

ANIMAL DISEASES ACT

Cap 21 – 15 April 1925

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ANIMAL DISEASES ACT

PART I – PRELIMINARY

1. Short title

This Act may be cited as the Animal Diseases Act.

2. Interpretation

In this Act—

“animals” includes cattle (bulls, oxen, cows, heifers and calves), sheep, goats, horses, mules, donkeys, pigs, dogs, cats, poultry (fowls, ducks, geese, turkeys and guinea birds) and any other animal which may be prescribed;

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

“disease” means anthrax, piroplasmosis (including east coast fever, red-water, gall sickness), epizootic lymphangitis, foot and mouth diseases, glanders and farcy, pleuro-pneumonia, rabies, rinderpest or cattle plague, swinefever, trypanozoonosis, tuberculosis, horse sickness, contagious abortion, demodectic mange, scab in sheep and goats, sheep pox, swine erysipelas, and any other animal disease which may be prescribed;

“fodder” means hay, chaff or other substances commonly used for food of animals;

“inspector” means any person appointed by the President to be a stock inspector under this Act;

“litter” means straw, or other substances commonly used for bedding or otherwise for animals;

“owner” means every person who is the sole or part owner of any animal, or if the sole or part owner has not for the time being control of the stock, the person who has such control; and in the case of dogs and cats, the person who is in the actual possession of the house, place or premises where such dog or cat is found;

“veterinary officer” means the Government Veterinary Officer or any veterinary surgeon appointed by the President for the purposes of this Act;

“veterinary surgeon” means any person legally qualified to treat animals.

[S. 2 amended by Act 48 of 1991.]

PART II – IMPORTATION OF ANIMALS

3. Veterinary certificates

(1) (a) All animals to be imported into Mauritius shall be accompanied by a certificate, in the form specified in the First Schedule, duly signed by a veterinary surgeon.

(b) Where the veterinary surgeon is not in the employ of Government, the certificate shall be indorsed by a responsible officer of a Government department of agriculture or by a consular officer.

(c) Where no veterinary surgeon is available, the certificate shall be given by a qualified medical officer, and in the absence of a medical officer, by the responsible civil authority.

(d) The certificate shall be produced by the master or person in charge of the vessel arriving with the animals on board.

(2) The master or person in charge of the vessel shall also produce a bill of health, in the form specified in the Second Schedule, duly signed by a qualified veterinary surgeon, or by the medical officer of the port, or by the responsible civil authority.

(3) Where the certificates under this section are not produced, the animals shall not be landed.

(4) Animals imported from Great Britain shall be accompanied by an Official Export Certificate under the seal of the Ministry of Agriculture and Fisheries and from Northern Ireland by an Official Export Certificate under the seal of the Ministry of Agriculture for Northern Ireland in place of the veterinary certificate and bill of health specified in the First and Second Schedules.

4. Declaration to be made by master

The master or person in charge of a vessel arriving with animals on board shall make a declaration to the veterinary officer which shall show—

- (a) the number of animals carried on the vessel during its voyage, where they were taken on and their respective destinations;
- (b) whether any disease or death has occurred among animals on board his vessel during his voyage.

5. Penalty for false declaration

Where the declaration made under section 4 is false and the person who made it knew it to be false, he shall commit an offence and shall, on conviction, be liable to a fine not exceeding 1,000 rupees and to imprisonment for a term not exceeding one year.

6. Veterinary inspection at port of entry

The veterinary officer shall inspect all animals on board and no animals shall be permitted to be landed by the Comptroller of Customs from any vessel without a written certificate of the veterinary surgeon, stating that such animals are free from disease or that they are to be landed under his supervision in quarantine.

7. Animals coming from infected places

Where the veterinary officer has proof or suspicion from the master's declaration or otherwise that any disease of animals prevails on board or prevailed or had recently prevailed at the port or place from which they are brought or to the country adjacent thereto at the time of the vessel's departure or at any port or place at which the vessel may have embarked animals during the voyage, the veterinary officer may prohibit the landing of the animals or any carcase until after consultation with the Chief Agricultural Officer.

