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Fifth Session Eleventh Parliament Republic of
Trinidad and Tobago



REPUBLIC OF TRINIDAD AND TOBAGO

Act No. 21 of 2020

[L.S.]

AN ACT to amend the Animals (Diseases and
Importation) Act, Chap. 67:02

[Assented to 3rd July, 2020]

ENACTED by the Parliament of Trinidad and Tobago as Enactment
follows:

1. This Act may be cited as the Animals (Diseases and Short title
Importation) (Amendment) Act, 2020.

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- Commencement **2.** This Act comes into operation on such date as is fixed by the President by Proclamation.
- Interpretation
Chap. 67:02 **3.** In this Act, “the Act” means the Animals (Diseases and Importation) Act.
- Long title amended **4.** The long title to the Act is amended by inserting after the words “any disease,” the words “to protect and promote animal health, to establish standards for animal welfare”.
- Section 1 amended **5.** Section 1 of the Act is amended by deleting the words “Animals (Diseases and Importation) Act” and substituting the words “Animal (Diseases, Importation, Health and Welfare) Act.”.
- Section 2 amended **6.** Section 2 of the Act is amended—
- (a) by deleting the definition of “animal” and substituting the following definition:
- “ “animal” includes any mammal, birds, fish, reptiles and amphibians, all other animals of whatever kind, vertebrate or invertebrate, domestic or wild, terrestrial or aquatic and eggs and embryos of any kind of animal;”;
- (b) by deleting the definition of “carcase” and substituting the following definition:
- “ “carcass” means the commercially prepared or dressed body of an animal or such of its offal as are intended for human or animal consumption;”;
- (c) by deleting the definition of “defined port” and substituting the following definition:
- “ “defined port” means the ports of Port-of-Spain, Chaguaramas, Point Lisas and Scarborough or any aerodrome, including the

Piarco Airport and the A.N.R. Robinson International Airport or any port or aerodrome prescribed by Regulations made under section 15;”;

(d) by deleting the definition of “disease” and substituting the following definition:

“ “disease” means the clinical or pathological manifestation of infection or infestation in any animal, carcass, animal product or animal-related item diagnosed by internationally recognised testing procedures;”;

(e) by deleting the definition of “infestation” and substituting the following definition:

“ “infestation” means the external invasion or colonisation of animals or their immediate surroundings by arthropods, which may cause clinical signs or are potential vectors of pathogenic agents;”;

(f) by deleting the definition of “infested area”;

(g) by deleting the definition of “infested place”;

(h) in the definition of “poultry”, by inserting after the words guinea fowls” the words “, quail”;

(i) by inserting in the appropriate alphabetical sequence, the following definitions:

“ “abattoir” means premises used for the slaughter of non-aquatic animals for human consumption or animal feeding and includes slaughter-houses;

“animal disease emergency plan” means a contingency plan which sets out the emergency procedures to be implemented in the event of an outbreak of a notifiable disease;

“animal feed” means anything that is capable of being used as a nutrient for animals and includes any of the constituent elements of an animal ration;

“animal health para-professional” includes animal health assistants, agricultural assistants or any other persons to carry out designated tasks under the responsibility and direction of a veterinary surgeon;

“animal health status” means the status of a country or a zone within a country with respect to an animal disease;

“animal identification” means the combination of the identification and registration of an animal individually, with a unique identifier, or collectively by its epidemiological unit or group, with a unique group identifier;

“animal parts” means the bones and the bone-meal, untanned hides and skins, flashings, hooves, horns, claws, hair bristles, wool, feathers, fish scales, 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 products” means the derivatives of animals, intended for human or animal consumption or for pharmaceutical, agricultural, industrial or domestic use;

“animal-related items” includes animal carcass, animal genetic material, animal parts, feed, litter and any packaging, container, equipment, or other appliances used on animals, objects or material capable of harbouring or spreading animal diseases;

“animal traceability” means the ability to follow an animal or group of animals during all stages of their lives until destruction, euthanasia or death;

“animal welfare” means taking due diligence to ensure that an animal or group of animals is free from hunger, thirst, malnutrition, thermal and physical discomfort, pain, injury and disease, fear and distress and is free to express normal patterns of behaviour;

“aquatic animal” means all life stages, including eggs and gametes, of fish, molluscs, crustaceans and amphibians originating from aquaculture facilities or removed from the wild, for farming purposes, for release into the aquatic environment or for human consumption;

“authorized officer” means the Inspector or any veterinary officer authorized by him in writing;

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

“compartment” means an animal subpopulation contained in one or more establishments under a common biosecurity management system with a distinct health status with respect to a specific disease or specific diseases for which required surveillance, control and biosecurity measures have been applied for the purpose of international trade;

“containment zone” means a defined zone around and including suspected or infected establishments, taking into account the epidemiological factors and results of investigations, where control measures to prevent the spread of the infection are applied;

“country of origin” means the country of manufacture, production, or growth of any animal, carcass, animal product, animal-related item or article of foreign origin entering Trinidad and Tobago;

“disinfection” means the application, after thorough cleansing, of procedures intended to destroy the infectious or parasitic agents of animal diseases, including zoonoses;

“early detection system” means a system under the control of the Inspector for the timely detection and identification of an incursion or emergence of diseases or infections in a country, zone or compartment;

“establishment” means premises where there are animals, carcasses, animal products, animal genetic material and animal-related items;

“export” means to take or cause to be taken out of Trinidad and Tobago;

“feral animal” means an animal living in the wild but descended from domesticated animal species;

“free compartment” means a compartment in which the absence of the animal pathogen causing the disease under consideration is in accordance with the requirements specified in the OIE Code;

“free zone” means a zone in which the absence of the disease under consideration is in accordance with the requirements specified in the OIE Code;

“import” means to bring or cause to be brought within Trinidad and Tobago;

“importer” means anyone who, whether as owner, consignor, consignee, agent, broker or otherwise, is in possession of or in

any way entitled to the custody of any animal, carcass, animal product or animal-related item landed or likely to be landed in Trinidad and Tobago from another country;

“import permit” means a permit granted under section 16;

“infected zone” means a zone in which a disease has been identified;

“international transportation facility” means—

(a) an airport that receives any aircraft operating on an international flight that transports persons, animals, carcasses, animal products or animal-related items internationally;

(b) a port that receives any vessel sailing on an international voyage;

(c) a warehouse or other facility that receives any packages for international transportation by air or sea;
or

(d) a container that transports persons, animals or other items internationally;

“invasive alien animal species” means an animal that has been introduced and subsequently becomes established and spread outside its native distribution area and causes harm to the environment, human or animal health, or the economy;

“Minister” means the Minister responsible for animal health and “Ministry” shall be construed accordingly;

“notifiable disease” means a disease specified in Schedule 1;

“occupier”, in relation to any land or building, means the person in actual occupation thereof or if there is no person in actual possession, the owner of the land or building;

“official control programme” means a programme which is approved, and managed or supervised, by the Inspector for the purpose of controlling a vector, pathogen or disease by specific measures applied throughout Trinidad and Tobago, or within a zone or compartment of Trinidad and Tobago;

“official or approved laboratory” means a laboratory designated as such under section 3E;

“official veterinary health certificate” means an official certificate issued by the Inspector for animal health in the exporting country;

“OIE” means the World Organisation for Animal Health;

“owner”, in relation to anything, includes any person having for the time being the possession, custody or control thereof;

“package” means any container, box, covering wrapper or any other item whatsoever in which animals, carcasses, animal products, or animal-related items are, or have been, or are capable of being, imported, kept or conveyed from one point to another;

“premises” includes any building, tent or other structure, permanent or otherwise, together with the land on which the same is situated and any adjoining land employed in connection therewith, used for activities carried out in relation to animals, carcasses, animal products or animal-related items;

“prescribed” means prescribed by this Act or Regulations made under this Act;

“private veterinary surgeon” means a veterinary surgeon who is not employed by the State;

