

CHAPTER 71:02

ANIMALS DISEASES ACT

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1953 Ed.
c. 258

ANIMALS DISEASES ACT

An Act to make provision for the prevention of the spread of contagious and infectious diseases among animals.

29 of 1936

[30TH DECEMBER, 1936]

1. This Act may be cited as the Animals Diseases Act.

Short title.

2. In this Act—

Interpretation.
[O. 22/1955
16/1966A]

“animal” means any bull, cow, ox, heifer, calf, horse, mare, gelding, colt, filly, mule, ass, sheep, swine, goat, dog, cat, wild or zoological specimens of fox, wolf, mongoose, ferret, stoat, weasel, wild dog and wild cat including tiger, puma, cheetah, ocelot, jaguar and mountain lion or any other animal which the Minister may, by order, direct to be included in the expression;

“area” means any stable, shed, place or land;

“cattle” means any bull, ox, cow, heifer or calf;

“Comptroller of Customs” includes any sub-comptroller and any officer of customs;

“disease” means actinomycosis, anthrax, black-leg, cattle plague, contagious pleuro-pneumonia of cattle, epizootic lymphangitis, foot and mouth disease, glanders and farcy, infectious abortion, Johne’s disease, mange in equines and cattle, rabies, scab in sheep and goats, sheep pox, swine erysipelas, swine fever, tuberculosis, trypanosomiasis and any other disease which the Minister may, by order, declare to be a disease within the meaning of this Act;

“infected area” means an area declared under and for the purposes of this Act to be infected with a disease;

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“officer” means any police constable or any officer appointed by the Minister or the Chief Agricultural Officer;

“order” means any order made by the Minister and in force under this Act;

“owner” means—

(a) every person who is the owner or a part-owner of any animal or land; and

(b) if the owner or part-owner has not for the time being the charge of the animals or land, the person who has such charge;

“port of entry” means any place declared under this Act to be a port of entry for animals or for any particular species of animal;

“register” means the register of Veterinary Surgeons required to be kept in accordance with this Act;

“registered” means registered as a Veterinary Surgeon under this Act;

“regulations” means regulations made by the Minister under this Act;

“suspected animal” means any animal suspected by an officer of having a disease;

“suspected area” means any area suspected of being infected with a disease;

“veterinary surgeon” means any person registered under this Act;

“veterinary surgery” means the art and science of veterinary surgery and medicine;

“village” means any village district or county district duly declared under the Local Government Act.

VETERINARY SURGEONS

3. (1) The Chief Agricultural Officer shall keep a register, in the form contained in the Schedule, to be styled the Veterinary Surgeons' Register, of all persons registered as veterinary surgeons.

Veterinary Surgeons' Register. Schedule.

(2) The Chief Agricultural Officer shall enter in the register the names and qualifications of every veterinary surgeon.

(3) The Chief Agricultural Officer, in the month of February in each year, shall publish in the *Gazette* a copy of the register.

4. (1) Any person who desires to be registered shall make application to the Chief Agricultural Officer, and shall submit such evidence as may be necessary to establish that he is entitled to be registered; and the Chief Agricultural Officer, if satisfied that the person is so entitled, shall register him.

Registration of persons in register.

(2) If the Chief Agricultural Officer declines to register any person who applies to be registered, such person may appeal to the Minister and, if it be made to appear to the Minister that such person is entitled to be registered, the Minister may direct that such person shall be registered.

(3) The Chief Agricultural Officer shall publish in the *Gazette* notice of every registration and shall issue to the veterinary surgeon registered a certificate of registration.

5. A copy of the register for the time being published in the *Gazette* and any subsequent notice shall be evidence, until the contrary be made to appear, that the persons therein specified are registered and the absence of the name of any person from such copy shall be evidence, until the contrary be made to appear, that such person is not registered:

Evidence of registration.

Provided that, in the case of a person whose name does not appear in such copy, a certified copy under the hand of the Chief Agricultural Officer of the entry of the name of such person in the register shall be evidence that such person is registered.

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Notification of
disease.

