Officer” means the Chief Veterinary Officer appointed under section 3 of the Act;

“Council” means the Veterinary Advisory Council established under section 8;

“disinfection” means the utilization of any approved substance or process designed to prevent, eliminate or reduce any pest or micro-organisms with which animals, animal carcasses or animal products, may be affected;

“equine” includes donkeys and mules;

“equipment” includes a container or utensil;

“fish” includes crustacea and turtles;

“fish disease” includes Bonamiosis, Epizootic haematopoietic necrosis, Haplosporidiosis, Infectious haematopoietic necrosis, Iridovirus, Martelliosis, Mickocytosis (*Mikrocytos mackini*), *Oncorhynchus masou* virus disease,

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- Perkinosis, Spring viraemia of Carp, Viral haemorrhagic septicaemia and any other disease which the Minister may by Order declare to be a fish disease;
- “fodder” means grass, hay or any other substance commonly used as food for animals;
- “Foreign Authority” means the local authority of any other country charged with the duty of administering the laws of that country with respect to the importation and quarantine of animals;
- “functions” include duties;
- “import” means bringing into St. Christopher and Nevis by any means whatever;
- “infected area” means an area declared by the Minister by Order under section 22 to be infected by animal disease;
- “infected place” means a place declared by the Minister by Order under section 23 to be infected by animal disease;
- “insect” includes members of the class Insecta and of the class Arachnida;
- “inspector” means an inspector appointed under section 7;
- “landing permit” means a permit issued in the prescribed form;
- “litter” means straw or any other substance commonly used as bedding for, or otherwise used in respect of animals;
- “Minister” means the Minister responsible for livestock and veterinary services;
- “owner” in relation to any land, means the person who for the time being is receiving the rent for the land, whether on his own account or as agent or representative for any other person, or who would receive the rent if the land was let for rent;
- “OIE Code” means the World Organisation for Animal Health Code also known as the International Office of Epizootics Code;
- “package” means any container, box, covering wrapper or any other thing whatever in which animals, or animal-related items are or have been or, are capable of being, imported, kept or conveyed from one point to another;
- “port of entry” means a prescribed port of entry;
- “poultry” means domestic fowl, turkey, geese, duck, guinea fowl, pheasant, pigeon or quail and includes any bird reared for meat or eggs;
- “prescribed” means prescribed by this Act or Regulations made under this Act;
- “prescribed disease” means
- (a) any disease specified in the Schedule or declared by the Minister to be an animal, bee or fish disease;
 - (b) any other disease prescribed for the purposes of this Act; or

(c) any other disease which the Minister after consultation with the Veterinary Authority, by Order declares to be a prescribed disease;

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

“refuse” includes dung;

“regulated articles” includes any package, equipment or other thing used in connection with an animal or animal related item;

“veterinary biological product” includes any substance commonly known as antibiotics, chemotherapeutic agents, hormones, vaccines, sera, toxins, anti-toxins, antigens and micro-organisms and parts of micro-organisms living or killed or any other biological substance which is intended solely for use in the practice of veterinary medicine, and includes germplasm of animals for use in artificial insemination, and embryo transfer.

PART II ADMINISTRATION

3. Establishment of the Veterinary Authority.

(1) There is hereby established the Veterinary Authority which shall be the Chief Veterinary Officer.

(2) The Minister may, by Order designate such other persons or such public authority as he thinks fit, to be the Veterinary Authority for the purposes of this Act.

(3) The functions of the Authority shall be to

- (a) administer and enforce this Act or any subsidiary legislation made thereunder;
- (b) be responsible for the inspection and certification of animals, animal products, genetic material, including semen and embryos, livestock feeds, veterinary biologicals and veterinary drugs imported or exported into St. Christopher and Nevis;
- (c) carry out detection activities and maintain up-to-date information on the animal health status of St. Christopher and Nevis;
- (d) cause to be conducted and maintained antemortem and postmortem inspection of slaughtered animals in accordance with the Recommended International Code for Ante-Mortem and Post-Mortem Inspection of Slaughter of Animals and for Ante-Mortem and Post-Mortem Judgment of Slaughter of Animals and Meat provided within the framework of the OIE Code;
- (e) coordinate animal health epidemiological surveillance activities;
- (f) develop animal health diagnostic and analytical capabilities as well as to establish laboratories;
- (g) distribute information regarding prescribed animal diseases and the means of their prevention and control;