“public place” means any street, road or other place (whether or not enclosed) to which the public has or is permitted to have access whether for payment or otherwise;

“quarantine station” means an establishment under the control of the Inspector where animals are maintained in isolation with no direct or indirect contact with other animals, to prevent the transmission of a specified disease or pathogen outside the establishment while the animals are undergoing observation for a specified length of time and, if appropriate, testing and treatment;

“risk analysis” means a process composed of hazard identification, risk assessment, risk management and risk communication in accordance with internationally accepted procedures and standards;

“risk assessment” means the processes of identifying and estimating the risks associated with the importation of an animal, carcass, animal product or animal-related item and evaluating the biological and economic consequences of those risks;

“sanitary measures” means any action taken or ordered to be taken in accordance with this Act to protect animal or human health from risks arising from the entry, establishment or spread of a disease or hazard;

“sell” includes to offer, advertise, keep, store, display, transmit, consign, convey or deliver for sale, or to exchange or to dispose of to any person in any manner whether for a consideration or otherwise, and “sold”, “selling” and “sale” shall have corresponding meanings;

“stamping out programme” means a programme carried out under the direction of the Inspector, on confirmation of a disease, to destroy animals which are affected and those suspected of being affected in the epidemiological unit and, where appropriate, in

other epidemiological units which have been exposed to infection by direct animal-to-animal contact, or by indirect contact of a kind likely to cause the transmission of the causal pathogen, and includes cleansing and disinfection procedures;

“stray animal” means any domestic animal not under the direct control or ownership by a person, or not prevented from roaming;

“surveillance” means the investigation of a given population or sub-population to detect the presence of a disease and includes ante-mortem and post-mortem inspections;

“vehicle” means any aircraft, train, vessel, motor vehicle, cart, container, conveyance or other thing used to transport animals, carcasses, animal products or animal-related items from one place to another;

“veterinary biological” includes hormones, vaccines, sera, toxins, antitoxins, antigens, micro-organisms living or dead, any other biological substance which is intended solely for use in the practice of veterinary medicine and germplasm of animals for use in artificial insemination or embryo transfer;

“veterinary medicinal product” means any product with a claim to

having a prophylactic, therapeutic or diagnostic effect or to alter physiological functions when administered or applied to an animal;

“veterinary officer” means a veterinary surgeon employed in the Ministry;

“veterinary surgeon” means a duly qualified person registered under the Veterinary Surgeons (Registration) Act;

“zoonosis” means any disease or infection which is naturally transmissible between animals and humans and *vice versa*.”.

7. Section 3 of the Act is amended—

Section 3 amended

(a) by repealing subsection (1) and substituting the following subsection:

“(1) The Inspector, for the purposes of this Act, is the person holding or acting in the office of Technical Officer (Animal Health) and includes the Chief Veterinary Officer in the Ministry or, in his absence, a veterinary officer authorised by him in writing.”;

(b) in subsection (2), by deleting the words “all Senior Agricultural Assistants, Agricultural Assistants and Field Assistants attached to the Animal Health Division of the Ministry of Agriculture, Industry and Commerce” and substituting the words “animal health para-professionals attached to the Animal Health Division of the Ministry”;

(c) by repealing subsection (3).

New sections 3A, 3B,
3C, 3D, 3E and 3F
inserted

8. The Act is amended by inserting after section 3, the following new sections:

“Administration
of Act

3A. The Inspector shall have primary responsibility for the administration of this Act.

Functions of
Inspector

3B. The functions of the Inspector are to—

- (a) enforce this Act or any subsidiary legislation made thereunder and to advise the Minister on all matters related to animal health;
- (b) implement measures to prevent and control the introduction, establishment, or spread of notifiable diseases within Trinidad and Tobago;
- (c) develop and update the list of notifiable diseases for Trinidad and Tobago;
- (d) distribute technical information regarding notifiable animal diseases and the means of their prevention and control in the event of a disease outbreak;
- (e) issue official veterinary health certificates relating to the health or to any period of quarantine of any animal in Trinidad and Tobago, and provide any information as is required by any country importing an animal, carcass, animal product, or animal-related item from Trinidad and Tobago;

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- (f) designate, monitor and evaluate free zones, free compartments, infected zones, provisional infected zones, containment zones and areas with low prevalence for animal diseases;
 - (g) develop a system of health requirements and controls for animals, carcasses, animal products and animal-related items locally produced, imported, distributed and sold in Trinidad and Tobago;
 - (h) notify the OIE of outbreaks of notifiable diseases and comply with reporting requirements of other regional and international bodies;
 - (i) inform and collaborate with the Ministry responsible for human health, or any other relevant agency, on any actions needed to manage risks to human health arising from an animal disease, pathogen, toxic substance or other hazard;
 - (j) conduct risk analyses with respect to trade in animals and animal products;
 - (k) evaluate the equivalence of sanitary measures taken by trading partners;

- (l) recommend to the Minister the imposition of quarantine stations at any place, as may be deemed necessary;
- (m) provide information regarding import and export regulations in force, and technical requirements for animals, carcasses, animal products and animal-related items on request from any interested domestic, international or regional organization or country, and comply with any reporting requirements;
- (n) participate in the work of the OIE and its subsidiary bodies and other international, regional and non-governmental bodies dealing with animal health;
- (o) establish guidelines for animal welfare standards;
- (p) where appropriate, conduct risk assessments on animal feed ingredients;
- (q) advise the Minister on the making of Regulations under this Act and any other written law which appear to be necessary for the carrying out of the functions of this Act; and
- (r) carry out any other matters in connection with or reasonably incidental to the foregoing.

Delegation of
functions

3C. (1) The Minister may, upon the written recommendation of the Inspector and subject to subsection (3), delegate to a suitably qualified person any of the functions of the Inspector under this Act.

(2) The delegation under subsection (1) shall be in writing and shall detail the terms and conditions of such delegation, including, at least, the following:

- (a) the scope of any delegated function to be performed, including the duration and the geographic area to be covered by such services;
- (b) remuneration arrangements;
- (c) the means of supervision by the Inspector;
- (d) the minimum qualifications required to perform the delegated function; and
- (e) the conditions of withdrawals of delegations.

(3) The following functions shall not be delegated:

- (a) official liaison duties with other Ministries, or foreign authorities or any notification responsibilities;
- (b) approval of standards, requirements, rules or sanitary measures;
- (c) declaration of emergencies, free compartments, free zones, containment zones, provisionally infected zones or infected zones; or
- (d) other functions as may be prescribed by Regulations.

(4) Any person to whom a function is delegated under this Act and who has any direct or indirect interest, whether actual or reasonably perceived interest in a matter or other action to be taken by the Inspector, shall communicate his interest to the Inspector.

(5) Where such interest is in conflict with the impartiality and independence of that person, the Inspector shall exercise that function in relation to that matter or action.

(6) The delegation of a function under this section does not preclude the Inspector from exercising the function delegated.

Establishment
of Advisory
Committee on
Animal
Health and
Welfare

3D. (1) There shall be established a Committee to be known as the Advisory Committee on Animal Health and Welfare (hereinafter referred to as “the Committee”).

(2) The Committee shall comprise no more than eleven members selected by the Minister as follows:

- (a) a veterinary surgeon;
- (b) a senior technical officer from the Ministry with responsibility for animal health;
- (c) a representative from the Ministry with responsibility for health;
- (d) a representative of the Tobago House of Assembly;
- (e) a representative of the Zoological Society of Trinidad and Tobago;

- (f) a representative from the private sector;
- (g) a representative of the Institute of Marine Affairs;
- (h) a representative of the Ministry with responsibility for trade;
- (i) a representative of the Food and Drug Division, Ministry of Health; and
- (j) two persons representing the interest of the farming community.

(3) The Minister shall appoint the Chairman of the Committee.

(4) The Committee shall advise and provide assistance to the Minister regarding animal health policies, animal welfare, strategies, sanitary measures, disease prevention, control and eradication.