6. (1) A veterinary surgeon attending on or called in to visit an animal and having reason to suspect the animal to be suffering from disease, shall forthwith forward to the Chief Agricultural Officer a notification stating the kind of animal; the stable, shed, field, pasture or other place wherein the animal is being kept; the name of the owner of such stable, shed, field, pasture or other place; and the disease which he suspects the animal to be suffering from.

(2) Every veterinary surgeon who is not in receipt of pay from Guyana for each notification duly sent by him in accordance with this section shall be entitled to receive from the Chief Agricultural Officer such fee as the Minister may prescribe:

Provided that in the case of outbreaks in which more than one animal suffers such fee shall be payable only in respect of the first notification submitted by him.

(3) The Chief Agricultural Officer may from time to time prescribe forms for the purpose of notifications under this Act and any form so prescribed shall be used in all cases to which it applies.

(4) The Chief Agricultural Officer shall supply forms of notification to any veterinary surgeon registered under this Act.

Erasing from
register name
of veterinary
surgeon guilty
of crime or
disgraceful
conduct.

7. If any veterinary surgeon is convicted on indictment or, after due inquiry, is adjudged by the Chief Agricultural Officer to have been guilty of infamous or disgraceful conduct in a professional respect, the Chief Agricultural Officer, with the sanction of the Minister, may cause the name of such veterinary surgeon to be erased from the register.

Correction of
register.

8. (1) The Chief Agricultural Officer shall from time to time insert in the register any alteration which may come to his knowledge in the name or address of any veterinary surgeon.

(2) The Chief Agricultural Officer shall erase from the register the name of every deceased veterinary surgeon.

(3) The Chief Agricultural Officer may erase from the register the name of any veterinary surgeon who has ceased to practise or who has been continuously absent from Guyana for the space of three years:

Provided that any veterinary surgeon whose name has been so erased shall, on resuming practice or returning to Guyana, be entitled to have his name restored to the register without the payment of any fee.

(4) In the execution of his duties the Chief Agricultural Officer shall act on such evidence as in each case appears sufficient.

9. Every person who wilfully procures or attempts to procure himself to be registered by making or producing or causing to be made or produced any false statement or declaration, and every person aiding or assisting him therein shall be liable to a fine of forty-eight thousand seven hundred and fifty dollars or to imprisonment for six months.

Penalty for obtaining registration by false declaration.
[6 of 1997]

10. (1) A person shall not be entitled to take or use the name or title of veterinary surgeon, either alone or in combination with any other word or words, or any name, title, addition or description, implying that he is registered under this Act, or that he is a person specially qualified to practise veterinary surgery, unless he is registered.

Unregistered person not to use title of veterinary surgeon or recover fees.

(2) A person shall not be entitled to recover any fee or charge in any court for performing any veterinary operation or for giving any veterinary attendance or advice, unless he is registered.

11. Any person who—

(a) holds a certificate granted in a Commonwealth territory or foreign country, for the time being recognised by the Minister as furnishing a sufficient guarantee of the possession of requisite knowledge and skill for the efficient practice of veterinary surgery; or

Qualifications for registration.
[4 of 1972
6 of 1997]

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Cap. 272
1929 Ed.

(b) is at the commencement of this Act registered under Ordinance the (repealed) Animals (Breed and Contagious Diseases) Ordinance,

shall on payment of a fee of one thousand six hundred and twenty-five dollars be entitled to be registered:

Provided that no fee shall be payable by any person registered under paragraph (c) or by a Government veterinary surgeon.

IMPORTATION OF ANIMALS

Ports of entry.

12. (1) The Minister may by order declare any place to be a port of entry.

(2) A person shall not introduce or cause to be introduced into Guyana any animal except through a port of entry which applies to that animal:

Provided that the Minister may in any special case permit an animal to be brought into Guyana other than through the appropriate port of entry.

Prohibition of
importation
from specified
places.
[10 of 1953]

13. (1) The Minister may by order—

(a) prohibit or prescribe the terms and conditions for permitting the importation into Guyana of animals or of any specified kind thereof or of carcasses, fodder, litter, excreta or other thing from any specified place out of Guyana;

(b) prohibit or prescribe the terms and conditions for permitting the discharge of sweepings, garbage or other waste material into Guyana or its territorial waters from vessels or aircraft arriving from any territory outside of Guyana;

(c) prescribe the terms and conditions for the disinfection of footwear of incoming passengers and crew of aircraft, ships and other vessels arriving in Guyana from any specified place outside of Guyana;

(d) prescribe the place of discharge of passengers and goods arriving at any airport in Guyana;

(e) prescribe the terms and conditions under which and the purposes for which Government veterinary officers may board aircraft, ships or other vessels arriving in Guyana from any specified place outside of Guyana;

(f) prescribe the measure of compensation (if any) to be paid for any articles or livestock seized under an order made under this subsection or for goods damaged on disinfection.