8. Infected or suspected animals

After consultation with the Chief Agricultural Officer, the veterinary officer may prohibit the landing of such infected or suspected animals, or order or impose, at the expense of the owner, any or all of the following measures—

- (a) destruction at some fit or proper place of any animal or carcase affected with disease;
- (b) destruction and disposal of all fodder, litter or dung;

- (c) inoculation, disinfection, testing, dipping, spraying or muzzling of any animal;
- (d) landing and isolation under his supervision of any animals, suspected of being infected with disease, at some fit and proper place specified by regulations;
- (e) detention of such animals under observation for periods to be fixed by regulations;
- (f) disinfection and fumigation of such parts of the vessel and cargo as may be deemed necessary;
- (g) disinfection and fumigation of the clothes and personal effects of passengers and crew.

9. Attention to animals under observation

The responsibility for the feeding, watering, tending and herding of animals which are under observation shall be upon the owner, unless otherwise prescribed.

10. Illegal removal or breach of orders

Any master of a vessel, or person causing or allowing, or any person concerned in the removal of any animal, carcass, fodder, litter or dung from any vessel or from any quarantine station, in breach of any order of the veterinary officer or of this Act or of the regulations made under it, shall commit an offence and shall, on conviction, be liable to a fine not exceeding 1,000 rupees and to imprisonment for a term not exceeding one year.

11. Veterinary certificate for animals in transit

(1) All animals coming from any of the countries, ports, or places specified in the Third Schedule and arriving in Mauritius in transit on board any vessel, shall be accompanied by a certificate which, *mutatis mutandis*, shall be in the form specified in the First Schedule and shall be signed and endorsed as provided in section 3.

(2) (a) In the absence of the certificate required under subsection (1), the vessel shall be moored within the inner quarantine anchorage as defined in Proclamation 40 of 1918 [See Subsidiary Legislation Vol. 3, 280].

(b) Where for any cause, the vessel cannot be so moored, she shall be moored at the berth which may be assigned to her by the Port Master.

(c) Where no suitable anchorage is available within the harbour for the vessel, she shall not be admitted into the harbour.

PART III – ANIMAL DISEASES IN MAURITIUS

12. Report of diseases

Where any stock upon any land has become infected with a disease, or is suspected to have become infected with a disease, the owner of the stock

shall report the fact to the veterinary officer or to any inspector or to the officer in charge of the nearest police station who shall notify the veterinary officer.

13. Declaration of infected areas and places

(1) The veterinary officer, if satisfied that a disease exists on any land or place, shall declare any defined place or area of that land to be an infected area.

(2) Where the veterinary officer is not satisfied that a disease exists but considers that there is reasonable suspicion that a disease may exist in any area, he may declare that area to be a suspected area.

(3) Such declaration shall be served upon the owner or person in charge of the animals and of the place, and, if the Chief Agricultural Officer so determines, shall also be notified in the *Gazette* and in 3 daily newspapers.

(4) Every such notice shall state the limits of the infected or suspected area, and the disease with which it is declared infected or suspected of being infected, and a copy of the notice shall be forwarded to the owner, to the Commissioner of Police and to the Sanitary Authority of the district.

14. Orders

The veterinary officer shall, after consultation with the Chief Agricultural Officer, issue, in respect of any area declared to be an infected or suspected area, such orders as may be necessary for carrying out the provisions of this Act or any regulations made under it.

15. Declaration of area free from disease

No infected or suspected area or portion of such area shall be considered to be free from any disease until such area or portion thereof is declared in writing by the veterinary officer to be free from disease or suspicion of disease, and if notice of infection has been published in the *Gazette* and in 3 daily newspapers, such declaration of freedom from disease or suspicion of disease shall likewise be published.

PART IV – MISCELLANEOUS

16. Power of entry

(1) Subject to subsection (2), the veterinary officer or any inspector may enter any land, place or premises, in order to carry out any investigations under this Act, and regulations made under it.