Official and
approved
laboratories

3E. The Minister may, by Order, designate any diagnostic, research or other laboratory as an official or approved laboratory as may be required for the purposes of this Act.

Animal
health
measures

3F. The Inspector shall take into consideration the principles of—

- (a) harmonization with the international standards;
- (b) risk assessment and science-based measures;
- (c) regionalization; and
- (d) being least-trade restrictive, necessary and proportional to the risk,

in the formulation and development of animal health measures for the purposes of this Act.”.

Section 4 amended

9. Section 4 of the Act is amended—

(a) in subsection (1)—

(i) in paragraph (a), by deleting the word “infested” and substituting the words “suspected of being diseased”; and

(ii) by repealing paragraph (b) and substituting the following paragraph:

“(b) within twenty-four hours, give notice of the fact of the animal being diseased or suspected to be diseased to the nearest private veterinary surgeon or veterinary officer.”;

(b) by repealing subsection (2) and substituting the following subsection:

“(2) The person to whom notice under subsection (1)(b) is received shall, without delay, notify the Inspector of any animal having or reasonably suspected of having a disease of agricultural, economic, and zoonotic significance.”.

Section 5 amended

10. The Act is amended by repealing section 5 and substituting the following section:

“Declaration
of infected
zone

5. (1) Where a veterinary officer suspects that a notifiable disease exists in any premises, the veterinary officer shall, without delay, inform the Inspector and upon receipt of the verbal or written approval of the Inspector—

(a) declare a provisional infected zone;

- (b) write a notice to that effect, specifying the limits of the zone and indicating the preventative measures to be applied in the zone;
- (c) serve such notice upon any owner or occupier of any affected premises; and
- (d) provide a copy of the notice served upon the owner or occupier under paragraph (c) to the Inspector.

(2) Any premises declared as a provisional infected zone shall be subject to confirmation by the Inspector following an investigation within seven days, and upon such confirmation, the Inspector shall provide written notice to the Minister.”.

11. The Act is amended by inserting after section 5 and substituting the following sections:

“Animal
disease
surveillance
system

5A. (1) The Inspector shall—

- (a) establish an animal disease surveillance system to detect animal diseases, animal health hazards or invasive alien animal species with, at least, the following characteristics:
 - (i) representative coverage of target animal populations by field services;
 - (ii) effective disease investigation and reporting; and

New sections 5A, 5B,
5C, 5D, 5E, 5F, 5G,
5H, 5I and 5J
inserted

- (iii) laboratories capable of diagnosing and differentiating relevant diseases;
- (b) provide continuous training in the early detection and reporting of unusual animal health incidents for veterinary surgeons, animal health para-professionals, livestock owners and others involved in handling animals; and
- (c) establish a national chain of command for the early detection, reporting and response to animal diseases, animal health hazards and invasive alien animal species.

(2) Any person who detects or suspects the presence of a notifiable disease or any invasive alien animal species shall report the disease, or suspicion of the disease, and symptoms, or invasive alien animal species, to any veterinary officer or private veterinary surgeon.

(3) The veterinary officer or private veterinary surgeon shall issue a receipt of the report to the person reporting the disease and symptoms under subsection (2).

(4) A veterinary officer or private veterinary surgeon shall report, without delay, the presence of a notifiable disease or any invasive alien animal species to the Inspector.

(5) Any veterinary officer or private veterinary surgeon who fails, without reasonable cause, to comply with subsection (4) commits an offence.

Revocation of
declaration of
an infected
zone

5B. (1) Where the Inspector determines that the circumstances that gave rise to the declaration of the infected zone are no longer present, the Inspector shall recommend to the Minister to revoke the declaration of an infected zone.

(2) Upon receipt of the Inspector's recommendations in subsection (1), the Minister may, by Order, revoke the declaration of an infected zone and such zone shall cease to be an infected zone.

Animal
disease
emergency
plan

5C. The Inspector shall prepare an animal disease emergency plan which shall be tested at least every four years and updated within six months of testing.

Contingency
plans for
response to
emergencies
affecting
animal health

5D. (1) The Inspector shall develop contingency plans for emergencies affecting animal health.

(2) Contingency plans shall take into account the different disease control strategies available, the implications of the use of different control strategies and the most appropriate strategy given different circumstances or disease outbreak scenarios.

Declaration
of animal
disease
emergency

5E. (1) Where the Inspector has reasonable grounds to suspect that there is an outbreak of a disease or high risk of an outbreak of a disease in Trinidad and Tobago, the Minister shall, by Order, upon receipt of the written recommendation of the Inspector, declare a disease emergency

in Trinidad and Tobago or any part thereof and specify in the Order—

- (a) the limits of the provisional infected zone;
- (b) the duties of persons in the provisional infected zone; or
- (c) restrictions related to the suspected disease.

(2) In the event of the outbreak of a disease and, where a zoonotic disease is suspected, the Inspector shall notify the Ministry responsible for health immediately.

(3) The Inspector shall implement the animal disease emergency plan upon the declaration of an animal disease emergency.

(4) The declaration of an animal disease emergency shall be—

- (a) based on the suspicion of an outbreak of a disease of agricultural, economic, and zoonotic significance and be limited to the extent necessary to minimize the threat;
- (b) time-bound and subject to periodic review and evaluation as shall be prescribed by Regulations and in the animal disease emergency response plan.

(5) Any sanitary measures approved by the Inspector in cases of emergencies shall be proportionate to the threat giving rise to the declaration of emergency and shall be published in the *Gazette*, two daily newspapers circulating in Trinidad and Tobago and via the electronic media.

(6) The Inspector shall regularly update the Minister on the status of the animal health situation.

(7) The Inspector shall advise the Minister to revoke the Order under subsection (1) where the circumstances that gave rise to the threat no longer justify the continuing status of an animal disease emergency.

(8) The Minister may, by Order, on the recommendation of the Inspector, revoke the Order under subsection (1).

Declaration
of free zones,
containment
zones, free
compart-
ments and
surveillance
zones

5F. Where the Inspector has established the necessary measures to maintain the status of free zones, containment zones, free compartments or surveillance zones, the Minister may, by Order, upon the recommendation of the Inspector, declare a zone to be a free zone, containment zone, surveillance zone or a free compartment, as the case may be.

Movement
Restriction

5G. (1) Subject to any exceptions made under this Act, no person shall, without the written approval of the Inspector, remove from, or take into, a provisional infected zone, infected zone or containment zone, any animal, carcass, animal product or animal-related item or other item covered under a notice or Order under section 5 or an Order under section 5E.

(2) Where a veterinary officer believes on reasonable grounds that any animal, carcass, animal product, animal-related item, or other thing has been removed from or taken into an infected zone or containment zone in contravention of subsection (1), the veterinary officer may—

- (a) seize such item if there is an animal health risk;

- (b) return it to or remove it from the infected zone or containment zone, or move it to any other place;
- (c) request the owner to return it to or remove it from the infected zone, or move it to any other place;
- (d) postpone the movement for such period as he may specify in a written notice; or
- (e) take such other sanitary measures as necessary.

(3) In furtherance of subsection (2), a veterinary officer shall communicate by written notice to the owner or the person having the possession, care or control of the animal, carcass, animal product or animal-related item or other thing and shall specify the period within which and the manner in which the item is to be removed or returned.

Animal
identification
and
traceability

5H. The Inspector shall determine the most appropriate way to identify and trace animals and shall collaborate with the Ministry responsible for food safety with regard to the traceability of animal products to be used as food for human consumption.

Registration
of veterinary
medicinal
products

5I. (1) No veterinary medicinal product shall be imported, manufactured, distributed, advertised, sold or used in Trinidad and Tobago unless it is registered in accordance with the Food and Drugs Act or any other written law.

Chap. 30:01

(2) The requirement of registration in subsection (1) does not apply to traditional animal remedies prepared at the local level and administered in accordance with customary usage.