(2) A person shall not introduce or cause to be introduced into Guyana any animal except upon the authority of a written permit under the hand of an officer appointed by the Chief Agricultural Officer.

Conditions of introduction of animals.

(3) Whenever it appears to the Comptroller of Customs or to the officer appointed by the Chief Agricultural Officer that any animal on board any vessel in the waters of Guyana or on board any vessel or aircraft at a port of entry is suffering from a disease or that there is reason to suspect that it is so suffering, the Comptroller of Customs or such officer by an order in writing may prohibit the importation or landing of the said animal or the carcass thereof or any fodder, litter, excreta or other thing likely to be infected by the said animal or carcass or may prohibit the importation or landing except on such terms and conditions as the Minister may prescribe.

Animals suffering from or suspected of disease.
[10 of 1950
6 of 1997]

(4) Every person who imports or lands or attempts to import or land any animal or any carcass, fodder, litter, excreta, or any other thing in contravention of any such order as aforesaid, shall be liable to a fine of nineteen thousand five hundred dollars.

(5) The Comptroller of Customs and any police constable and any officer appointed by the Chief Agricultural Officer shall have power to seize and slaughter any animal and to bury or destroy any carcass, fodder, litter, excreta or any other thing imported into Guyana contrary to any such order as aforesaid and to bury or destroy any carcass of any animal hereunder prohibited to be imported and found on any vessel in the waters of Guyana or on board any vessel or aircraft at a port of entry:

Slaughter of animals imported in contravention of orders.
[10 of 1950]

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Animals not to be slaughtered until examination by a veterinary surgeon.
Landing of dogs.
[10 of 1950
6 of 1997]

Provided that no animal shall be slaughtered under this section until the same has been examined by a Government veterinary surgeon or by any veterinary surgeon appointed by the Chief Agricultural Officer for this purpose, and he has certified that it is diseased.

14. If any dog is landed from any vessel or aircraft coming from abroad without express permission in writing from the Government veterinary surgeon, such dog may be seized and destroyed by the Comptroller of Customs, and the master of the vessel or commander of the aircraft shall be liable to a fine of three thousand nine hundred dollars.

PRECAUTIONS AGAINST THE SPREAD OF DISEASE

Infected area.

15. (1) Whenever the Minister shall be of opinion that any disease is suspected to be or is present in any area and that it is necessary to prevent the spread of such disease he may, by order, declare the area to be a suspected area or an area infected with the disease.

(2) Every order made under this section shall define the limits of the area and shall state the disease with which it is suspected to be or is infected.

(3) The Minister may by order vary the limits of a declared area.

(4) Every order declaring an area to be suspected or infected shall be published in the *Gazette* and a daily newspaper.

(5) The Chief Agricultural Officer shall cause copies of the order to be posted at police stations and court-houses and on fences in an infected area, and where a public road adjoins or traverses an infected area at the termini of the road adjoining or within the area.

(6) An order under this section may be revoked by order at such time as the Minister may think fit after the last case of disease has occurred therein:

Provided that where anthrax has been endemic in an infected area the Minister shall cause notice of the date of the last case of disease as aforesaid to be given in the *Gazette* and a daily newspaper and shall not revoke the order within three years of such date.

16. (1) Save as is in this Act or in any order otherwise provided, a person shall not remove or cause to be removed from any land owned or occupied by him any animal which is infected or suspected of being infected with disease.

Removal of infected stock prohibited.

(2) Every person having in his possession or under his charge an animal infected with disease or a suspected animal shall, as far as practicable keep that animal separate from animals not so infected, and shall with all practicable speed give notice of the fact or the suspicion to a police constable at the nearest police station.

Notification of disease and declaration of suspected and infected areas.