(2) No dwelling house shall be entered between sunset and sunrise without a warrant from a Magistrate.

17. Regulations

(1) The Minister may make regulations for carrying the provisions and purposes of this Act into effect and, in particular but without prejudice to the generality of the foregoing powers, such regulations may provide for all or any of the following purposes—

- (a) for prohibiting or admitting subject to such conditions as he thinks fit the importation of animals of any kind or of carcasses, eggs, fodder, litter, dung or any articles from any country or place which in his opinion, are likely to be a means of introducing any animal disease from such country or place into Mauritius;
- (b) within any infected or suspected area—
 - (i) for the branding, isolating, inoculating, disinfecting, treating, testing, dipping, spraying, muzzling, removing or destroying of any animal;
 - (ii) for prohibiting or regulating the movements of animals and persons into, out of or within such infected or suspected area;
 - (iii) for the destruction, disposal, or treatment of any carcase, hide, fodder, litter or dung;
 - (iv) for the cleaning and disinfecting of roads, buildings, yards, railway trucks, vehicles, pens;
 - (v) for the disinfection of the clothes of any person and for restricting or preventing the movements of persons, where any such movements are likely to spread disease, and prescribing the precautions to be taken by any person whose movements are so restricted;
 - (vi) for the disinfection or treatment of any pasture or grazing ground and for the destruction of any grass or hay or other fodder without compensation;
 - (vii) for closing, or controlling abattoirs or pounds;
 - (viii) for regulating applications for compensation and the scale of payment in the case of any animals slaughtered by order, and for ascertaining the value of such animals when necessary;
- (c) for regulating the introduction into and sale and use in Mauritius of toxins, viruses, vaccines, lymphs, serum and dipping solutions intended for the treatment of stock;
- (d) for the compulsory dipping of any animals in Mauritius, the construction of dipping tanks and the nature and strength of disinfectants for dipping operations;
- (e) for prescribing the forms of permits, authorities or other documents required under this Act;

- (f) for prescribing fees and charges payable to the Ministry responsible for the subject of Agriculture or to any officer for any act to be performed under this Act or regulations made under it;
- (g) for providing for notifications of death of any animal within Mauritius; and
- (h) generally for carrying out the provisions of this Act.

(2) Any breach of these regulations shall be punishable by a fine not exceeding 1,000 rupees and by imprisonment for a term not exceeding one year.

18. Duties of inspectors, police and sanitary officers

(1) Inspectors, officers of police and health inspectors shall execute and enforce this Act and any order given under it, and where any person is seen or found committing or is reasonably suspected of being engaged in committing an offence against this Act, he may be arrested without warrant, and if unknown to such an officer, may be caused to be detained until otherwise ordered by the competent Magistrate.

(2) Such offenders shall, as soon as possible, be taken before the Magistrate who may examine any animal, vehicle or thing to which the offence or suspected offence relates, and require and cause the same to be taken back forthwith to or into the place or area from which it was unlawfully removed.

19. Procedure

In all prosecutions or contraventions under this Act or regulations made under it, no proof shall be required of the appointment or hand-writing of any inspector or veterinary officer, and any information in such cases may be exhibited by any inspector, health inspector or police officer.

20. Penalties

Any person who contravenes this Act or any order or regulations made under it shall commit an offence, and shall, on conviction, where no penalty is otherwise provided, be liable to a fine not exceeding 1,000 rupees and to imprisonment for a term not exceeding one year, and any animal, carcass, fodder or litter imported into Mauritius contrary to this Act shall be forfeited.

21. Protection of stock

Any person who wilfully infects any stock, or who in any infected or suspected area is found collecting ticks or any other living thing, or any article, or moves any infected stock, with intent to infect stock or to spread among stock any disease, shall commit an offence and shall, on conviction, be liable to imprisonment for a term not exceeding 2 years.

22. Extension of Act

The Minister may, by regulations, extend the whole or part of this Act to any of the islands under the jurisdiction of the State of Mauritius, other than the Island of Mauritius, with such modifications as he thinks fit.