(3) The Inspector shall collaborate with the Ministry responsible for health on the registration, authorized uses, prescription, sale and distribution of veterinary medicinal products.”.

12. The Act is amended by repealing section 6 and substituting the following section: Section 6 amended

“Infected zone 6. (1) Where the finding of an infected zone is confirmed by the Inspector, the Minister may, by Order, declare an infected zone and the Order shall—

- (a) specify the limits of the infected zone;
- (b) outline the duties of persons in the infected zone; and
- (c) restrict or prohibit the international trade and movement of animals, carcasses, animal products or animal-related items that may be affected by the disease, or may contribute to disseminating the disease, into or out of, the infected zone.

(2) The Inspector shall regularly review the disease status of the infected zone to verify compliance with the Order and shall recommend to the Minister such revisions and updates as may be necessary.”.

Section 7 amended

13. Section 7 of the Act is amended by deleting the words “an infected or infested place or an infected or infested area” and substituting the words “an infected zone”.

Section 8 amended

14. Section 8(1) of the Act is amended by deleting the words “an infected or infested place or is within an infected or infested area” and substituting the words “an infected zone or is within an infected zone”.

New section 8A inserted

15. The Act is amended by inserting after section 8, the following section:

“Control
measures

8A. (1) For the purposes of controlling or eradicating animal diseases and of preventing their introduction or spread, the Inspector may—

- (a) prohibit or regulate the movement of animals, carcasses, animal products, animal-related items, persons and vehicles, within, into or out of an infected or provisional infected zone, free zone or containment zone;
- (b) seize, treat or dispose of animals, carcasses, animal products or animal-related items that are or have been in a zone; or
- (c) implement any disinfection objects, sanitation measures, eradication measures, vaccination schemes, or official control and stamping-out programmes.

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

16. Section 10 of the Act is amended by deleting the words “infected or infested area” and substituting the words “infected zone”. Section 10 amended

17. Section 12 of the Act is amended by deleting the words “may by Order amend the Schedule by adding thereto or deleting therefrom the name of any particular disease, or otherwise” and substituting the words “, by Order, on the recommendation of the Inspector, amend the notifiable diseases listed in Schedule 1.”. Section 12 amended

18. Section 13 of the Act is amended— Section 13 amended

(a) in subsection (2)—

(i) by repealing paragraph (c) and substituting the following paragraph:

“(c) the notification to be public of infected zones and the removal of anything into, within or out of those zones, and the cleansing or disinfection of those zones;”;

(ii) in paragraph (d), by deleting the words “infected or infested places or infected or infested areas” and substituting the words “infected zones”;

(iii) in paragraph (e), by deleting the words “infected or infested place or infected or infested area” and substituting the words “infected zone”;

- (iv) by deleting the full stop at the end of paragraph (j) and substituting a semi-colon;
- (v) by inserting after paragraph (j) the following paragraphs:
 - “ (k) the movement of persons, animals, carcasses, animal products or animal-related items or other things into, within, or out of, any infected place, infected zone, provisional infected zone, infected compartment, containment zone, free zone or free compartment;
 - (l) the examination, inspection, cleansing, destruction, disposal, seizure and detention of any animal, carcass, animal product or animal-related item or other thing;
 - (m) the documents and forms to be used for the purposes of this Act, including applications, permits, receipts for articles seized and certificates issued by the exporting country, as well as the relevant application procedures;
 - (n) the fees and costs for inspection and analysis or any other official actions taken under this Act;

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- (o) standards for animal welfare, in accordance with best practices including standards for animal care and treatment, disaster risk planning for animal safety, health and welfare and animal health and safety emergency procedures;
 - (p) the establishment and implementation of animal identification, animal traceability and animal movement systems;
 - (q) the quarantine of aquatic and non-aquatic animals;
 - (r) the operation of quarantine stations or international transportation facilities;
 - (s) the procedures to be followed by veterinary officers and official laboratories in the exercise of their functions under this Act;
 - (t) contingency plans for emergencies affecting animal health;
 - (u) the registration, importation, manufacture, distribution, labelling, sale, use or exportation of any veterinary medicinal product;
 - (v) animal feed;
 - (w) the appeal procedures applicable under this Act;

- (x) the rules and procedures applicable to the implementation of official control measures and stamping-out programmes;
 - (y) the payment of fees to persons involved in an animal disease emergency response;
 - (z) the scale of charges for the treatment and keep of animals detained under section 18E;
 - (aa) the population control of stray or feral animals, including but not limited to spay and neuter programmes; or
 - (ab) any other matter deemed necessary for the carrying out of the provisions of this Act.”;
- (b) in subsection (3), by deleting the words “not exceeding five thousand dollars” and substituting the words “fifty thousand dollars”.

Section 14 amended **19.** The Act is amended by repealing section 14 and substituting the following section:

^{“Import requirements} 14. (1) No animal, carcass, animal product or animal-related item shall be imported into Trinidad and Tobago except in accordance with this Act.

(2) For the purpose of preventing the entry of animal diseases and zoonoses into Trinidad and Tobago, the Inspector shall—

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- (a) establish import requirements for animals, carcasses, animal products and animal-related items based on international standards or science-based risk analysis;
 - (b) approve and publish in the *Gazette* and on its website a list of animals, carcasses, animal products and animal-related items which require an official veterinary health certificate or other official health certificate before being imported into Trinidad and Tobago; and
 - (c) in coordination with the Ministry responsible for human health, establish import requirements for veterinary medicinal products.

(3) The Inspector shall regularly review and update on the Ministry's website, the import requirements issued under this section.”.

20. Section 15 of the Act is amended—

Section 15 amended

(a) in subsection (2)—

(i) by deleting the full stop at the end of paragraph (d) and substituting a semi-colon;

(ii) by inserting after paragraph (d), the following paragraph:

“(e) the requirements, procedures and forms for the

importation, exportation and transit of animals, carcasses, animal products and animal-related items.”;

(b) in subsection (3), by deleting the words “not exceeding five thousand dollars” and substituting the words “fifty thousand dollars”.

New section 15A inserted

21. The Act is amended by inserting after section 15, the following section:

“International transport facility

15A. (1) The owner or operator of an international transportation facility 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, in order to facilitate inspections or for any other purpose related to the administration of this Act or the Regulations.

(2) The Minister, upon the advice of the Inspector, may require the owner or operator to make improvements to any area, office, laboratory or other facility provided pursuant to subsection (1).”.

Section 16 amended

22. The Act is amended by repealing section 16 and substituting the following section:

“Import permits

16. (1) Any person intending to import any animal, carcass, animal product or animal-related item into Trinidad and Tobago shall apply to the Inspector for an import permit in the approved form in Schedule 2.

(2) Where the Inspector is satisfied that an applicant has met the requirements, he may issue an import

permit in the approved form specifying condition where appropriate.

(3) The Inspector may specify in an import permit, the port of entry through which an animal, carcass, animal product or animal-related item shall be imported.

(4) The Inspector may review, suspend, modify or revoke an import permit at any time by written notice.”.

23. The Act is amended by inserting after section 16 the following sections:

New sections 16A, 16B, 16C, 16D, 16E and 16F inserted

“Restrictions on importation 16A. (1) A person shall not import an animal, carcass, animal product or animal-related item unless—

(a) the importation is in accordance with an import permit issued by the Inspector; and

(b) the animal, carcass, animal product or animal-related item is accompanied by an official veterinary health certificate, where required.

(2) The Inspector may, at any time, prohibit or restrict the importation into Trinidad and Tobago, for any reasonable cause, of any animal, carcass, animal product or animal-related item.

(3) The Inspector may prohibit the import of—

(a) any tack, harness, gear, rope, sling or other equipment which has been used in connection with any animal;

- (b) any cage, basket, box, crate, tank, aquarium or other container which has been used or is being used for the carriage of any animal, animal-related item or refuse; and
- (c) any instrument, tool or other utensil which has been used in connection with any animal or any of the things mentioned in paragraph (b),

which, in the opinion of the officer, is capable of carrying any notifiable or other infectious or contagious disease affecting animals.