17. (1) A person shall not, except with the written permission of an officer, remove stock liable to the disease with which an area has been declared suspected or infected, into or out of that area or within or beyond such limits therein as may be defined in each case by an officer.

Restrictions on movements of animals, persons, or carcasses into, out of, or within an infected or suspected area.

(2) A person shall not leave any such area, unless he has done such acts as are prescribed by order for preventing the disease being spread by the movements of persons.

(3) A person shall not, except with the written permission of an officer, move or cause to be removed from a suspected or infected area, the carcass or any part of the carcass of any animal which has died, or is suspected of having died, of disease, or which by reason thereof has been destroyed under this Act.

(4) All such carcasses shall be burnt, buried, or otherwise disposed of, in manner, and after such acts have been done in regard thereto, as may be prescribed by order.

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Animals found
within infected
area.

18. (1) If there is found within an infected area any animal which has strayed or has been taken, or moved into such area the onus of proof that every possible precaution to prevent it having strayed or having been taken, or moved into such area had been taken by him, shall be on the owner of the animal.

(2) If in an infected area any animal be found which is reasonably suspected of having strayed therein, or of having been illegally moved thereto, whether before or after the area was declared infected, that animal shall be immediately isolated by the person finding the same and he shall immediately report the finding of the animal to an officer.

(3) The officer shall examine such animal and send a written report to the Chief Agricultural Officer.

Rights of
owner of land
in respect of
straying stock.

19. (1) If an owner of land find thereon or an owner of animals find amongst them any animal which he has reason to suspect has either strayed, or been illegally moved, from a suspected or infected area, onto the land, the owner may detain and isolate the animal, and shall immediately report the facts to a police constable at the nearest police station.

(2) Anything to the contrary notwithstanding in any law or regulation relating to pounds, the reasonable expenditure incurred by any such owner in isolating, feeding, treating, or herding any animal in the circumstances mentioned in subsection (1) shall be a debt due to him from the owner of the animal.

Slaughter of
diseased
animals.

20. The Chief Agricultural Officer may cause any animal infected with disease or any animal having been in the same stable, shed, pen, herd, or flock or in contact with any animal infected with disease, in any part of Guyana, whether declared to be an infected area or not to be slaughtered, in order to prevent the spread of disease.

Disposal of
animal
infected.

21. Any animal slaughtered under the last preceding section, or which may die after becoming infected with disease, shall be buried or disposed of as soon as possible in accordance with any order in force.

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22. The Minister may award such compensation in respect of the compulsory slaughter of any animal under this Act as he may think fit out of any moneys provided by Parliament for that purpose.

Compensation for animal slaughtered.

23. When an area within the confines of any village or country district or on any land on which animals are received for agistment is declared by the Minister to be an infected area, the village or district council or the owner of the plantation, as the case may be, shall be responsible for the due execution of the order; and where an area within a town or local government district established under the Municipal and Districts Councils Act is so declared, the council thereof shall be so responsible.

Execution of orders within village or country districts.
[24 of 1969
25 of 1973]
c. 28:01

24. (1) Where an area is declared to be infected by reason of the existence of anthrax therein the Minister may by order to be published in the *Gazette* and a daily newspaper and posted on some building, tree, fence or otherwise in the area direct that any cattle, horses, mules, asses, sheep or goats in the area shall be inoculated against anthrax at such time and place as is notified in the order by an authorised person, and may further direct that they be thereafter marked by a distinctive mark specified by the Chief Agricultural Officer.

Special provisions as to anthrax.

(2) The Chief Agricultural Officer may in writing under his hand appoint persons (in this section styled “authorised persons”) to enter the infected area for the purpose of herding, inoculating and marking animals under this section.

(3) Where notice of the date of the last case of anthrax has been given under section 15 (6) every owner of the animals mentioned in subsection (1) of this section shall cause those specified by the Chief Agricultural Officer to be inoculated and marked by an authorised person once every year during the continuance of the order.

(4) The cost of inoculating and marking any animal under this section (including the cost of collecting, corralling and of all buildings and erections required for these purposes) shall be a debt due by the owner of the animal to the State and shall be recoverable as such at the suit of the Chief Agricultural Officer.