23. Importation into other islands

(1) The President may, by Proclamation, prohibit the importation of any animal into any island of Mauritius other than the Island of Mauritius.

(2) Any person who causes or allows, or any person concerned in, the removal from any vessel at any island of Mauritius other than the Island of Mauritius, of any animal, the introduction of which has been prohibited under subsection (1) shall commit an offence and shall, on conviction by the Magistrate for Rodrigues or by a District Magistrate of Port Louis, be liable to a fine not exceeding 500 rupees, and to imprisonment for a term not exceeding 3 months.

(3) Any animal landed in Rodrigues in contravention of this section may be seized, destroyed or otherwise disposed of by order of the Magistrate for Rodrigues.

(4) The Director-General of the Mauritius Revenue Authority shall not grant any ship proceeding from the Island of Mauritius to any other island of Mauritius the permission required by the Customs Act where there is on board such ship any animal to which a Proclamation issued under subsection (1) applies.

(5) In this section—

“animal” means any horse, ass, mule, cattle, dog, cat, monkey, carcase, straw, litter, fodder, hay, or stable manure brought from any port or place where cattle plague or any contagious disease among horses, asses, mules, dogs, cats or monkeys is known, or reported to exist.

[S. 23 amended by Act 48 of 1991.]

FIRST SCHEDULE

[Section 3 (1)]

**VETERINARY CERTIFICATE TO ACCOMPANY ANIMALS
TO BE IMPORTED INTO MAURITIUS**

Number of animals to be imported

Place from which animals have come

Which of the following diseases exist or has existed at the place or country from which the animals have come or at the place or country adjacent to that from which the animals have come—

Anthrax (during the last 6 months).

Piroplasmiasis (including east coast fever, red water, gall sickness) (during the last 6 months).

Epizootic lymphangitis (during the last 6 months).

Foot and mouth disease (during the last 3 months).

Glanders and farcy (during the last 3 months).

Pleuro-pneumonia (during the last 6 months).

Rabies (during the last 12 months).

FIRST SCHEDULE—continued

- Rinderpest (during the last 6 months).
- Swine fever (during the last 3 months).
- Trypanozoonosis (during the last 6 months).
- Tuberculosis (during the last 6 months).
- Horse sickness (during the last 12 months).
- Contagious abortion (during the last 6 months).
- Demodectic mange (during the last 3 months).
- Scab in sheep and goats (during the last 3 months).
- Sheep pox (during the last 3 months).
- Swine erysipelas (during the last 12 months).

(Diseases which have not existed to be struck out and additions to be made where necessary).

The undersigned declares that the abovementioned statement is correct.

.....
Qualified veterinary surgeon or
qualified medical officer

Where the veterinary surgeon is not in the employ of Government this certificate must be endorsed by:

.....
Responsible officer of a Government
Department of Agriculture
or Consular Officer
or responsible civil authority

SECOND SCHEDULE

[Section 3 (2)]

VETERINARY BILL OF HEALTH FROM PORT OF EMBARKATION

This is to certify that the following contagious or infectious diseases of animals exist at the port of or in the country adjacent thereto, at the time of departure of the

Anthrax	Rinderpest
Piroplasmosis (including east coast fever, red water, gall sickness)	Swine fever (during the last 3 months)
Epizootic lymphangitis	Trypanozoonosis
Foot and mouth disease	Tuberculosis
Glanders and farcy	Horse sickness
Pleuro-pneumonia	Contagious abortion
	Demodectic mange
	Scab on sheep and goats

SECOND SCHEDULE—continued

Rabies (during the last
12 months)

Sheep pox
Swine erysipelas

(Please strike out diseases which have not existed during past 6 months except where indicated and make additions where necessary)

Given this 20

.....
Veterinary surgeon or Port Medical Officer

THIRD SCHEDULE

[Section 11 (1)]

Botswana	Mozambique
Egypt	Persian Gulf Ports
Ethiopia	Reunion
India	Somalia
Indonesia	South Africa
Madagascar (except Vohemar)	Zambia
Malawi	Zimbabwe