(4) Where the Inspector is satisfied that any such equipment, container, utensil or animal-related item in subsection (3) is capable of being disinfected, the veterinary officer may permit it to be landed in the country, subject to such conditions and directions, relating to its disinfection at the specified port area where it is landed, as the veterinary officer shall set out in writing.

(5) Where disinfection is required under this section, such disinfection shall be at the expense of the importer.

(6) Where any equipment, container, utensil or animal-related item enters Trinidad and Tobago in contravention of this Act or of any condition or direction imposed, the equipment, container, utensil or animal-related item may be seized by a veterinary officer and detained, destroyed or otherwise disposed of as the Inspector may direct.

Zoological
collection and
exhibitions

16B. (1) The Inspector may issue an import permit to any person for the importation of any animal into Trinidad and Tobago—

- (a) for the purposes of any exhibition, performance or circus where the animal is not expected to remain permanently in Trinidad and Tobago; or
- (b) for educational purposes or for a zoological collection, where the animal is expected to be used for research or display and is expected to remain permanently in Trinidad and Tobago.

(2) A permit granted under this section may contain such terms and conditions as the Inspector may think appropriate in the circumstances.

(3) Every person desirous of applying for a permit under this section shall make application to the Inspector in the approved form and pay the specified fee.

Arrival
notification

16C. (1) A customs officer, importer, courier, master of a vessel or captain of an aircraft shall notify the Inspector in a prompt manner of the arrival of all animals, carcasses, animal product or animal-related items.

(2) A courier shall not release or dispose of any animal, carcass, animal product or animal-related item unless authorized by the Inspector or a veterinary officer.

Inspection of
Imports

16D. (1) Subject to subsection (2), a veterinary officer shall inspect all consignments of animals, carcasses, animal products, and animal-related items at a port of entry designated by the Inspector upon importation into Trinidad and Tobago.

(2) Inspections of consignments of animals, carcasses, animal products and animal-related items may be carried out by a veterinary officer at any premises or facility approved by the Inspector where—

- (a) the container has been sealed and marked in accordance with the Customs Act; and
- (b) there is negligible risk of introduction or spread of disease.

(3) Upon inspection under subsection (1), where the veterinary officer determines that the consignment presents negligible risk for the introduction and spread of disease, the veterinary officer may grant permission for the consignment to be landed.

(4) Subject to subsection (5), where the veterinary officer determines that a consignment may result in the introduction or spread of a vector or a disease, or where the documentation accompanying the consignment fails to meet the requirements of this Act, the veterinary officer shall—

- (a) without delay, inform the Inspector; and

(b) provide written notice to the importer of the following measures to be carried out within fourteen days or such shorter period, as may be specified, from the receipt of the notice at the expense of the importer and the grounds for imposing these measures:

- (i) the taking of samples for submission to an approved laboratory for analysis;
- (ii) transfer the consignment to a quarantine station or any other location identified by the Inspector for testing or disinfection;
- (iii) carry out treatment or disinfection of the consignment;
- (iv) return the consignment to the country of origin;
or
- (v) destruction of the consignment.

(5) The veterinary officer may forego notice to the importer and carry out any of the actions specified under subsection (4), where the destruction of the shipment is urgently required on humane grounds or the giving of notice is impracticable.

(6) Where an imported consignment lies unclaimed for a period of at least two weeks after entry into Trinidad and Tobago, or after any treatment or disinfection thereof, the Inspector may take action to dispose of such consignment.

(7) The cost of any action taken by the Inspector under subsections (4), (5) and (6) shall be borne by the importer.

(8) Where an importer fails to pay the cost of any action taken by the Inspector under subsections (4), (5) and (6), the Inspector shall not issue further import permits to the importer until the cost of action is fully repaid by the importer.

(9) The State shall bear no liability for actions taken in good faith for the destruction or disposal of animals, carcasses, animal products or animal-related items imported into Trinidad and Tobago in contravention of this Act.

In transit
permits

16E. (1) Any person who wishes to transport any animal, carcass, animal product or animal related item through Trinidad and Tobago shall apply, before entry, for an in transit permit to the Inspector in the approved form and pay the prescribed fee.

(2) The Inspector may issue the applicant with an in transit permit in the approved form, if the applicant meets the requirements of this Act, and may in the in transit permit include such conditions as he thinks fit.

(3) At a port of entry, a veterinary officer may—

(a) inspect any animal, carcass,
animal product or animal

related-item in transit through Trinidad and Tobago to verify its sanitary status;

(b) upon the detection of a notifiable disease,

(i) refuse entry;

(ii) detain or seize the animal, carcass, animal product or animal-related item; or

(iii) apply sanitary treatment or action,

and promptly inform the Inspector; and

(c) refuse entry to an animal, carcass, animal product or animal related-item if the official veterinary health certificate issued by the Inspector of the exporting country is incomplete.

(4) The owner or operator of a vehicle carrying any animal, carcass, animal product or animal-related item stopping in a port or passing through a port situated in Trinidad and Tobago, on their way to a port situated in the territory of another country, shall comply with the conditions specified by the Inspector in the in transit permit.

Export
requirements

16F. (1) No animal, carcass, animal product or animal-related item shall be exported from Trinidad and Tobago except in accordance with this Act.

(2) Any person who intends to export a consignment of any animal, carcass, animal product or animal-related item from Trinidad and Tobago shall submit the consignment, together with any document required to satisfy the authorised officer that the consignment meets the requirements of the importing country for examination by an authorised officer in coordination with the Ministry responsible for health.

(3) Where the authorised officer is satisfied that the consignment meets the requirements of the importing country, the authorised officer shall issue an official veterinary health certificate in respect of that consignment.

(4) Where the authorised officer is satisfied that the consignment to be exported poses any risk for the introduction and spread of a disease or does not otherwise satisfy the requirements of the importing country, the authorised officer shall—

- (a) subject the consignment to appropriate treatment in order to remove the risk; or
- (b) deny issuance of an official veterinary health certificate.

(5) For the purposes of issuing an official veterinary health certificate, the authorised officer may—

- (a) carry out biological tests, vaccinations or disinfection procedures;

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- (b) carry out inspections of animals, and approval and certification procedures on animals and establishments;
 - (c) observe animals during transport to the place of shipment and at the point of departure; and
 - (d) send advance notice to the importing country.

(6) A private veterinary surgeon may issue an official veterinary health certificate for any animal intended to be exported from Trinidad and Tobago, subject to the endorsement of the certificate by the Inspector.

(7) The costs of any required action under this section shall be borne by the owner of the animal, carcass, animal product or animal-related item intended to be exported from Trinidad and Tobago.”.

24. The Act is amended by repealing section 17 and Section 17 amended substituting the following section:

“Quarantine
stations

17. (1) The Inspector may designate quarantine stations in such places, as he thinks necessary, and all animals required to be quarantined under this Act, or under any import permit, shall be placed within such stations in accordance with the directions of a veterinary officer.

(2) Notwithstanding subsection (1), private premises shall not be designated as a quarantine station without the consent of the owner or occupier of the premises.

(3) An authorised officer shall ensure that a quarantine station is satisfactory for the purpose of receiving and retaining animals in quarantine and that it is monitored daily by a veterinary officer or a private sector veterinary surgeon approved by the Ministry responsible for animal health.

(4) Any animal may be placed in a quarantine station where the veterinary officer or private sector veterinary surgeon suspects that the animal—

- (a) is suffering from a notifiable disease;
- (b) may have been in contact with any animal which is or may be suffering from a prescribed disease; or
- (c) has otherwise been exposed to the risk of contracting a notifiable disease.

(5) 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 consider necessary to employ for the detection of disease.