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(5) Any owner of animals who refuses to assist or obstructs or hinders an authorised person in the inoculation or marking of or omits to cause to be inoculated or marked an animal as aforesaid or who marks or causes to be marked with the distinctive mark specified by the Chief Agricultural Officer an animal which has not been inoculated shall be guilty of an offence.

Isolation of
premises.
Glanders of
farcy.

25. (1) If glanders or farcy, as the case may be, recurs within two years in the same stable, shed or other building the Government veterinary surgeon shall—

(a) serve a written notice of the fact on the owner of the said building and on the owner of any animal therein at the time of the recurrence, and

(b) make a full report of the circumstances to the Chief Agricultural Officer.

(2) If on consideration of the report the Chief Agricultural Officer is of opinion that it is expedient so to do, he may by writing signed by him direct that the building and any animals which have been therein at the time of and since the recurrence of the disease be isolated in such manner and for such time as may be prescribed by the regulations.

Recovery of
cost of
isolation.

26. (1) The Secretary to the Treasury may, on the order of the Minister, recover the cost incurred in connection with the isolation or disinfection of any premises against the owner thereof by parate execution.

(2) A certificate purporting to be signed by the Secretary to the Treasury that a specified sum is the amount of the cost so incurred shall, without any proof of the signature, be received in all courts as proof of the fact until the contrary is proved.

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MISCELLANEOUS

- 27.** Any notice or other document required by this Act or by any order or regulation to be served on the owner or occupier of any premises may be served, if the owner or occupier cannot readily be found or served, by affixing the same to some conspicuous part of such premises. Service of notices.
- 28.** It shall be the duty of every police constable to enforce this Act. Duty of police constable.
- 29.** Where a person is seen or found committing, or is reasonably suspected of being engaged in committing an offence against this Act, a police constable may, without warrant, stop and detain him; and if his name and address are not known to the police constable, and he fails to give them to the satisfaction of the police constable, the police constable may, without warrant, apprehend him; and the police constable may, whether so stopping, or detaining, or apprehending the person or not, stop, detain and examine any animal, vehicle, boat or thing to which the offence or suspected offence relates, and require the same forthwith taken back to or into any place or district wherefrom or whereout it was unlawfully removed and execute and enforce that requisition. Powers of police.
- 30.** Any officer shall, for the purposes of this Act, have all power which a police constable has under this Act or otherwise in the place where such officer is acting. Officers to have powers of police constable.
- 31.** Every person who, without lawful authority or excuse the proof whereof shall lie on him— Offences.
- (a) does anything in contravention of this Act or of an order; or
 - (b) where required to keep an animal separate as far as practicable, or to give notice of disease with all practicable speed, fails to do so; or
 - (c) refuses, to an inspector or other officer acting in execution of this Act or of an order, admission to any land, building, place, vessel, pen, vehicle, or boat which the inspector or officer is entitled to enter or examine, or

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obstructs or impedes him, in so entering or examining, or otherwise, in any respect obstructs or impedes an inspector, or constable or other officer in the execution of his duty, or assists in any such obstructing or impeding, or throws or places, or causes or suffers to be thrown or placed, into or in any river, stream, canal, trench, navigation or other water, or into or in the sea within three miles of the shore, the carcass of an animal which has died of disease or been slaughtered as diseased or suspected,

shall be guilty of an offence.

Penalties.
[6 of 1997]

32. If any person is guilty of an offence against this Act for which no special penalty has been provided, he shall be liable—

- (a) to a fine of nineteen thousand five hundred dollars; and
- (b) for a second or subsequent offence to a fine of forty-eight thousand seven hundred and fifty dollars or to imprisonment for six months.

Procedure.

33. Offences and penalties under this Act and all orders and regulations may be prosecuted and recovered under the Summary Jurisdiction Acts.

Persons to be
appointed by
Chief
Agricultural
Officer.

34. The Chief Agricultural Officer with the approval of the Minister may appoint persons for any of the following purposes—

- (a) to inspect animals imported into Guyana and to issue permits for landing of such animals or to prohibit the landing of such as are suffering from disease or suspected of suffering from disease;
- (b) to examine animals found within infected areas; and
- (c) to issue permission in writing for the removal of animals liable to disease from an infected area or of the carcass or any part of the carcass of any animal which has died or is suspected of having died of disease or which has been destroyed by reason thereof.