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- (h) evaluate and establish areas free of, or with low prevalence of animal pests and diseases;
- (i) facilitate the inspection and certification of exports of animals, animal products and animal-related items from St. Christopher and Nevis;
- (j) furnish certificates and documentation, on application in writing by an exporter of any animal or animal-related item and on payment of the prescribed fee;
- (k) issue a certificate relating to the health or to any period of quarantine of any animal in St. Christopher and Nevis, and any information relating to animal-related items as is required by the law of any country importing an animal, or animal-related item from St. Christopher and Nevis;
- (l) monitor, evaluate and establish areas free of, or with low prevalence for, animal pests and diseases;
- (m) oversee the training and development of inspectors;
- (n) provide documentation or information as may be required by a Foreign Authority which appears to be necessary in preventing the introduction of any prescribed disease into that country or the spread therein of any disease as a consequence of the movement of any animal, or animal-related item or any refuse from St. Christopher and Nevis to that country, or which relates to the safe and humane movement of animals between St. Christopher and Nevis and that country;
- (o) provide, in consultation with the Council, policy guidelines for all inspections of animals slaughtered in St. Christopher and Nevis;
- (p) provide information regarding import and export regulations in force, and technical requirements for animals, and animal-related items, on request from any interested international or regional organization, or country;
- (q) undertake, in consultation with the Ministry responsible for Health, emergency quarantine action where circumstances arise from the presence or likely presence of a hazard that may pose a risk to human, or animal health;
- (r) undertake or cause to be undertaken risk assessment studies as may be required under the Act or Regulations or any international trade instrument to which Saint Christopher and Nevis is a party to; and
- (s) recommend to the Minister the establishment of quarantine stations at any place as may be deemed necessary.

(4) For the purpose of providing any certificate provided for under this Act or the Regulations, the Authority may direct that any animal, or animal-related item shall be examined or inspected by an inspector.

(5) The Authority may in writing designate any duly qualified veterinarian to perform any of its duties under this Act or the Regulations.

4. Operation of services and facilities.

The Authority may approve, provide or operate any diagnostic, research, laboratory or other services required for the purposes of this Act or the Regulations.

5. Designation of facilities.

The Authority may designate areas, offices, laboratories or other facilities for a specified purpose or generally for the administration of this Act or the Regulations and may at any time amend, cancel or reinstate any such designation.

6. Definition of international transportation undertaking”.

(1) For the purposes of this section, “international transportation undertaking” means

- (a) an airport that receives any aircraft operating on an international flight;
- (b) an undertaking that transports persons, animals, animal-related items or things internationally;
- (c) a port that receives any ship sailing on an international voyage; and
- (d) a warehouse or other facility that receives any packages for international air, water, rail or road traffic.

(2) The owner or operator of an international transportation undertaking shall, where required in writing by the Minister, provide and maintain adequate areas, offices, laboratories and other facilities, including buildings, accommodation, equipment, furnishings and fixtures, for inspection or for any other purpose related to the administration of this Act or the Regulations.

(3) The Minister may

- (a) cause to be made improvements he or she considers desirable to any area, office, laboratory or other facility provided pursuant to subsection (2);
- (b) post, on or about the area, office, laboratory or other facility for as long as is required, a notice of the requirements of this Act or the Regulations.

(4) Where an area, office, laboratory or other facility that is provided by an owner or operator of an international transportation undertaking pursuant to subsection (2) is not adequate for the purposes mentioned in that subsection, the Minister may require the owner or operator to carry out any construction or repairs in order to render the area, office, laboratory or other facility adequate for those purposes.

(5) The Minister may make Regulations for determining the adequacy of any area, office, laboratory or other facility for the purposes mentioned in subsection (2).

7. Appointment of inspectors.

(1) The Minister may appoint inspectors as may be necessary for the purposes of this Act and the Regulations from persons who are qualified veterinarians or who, by training and experience, are in his opinion qualified to be so appointed.

(2) An inspector appointed under sub section (1) shall perform the functions required of him in carrying out the provisions of this Act and the Regulations.