(6) Notwithstanding the expiry of the period of quarantine directed by the Inspector under subsection (4), no animal shall be removed from any quarantine station without the prior written permission of the Inspector and the permission may be either unconditional or subject to such conditions as may be specified.

(7) Any animal which develops any notifiable disease while in the quarantine station or, in the opinion of a veterinary officer presents a risk for the spread of a notifiable disease in Trinidad and Tobago may, with the approval of the Inspector, be humanely euthanised or destroyed without payment of compensation.”.

25. The Act is amended by repealing section 18 and substituting the following section: Section 18 amended

“Imported animals to be quarantined 18. Every animal which is imported, unless exempted by virtue of Regulations or subject to instructions under section 16D (4)(b)(iv) and (v), shall upon being landed, be placed in quarantine for such period as the Inspector may direct and be subject to such conditions as may be specified.”.

26. The Act is amended by inserting after section 18, the following Part: New sections 18A, 18B, 18C, 18D, 18E, 18F, 18G, 18H, 18I, 18J, 18K and 18L inserted

“PART IIIA

ANIMAL WELFARE AND STRAY ANIMALS

Prohibition of maltreatment 18A. (1) Any person who cruelly beats, ill-treats, starves, over-drives, overrides, overloads, abuses, tortures, neglects or otherwise maltreats any animal commits an offence.

(2) An animal shall be deemed to be overloaded if it is made to carry a burden or draw a load which is beyond its strength, or after it is exhausted, or if by reason of the size, strength, or condition of the animal or of any other circumstances the Magistrate is of the opinion that the burden or load is unduly heavy.

(3) An animal used in drawing a vehicle shall be deemed to be ill-treated if, by reason of the condition of the vehicle or harness used, or of the nature and condition of the road travelled over, or other cause, the animal, in the opinion of the Magistrate, has been made to suffer unnecessary strain or pain or has been overworked.

Working
animal unfit
to work

18B. Any person who works any animal in such a condition as to be unfit for work, whether from lameness, emaciation or from any other condition and whether that condition is caused by disease or deficient feeding or otherwise, in any plough, carriage or other vehicle, commits an offence.

Compensation
for damage
done by
cruelty to
animals

18C. (1) If any person shall, by committing any offence under section 18A or 18B, cause any injury or damage to be done to any animal or to any person or property, he shall, on conviction for such offence, pay to the owner of the animal the fair market value of the animal (if the offender is not the owner) or to the person who has sustained the injury or damage, such sum of money by way of compensation, as the Court shall adjudge.

(2) The payment of such compensation or imprisonment for the non-payment thereof shall not prevent or in any manner affect the punishment to which the offender may be liable for or in respect of the offence.

(3) Nothing herein contained shall prevent any proceeding by action against the offender or his employer where the amount of the damage or injury is not sought to be recovered under this Act.

Bull-baiting,
cock-fighting
and similar
offences

18D. (1) Any person who—

- (a) in any manner encourages, aids, or assists at the fighting or baiting of any animal, whether domestic or wild; or
- (b) keeps or uses or acts in the management of any place to be used for the purpose of fighting or baiting any such animal; or
- (c) being the owner or occupier of any place, permits or suffers it to be so used,

commits an offence.

(2) Any person who receives money for the admission of any other person to any place kept or used for any of the purposes mentioned above shall, unless the contrary is proved be deemed to be the keeper of such place.

Animals may
be detained
for treatment

18E. (1) On any conviction for any offence under section 18A or 18B, the Magistrate may, if he thinks that such animal is unfit to work, direct that it be detained for treatment in any place which has been notified in the *Gazette* by the Inspector as set apart for that purpose, for any period not exceeding thirty days, during which the maintenance of such animal shall be provided free of cost to the Government.

(2) Pending the hearing of a complaint for any such offence the Magistrate may, on the application of the complainant, direct the animal to be detained in the same manner.

Liability for
animals
detained

18F. Except for gross negligence, no officer, servant or person having charge of any place set apart as provided in section 18E shall be liable in respect of the death or sickness or deterioration of, or any accident or casualty to, any animal detained in such place under this Act.

Unclaimed
animals may
be sold or
destroyed

18G. If any animal detained under section 18E, for any period shall, on the expiration of that period or within forty-eight hours thereof, not be claimed by its owner, or if its owner does not pay to the place set apart the cost of the keep and treatment of the animal during the period it is detained, the person having charge of it may, after seven days' notice published in the *Gazette* and two daily newspapers in circulation in Trinidad and Tobago, dispose of the animal in an appropriate manner in accordance with this Act.

Power to
order
destruction of
animal

18H. In the case of any offence under section 18A or 18B, the Court may, if it thinks fit, order as part of its sentence that the animal shall be destroyed and its body disposed of at the expense of the offender.

Welfare of
animals

18I. (1) An owner or person in charge of an animal shall provide such animal with—

- (a) a sufficient and suitable diet;
- (b) access to sufficient and clean water;
- (c) proper shelter and housing which are—
 - (i) appropriate for the animal's behavioural patterns; and

- (ii) reasonably sufficient to protect the animal from unsuitable weather condition, including the risk of death or injury from flooding and or other natural disasters;
- (d) veterinary care when needed to treat and prevent suffering and disease;
- (e) suitable accommodation during transportation; and
- (f) humane care and treatment.

(2) No owner or person in charge of an animal shall cause or permit another person to cause the unnecessary suffering or death of an animal.

(3) An owner or person in charge of an animal shall take reasonable steps to mitigate any suffering which may be caused to the animal by its exposure to fireworks.

Duty of
owner of
animals

18J. (1) An owner or person in charge of an animal shall, when required to do so, provide assistance to and carry out such instructions of a veterinary officer as may be required to facilitate the exercise of the veterinary officer's functions.

(2) No owner or person in charge of an animal shall, when required to do so, fail without reasonable excuse to provide a veterinary officer with such information as may be necessary to aid in the eradication of any animal disease or for the implementation of this Act.

Disposal of
infected or
contaminated
animal

18K. The Inspector may humanely euthanise and safely dispose of an infected

or contaminated animal or require the owner or person in charge of the animal to have the animal humanely euthanised and safely disposed of by a private veterinary surgeon.

Stray and feral animals 18L. The Inspector shall, in collaboration with the Ministry responsible for health and other authorities, approve measures to—

- (a) control the populations of stray and feral animals, including programmes and strategies to control animals which may pose a risk for public health, safety or security; and
- (b) contain and control notifiable diseases, including zoonoses in stray and feral animal populations.”.

New sections 20A and 20B inserted

27. The Act is amended by inserting after section 20, the following sections:

“Storage and removal of seized animals 20A. A veterinary officer who seizes and detains an animal, carcass, animal product or animal-related item or other thing under this Act, may—

- (a) require its owner or the person in charge of it at the time of the seizure to remove it to any place; or
- (b) store it at the place where it was seized.

Prohibition on the interference with seized animals 20B. Unless authorized in writing by the Inspector, no person shall remove, alter or interfere in any way with any animal,

carcass, animal product or animal-related item or other thing seized and detained under this Act.”.

28. The Act is amended by repealing section 21 and Section 21 amended substituting the following section:

“Offences

21. (1) Any person who—

- (a) fails to comply with any order, direction or permit lawfully made or granted under this Act;
- (b) takes or allows to be taken, unless otherwise required by this Act or any Regulations made thereunder, or allows to stray, any diseased or infested animal in or upon any common, public road, or public place; or
- (c) gives false information to a veterinary officer,

commits an offence and is liable on summary conviction to a fine of fifty thousand dollars and to imprisonment for a term of two years.

(2) Any person who—

- (a) attempts to improperly influence any official in the exercise of the official’s functions under this Act;
- (b) fails to allow a search or inspection authorised under this Act;

-
- (c) knowingly or recklessly provides information which is false, for the purpose of obtaining any document under this Act;
 - (d) exports any animal, carcass, animal product or animal-related item except in accordance with this Act; or
 - (e) fails to provide access, samples or information to a veterinary officer upon request, or otherwise fails to comply with an order properly given under this Act,

commits an offence and is liable on summary conviction to a fine of one hundred thousand dollars and to imprisonment for a term of three years.