35. (1) The Minister may appoint persons for the proper carrying out of the provisions of this Act.

Appointment of officers for carrying out Act.

(2) The remuneration of all persons appointed by the Minister and by the Chief Agricultural Officer shall be at such a rate as the Minister may think fit and be paid out of moneys provided by Parliament.

36. The Minister may make regulations for any of the following purposes:

Powers of Minister.

(a) to regulate the export and movement of animals from or in Guyana;

(b) prescribing the manner in which animals found to be infected with disease or having been in the same stable, shed, pen, herd or flock or in contact with any animal infected with disease shall be dealt with—

(i) while exposed for sale in any place; or

(ii) while in course of being moved by land or by water;

or

(iii) while in a slaughter house or place where animals are slaughtered or kept with a view to being slaughtered; or

(iv) while on unenclosed land; or

(v) while in any other place not in the possession or occupation or under the control of the owner of the animal;

(c) prohibiting or regulating the movement of animals and persons into, in, or out of an infected area;

(d) prescribing and regulating the isolation or separation of animals being in an infected area;

(e) prohibiting or regulating the removal of carcasses, fodder, litter, utensils, pens, hurdles, excreta, or other things into, in, or out of an infected area;

(f) prescribing and regulating the destruction, burial, disposal, or treatment of carcasses, fodder, litter, utensils, pens, hurdles, excreta, or other things being in an infected area, or removed thereout;

(g) prescribing and regulating the cleansing and disinfecting of infected areas, or parts thereof;

(h) prohibiting or regulating the digging up of buried carcasses;

(i) prohibiting or regulating the sending or carrying of diseased or suspected animals or of excreta or other thing likely to spread disease, or causing the same to be sent or carried on railways, canals, rivers, or inland navigations or in coasting vessels or otherwise;

(j) prohibiting or regulating the carrying, leading or driving of diseased or suspected animals, or the causing them to be carried, led or driven, on highways or thoroughfares, or elsewhere;

(k) prescribing and regulating the seizure, detention, and disposal of any diseased or suspected animals exposed, carried, kept or otherwise dealt with in contravention of an order, and for prescribing and regulating the liability of the owners of such animals for the expenses connected with the seizure, detention, and disposal thereof;

(l) prescribing the methods and periods of, and the times for, isolation, inoculation, disinfecting, treatment, testing, dipping, spraying, marking, removal and destruction of animals;

(m) prescribing the methods of disinfecting roads, corrals, railway trucks, vehicles, stables, sheds, pens or places where animals suspected of having been, or known to have been infected with disease have been confined;

(n) as to the introduction into and the manufacture, sale and use within Guyana of toxin, virus, vaccines, lymphs, and serum intended for the treatment of animals;

(o) as to the introduction into and the removal and disinfecting within Guyana of animals, hides, skins, or other articles likely to spread a disease;

(p) restricting or preventing the movement of persons where any movement is likely to spread a disease and prescribing the precautions to be taken by persons whose movement is so restricted;

(q) for such control of abattoirs or pounds and of public markets as will prevent the spread of a disease, and for

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compelling persons in charge thereof to report any disease which has been discovered amongst animals therein;

(r) prescribing the forms for the purpose of this Act, the orders or regulations;

(s) prescribing fees and charges to be paid in respect of any act to be performed under this Act, the orders or regulations; and

(t) generally for carrying into effect the provisions of this Act or the orders.

37. There may be annexed to the breach of any regulation a penalty not exceeding nineteen thousand five hundred dollars.

Breach of regulations.
[6 of 1997]

38. The Minister may by order exempt any specified district of Guyana from the operation of this Act or any specified sections of this Act for such time as may be stated in such order.

Power of Minister to exempt any district from operation of Act.

39. Every person acting under the Act shall be entitled to the protection afforded by the Justices Protection Act.

Protection of persons acting under Act.
c. 5:07

SCHEDULE

s. 3

FORM OF VETERINARY SURGEONS' REGISTER

| Name | Residence | Qualification | Date of Registration |
|------|-----------|---------------|----------------------|
| | | | |