(3) Any person who—

- (a) tampers with any samples taken under this Act;
- (b) imports any animal, carcass, animal product or animal-related item without an import permit or official veterinary health certificate where required, or otherwise contrary to any requirements specified under this Act;
- (c) carries out activities which require a permit or other authorisation by the Inspector without such permit or authorisation;

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- (d) alters, forges, defaces, or destroys any document issued under this Act;
 - (e) tortures, beats, injures, mutilates, neglects or treats with cruelty any animal or overloads any animal in contravention of section 18A;
 - (f) contravenes sections 18B, 18D or 18I;
 - (g) permits an act or an omission to act by another person that causes unnecessary suffering to an animal including suffering caused by exposure to fireworks;
 - (h) possesses, sells, offers for sale, transports, imports or exports any animal, carcass, animal product or animal-related item knowing it is infected or contaminated or may transmit a notifiable disease, or intentionally permits or causes the introduction or spread of any notifiable disease;
 - (i) throws or places or causes to be thrown or placed into or in any river, stream, drain, or other water or into or within the territorial sea as defined under the Terrritorial Sea Act, the carcass of an animal;
 - (j) throws or places or causes to be thrown or placed in a public place, any part of an animal;

-
- (k) 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;
 - (l) imports any animal, carcass, animal product or animal-related item except through a defined port of entry;
 - (m) assaults, resists, intimidates, threatens, or wilfully obstructs any officer while exercising lawful powers under this Act; or
 - (n) impersonates a veterinary officer or veterinary surgeon and provides or offers to provide the services of a veterinary officer or veterinary surgeon without being registered to do so or in the case of an employee of the Ministry responsible for animal health, offers to provide such services outside the course of such employment,

commits an offence and is liable on summary conviction to a fine of two hundred thousand dollars and imprisonment for a term of five years.”.

29. The Act is amended by inserting after section 21, the following sections:

New sections 21A,
21B, 21C, 21D, 21E,
21F, 21G and 21H
inserted

“Offences by
officials

21A. Any officer from the Ministry responsible for animal health who—

- (a) unlawfully seizes any item while purporting to act in accordance with this Act;
- (b) agrees to do, abstains from doing, permits, conceals, or connives in doing any act or thing contrary to the proper execution of his official duties under this Act;
- (c) discloses any confidential information acquired in the course of his employment in relation to this Act, except where required to do so by his supervisor or ordered to do so by any court; or
- (d) in connection with any official duty, directly or indirectly asks for or takes any payment, gratuity or other reward to which that officer is not entitled,

commits an offence and is liable on summary conviction to a fine of fifty thousand dollars and to imprisonment for a term of two years.

“Offences by
customs
officers

21B. Any customs officer who—

- (a) without lawful excuse, fails to notify the Inspector promptly upon the arrival of any animal, carcass, animal product or animal-related item in Trinidad and Tobago; or

(b) releases or disposes of imported animals, carcasses, animal products or other animal-related items unless so authorised by any veterinary officer,

commits an offence and is liable on summary conviction to a fine of fifty thousand dollars and to imprisonment for a term of two years.

“Offences
by body
corporate
Chap. 3:01

21C. Notwithstanding section 70 of the Interpretation Act, where an offence under this Act is committed by a body corporate, the body corporate is liable on-

(a) summary conviction, to a fine of two hundred thousand dollars;
or

(b) conviction on indictment, to a fine of five hundred thousand dollars.

Suspension
and
revocation
of permits

21D. (1) The Inspector may suspend or revoke any permit or other authorization he has issued under this Act where he has reasonable grounds for doing so.

(2) Where the Inspector intends to suspend or revoke a permit or other authorization issued under this Act, he shall issue a written notice to the owner of the animal, carcass, animal product or animal-related item, requiring the owner to show cause, within a specified time why the permit should not be revoked or suspended.

Forfeiture

21E. Upon the conviction of any person for any offence under this Act, the Court may, in addition to any other sentence imposed, order that any animal, carcass, animal product, animal-related item or

other object in respect of which the offence has been committed or which was used in connection with the offence or any proceeds realised from their disposition, be forfeited to the State and disposed of as the Court may direct.

Duty to
assist,
cooperate and
collaborate

21F. (1) Customs officers, police officers, all officials employed in the port, airport, airline, postal services, shipping companies, and all local authorities shall assist veterinary officers in the performance of their functions under this Act by providing such facilities and assistance as the Inspector may request from time to time.

(2) For the purposes of this Act, the Inspector may collaborate with the Ministries responsible for health, the environment, trade, disaster preparedness and response management, and law enforcement and other public authorities with a role in emergency response.

Right of
appeal

21G. (1) Any person aggrieved by an action or decision of a veterinary officer under this Act may, within seven days, request that the Inspector review the action or decision and the Inspector shall inform the person of his decision within fourteen days of receiving the request.

(2) Any person aggrieved by a decision of the Inspector under subsection (1) may appeal to the High Court.

Good faith
defence

21H. No veterinary officer, official of the Ministry responsible for animal health, or other person or entity is liable to suit or to prosecution in respect of anything done in good faith in the performance of official functions under this Act.”.

Section 22 amended **30.** Section 22 of the Act is amended by deleting the words “five thousand dollars” and substituting the words “fifty thousand dollars”.

New section 23A inserted **31.** The Act is amended by inserting after section 23, the following section:

“Minister may amend Schedules **23A.** The Minister may, by Order, amend the Schedules.”.

Section 24 amended **32.** Section 24 of the Act is amended by deleting the words “through an infected or infested place or an infected or infested area if such person, animal or thing, is not detained within such place or area” and substituting the words “through an infected zone if such person, animal or thing, is not detained within such zone”.

Chap. 67:02 amended **33.** The Act is amended—
(a) by deleting the word “carcase” wherever it appears and substituting the word “carcass”;
(b) by deleting the words “infested area” wherever they appear and substituting the words “infected zone”; and
(c) by deleting the words “infested place” wherever they appear and substituting the words “infected zone”.

Schedule amended **34.** The Act is amended by repealing the Schedule and substituting the following Schedule:

“SCHEDULE 1

NOTIFIABLE DISEASES WITHIN THE MEANING OF
THIS ACT

Section 12

MULTIPLE SPECIES DISEASES, INFECTIONS AND INFESTATIONS

Anthrax

Crimean Congo haemorrhagic fever

SCHEDULE 1—CONTINUED

Equine encephalomyelitis (Eastern)
Ehrlichia ruminantium (Heartwater)
 Infection with *Suid alphaherpesvirus* 1 (Aujeszky's/Pseudorabies disease virus)
 Infection with Bluetongue virus
 Infection with *Brucella abortus*, *Brucella melitensis* and *Brucella suis*
 Infection with *Echinococcus granulosus*
 Infection with *Echinococcus multilocularis*
 Infection with Epizootic Haemorrhagic Disease
 Infection with Foot and Mouth Disease virus
 Infection with *Mycobacterium tuberculosis* complex
 Infection with Rabies virus
 Infection with Rift Valley fever virus
 Infection with Rinderpest virus
 Infection with *Trichinella* spp.
 Japanese Encephalitis
 Malignant Catarrhal Fever
Cochliomyia hominivorax (New world screwworm)
Chrysomya bezziana (Old world screwworm)
 Infection with *Mycobacterium avium* subspecies *paratuberculosis* (Paratuberculosis/Johne's Disease)
Coxiella burnetii (Q fever)
Trypanosoma evansi (Surra)
Francisella tularensis (Tularemia)
 Vesicular stomatitis
 West Nile fever

CATTLE DISEASES AND INFECTIONS

Bovine Anaplasmosis
 Bovine Babesiosis
Campylobacter fetus venerealis (Bovine Genital Campylobacteriosis)
 Bovine Spongiform Encephalopathy
 Bovine Viral Diarrhoea

SCHEDULE 1—CONTINUED

Enzootic Bovine Leukosis
Epizootic Bovine Abortion
Haemorrhagic Septicaemia
Bovine Herpesvirus-1 (Infectious Bovine
Rhinotracheitis/Infectious Pustular Vulvovaginitis)
Infection with Lumpy Skin Disease Virus
Infection with *Mycoplasma mycoides subsp. mycoides SC*
(Contagious Bovine Pleuropneumonia)
Theileriosis
Tritrichomonas foetus (Trichomoniasis)
Trypanosomosis (tsetse-transmitted)

SHEEP AND GOAT DISEASES AND INFECTIONS

Infection with Caprine Arthritis/Encephalitis virus
Contagious Agalactia
Contagious Caprine Pleuropneumonia
Infection with *Chlamydophila abortus* (Enzootic abortion of
ewes, ovine chlamydiosis)
Infection with Peste des petits ruminants virus
Maedi-visna
Nairobi sheep disease
Brucella ovis (Ovine epididymitis)
Salmonella abortusovis (Salmonellosis)
Scrapie
Sheep pox and goat pox

EQUINE DISEASES AND INFECTIONS

Taylorella equigenitalis (Contagious equine metritis)
Trypanosoma equiperdum (Dourine)
Epizootic lymphangitis
Equine encephalomyelitis (Western)
Equine infectious anaemia
Equine influenza
Equine piroplasmiasis
Infection with African Horse Sickness virus

SCHEDULE 1—CONTINUED

Infection with Equid herpesvirus-1 (EHV-1)
Infection with Equine arteritis virus
Infection with *Burkholderia mallei* (Glanders)
Ulcerative lymphangitis
Venezuelan equine encephalomyelitis

SWINE DISEASES AND INFECTIONS

Infection with African swine fever virus
Infection with Classical swine fever virus
Infection with Porcine reproductive and respiratory syndrome virus
Infection with *Taenia solium* (Porcine cysticercosis)
Nipah virus encephalitis
Transmissible gastroenteritis/Transmissible gastroenteritis coronavirus
Swine Vesicular disease
Swine Vesicular Exanthema

AVIAN DISEASES AND INFECTIONS

Chlamydophila psittaci (Avian chlamydiosis)
Avian infectious bronchitis
Gallid herpesvirus I (Avian infectious laryngotracheitis)
Mycoplasma gallisepticum and *Mycoplasma synoviae* (Avian mycoplasmosis)
Duck viral enteritis
Duck viral hepatitis
Infection with Avian influenza viruses
Infection with Influenza A viruses of high pathogenicity in birds other than poultry including wild birds
Infection with Newcastle disease virus
Infectious bursal disease (Gumboro disease)
Pasteurella multocida (Fowl Cholera)
Salmonella gallinarum (Fowl typhoid)
Salmonella pullorum (Pullorum disease)
Turkey Rhinotracheitis
Pigeon Paramyxovirus

SCHEDULE 1—CONTINUED

LAGOMORPH DISEASES AND INFECTIONS

Myxomatosis

Rabbit haemorrhagic disease

OTHER DISEASES AND INFECTIONS

Boid inclusion body disease

Trixacarus caviae

Camelpox

Leishmaniasis

AMPHIBIANS

Infection with *Batrachochytrium dendrobatidis*Infection with *Batrachochytrium salamandrivorans*

Infection with Ranavirus”.

Schedule 2 inserted

35. The Act is amended by inserting after Schedule 1, the following Schedule:

“SCHEDULE 2

IMPORTATION OF POULTRY AND NON-POULTRY
PRODUCTS POULTRY NOTICE*made under section 16*

IN ACCORDANCE with the Animals (Diseases and Importation) Act, persons entering Trinidad and Tobago are permitted to bring in animal products manufactured in the following countries:

(a) Poultry Products

Great Britain

Northern Ireland

Republic of Ireland

Australia

United States of America

Canada

Caricom Countries

(b) Non-Poultry Products

Northern Ireland

Republic of Ireland

SCHEDULE 2—CONTINUED

Australia

United States of America

Canada

New Zealand

Caricom Countries except Guyana and Belize.

The quantities imported must be in accordance with the Imports and Exports Control Regulations, 1941, General Import Licence No. 10 of 1981 and its Amendment, No. 4 of 1984 issued”.

36. The Animals (Importation) Control Regulations are amended—

Regulations
amended
Chap. 67:02

(a) by revoking the Third Schedule and substituting the following Schedule:

“THIRD SCHEDULE

Commonwealth Caribbean Territories	Martinique
France	United Kingdom
Holland	United States of America
Ireland	Uruguay”;

(b) by revoking the Fourth Schedule and substituting the following Schedule:

“FOURTH SCHEDULE

Australia	St. Vincent
Barbados	United Kingdom
Canada	United States of America
Grenada”;	

(c) by revoking the Fifth Schedule and substituting the following Schedule:

“FIFTH SCHEDULE

Jamaica	United States of America
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St. Vincent”;

(d) by revoking the Sixth Schedule and substituting the following Schedule:

“SIXTH SCHEDULE

Brazil	Jamaica
Canada	Panama
Great Britain	Suriname
	United Kingdom
	United States of America”;

(e) by revoking the Seventh Schedule and substituting the following Schedule:

“SEVENTH SCHEDULE

Argentina	Malaysia
Australia	Mexico
Barbados	Netherlands
Belgium	New Zealand
Brazil	Northern Ireland
Canada	Panama
Costa Rica	Puerto Rico
France	Singapore
Holland	Spain
India	Sweden
Ireland	United Kingdom
Italy	United States of America
Jamaica	Uruguay”;

(f) by revoking the Ninth Schedule and substituting the following Schedule:

“NINTH SCHEDULE

Australia	Republic of Ireland
Canada	United States of America
Great Britain”; and	

(g) by revoking the Tenth Schedule and substituting the following Schedule:

“TENTH SCHEDULE

Regulation 28

1. Inspection Fees (payable to the Comptroller of Customs and Excise):

(a) For every horse or mare ...	\$20.00
(b) For every donkey, cattle or mule	\$10.00
(c) For every goat, pig or sheep ...	\$5.00 per animal or \$50.00 per consignment whichever is the lesser;
(d) For every dog, cat or other animal other than those provided for in paragraphs (a) to (c)	\$10.00

2. Overtime Fees (payable to the Inspector):

(d) On Mondays to Fridays—	
(i) between 4.00 p.m. and 10.00 p.m.	\$800.00 per consignment;
(ii) between 10.00 p.m. and 8.00 a.m.	\$1000.00 per consignment;
(e) On Saturdays, Sundays and Public Holidays	\$1000.00 per consignment.

TENTH SCHEDULE—CONTINUED

3. Import Permit Fees (payable to the Permanent Secretary of the Ministry to which agriculture has been assigned):

(a) Live animals \$100.00

(b) Carcasses and animal products imported under Regulations 18, 20 and 21 for commercial use \$100.00

4. Export Permit Fees (payable to the Permanent Secretary of the Ministry to which agriculture has been assigned):

(a) Export Permit \$50.00

(b) Endorsement \$50.00

5. Permit Re-issue Fee (payable to the Permanent Secretary of the Ministry to which agriculture has been assigned):

(a) Re-issue of a Permit \$150.00".

Consequential
amendments
Chap. 11:02
amended

37. The Summary Offences Act is amended—

(f) in section 3, by deleting the words “, 78, 79, 80, 82, 89”;

(g) by repealing sections 78 to 90; and

(h) by revoking the Detention of Animals (Scale of Charges).

Passed in the Senate this 19th day of May, 2020.

B. CAESAR

Clerk of the Senate

Passed in the House of Representatives this 1st day of July, 2020.

J. SAMPSON-MEIGUEL

Clerk of the House