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CHAPTER 191.

ANIMALS' DISEASES.

21 of 1944.
33 of 1946.

An Ordinance relating to diseases of animals.

[28TH DECEMBER, 1944.]

Short title.

1. This Ordinance may be cited as the Animals' Diseases Ordinance, and shall apply to the Colony and Protectorate.

PART I.—PRELIMINARY.

Interpretation.

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

“animals” means all stock, and ruminating animals, cats and dogs; but does not include any other animal, except such as may be declared by the Governor by notice published in the *Gazette* to be included in the term “animals” for the purposes of this Ordinance;

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

“cattle” means bulls, cows, oxen, heifers and calves;

“disease” means cattle plague (rinderpest) anthrax, pleuro-pneumonia, trypanosomiasis, tuberculosis, foot and mouth disease, rabies, sheep-pox, sheep scab, goat-pox, swine fever, swine erysipelas, glanders, farcy, mange (scabies) in horses, mules and donkeys, dourine, ulcerative lymphangitis, epizootic lymphangitis; but does not include any other disease, except such as may be declared by the Governor by notice published in the *Gazette* to be included in the term “disease” for the purposes of this Ordinance;

“fodder” means hay or other substance commonly used for food of animals;

“litter” means straw or other substance commonly used for bedding or otherwise for or about animals;

“stock” means cattle, sheep, goats, horses, mules, donkeys, swine and poultry;

“Stock Inspector” includes a Veterinary Officer and any person authorised by the Director of Veterinary Services to perform the duties of a Stock Inspector under the Ordinance.

3. The Director of Veterinary Services, with the approval of the Governor, may authorise any person to perform his duties and exercise his powers under this Ordinance during such period as he may be temporarily absent from Sierra Leone.

Power to
Director to
delegate his
powers.

PART II.—STEPS FOR CHECKING DISEASE.

4. Every person having in his possession or charge any animal affected with disease or suspected of being affected with disease shall as soon as possible—

Diseased
animals to
be separated
and notified.

(a) keep such animal separate from animals not so affected or suspected of being so affected;

(b) cause such animal to be tied up or confined in an enclosed place; and

(c) notify an Administrative or Veterinary Officer or Stock Inspector or Medical Officer (whichever is the nearer) of the fact of the animal being affected or suspected of being affected.

5. Any Administrative Officer or Medical Officer who is notified of any animal being affected or suspected of being affected with disease shall forthwith notify the nearest Veterinary Officer or Stock Inspector who shall give such directions and take such steps as may be necessary for the purpose of ascertaining the existence and nature of the disease and he shall on being satisfied that such disease exists forthwith report to the Director of Veterinary Services.

Notification
to be
forwarded to
Veterinary
Officer.

6. An Administrative Officer in charge of a district shall, on being satisfied as to the existence within any chieftdom within his district of a disease affecting stock, forthwith cause all owners or persons in control of stock in such chieftdom and in all chieftdoms contiguous thereto to be notified thereof.

Farmers to
be notified
of outbreak.

Slaughter. 7. Any Administrative Officer, Veterinary Officer, Stock Inspector or Medical Officer may cause to be slaughtered any animal affected or suspected of being affected with any disease or any animal which has been in contact with a diseased animal or has been otherwise exposed to the infection or contagion of disease.

Carcases to belong to Government. 8. Where an animal has been slaughtered under this Ordinance or any rule, order or direction hereunder its carcase shall belong to the Government and shall be buried or sold or otherwise disposed of under such conditions as an Administrative Officer, Veterinary Officer, Stock Inspector or Medical Officer may think fit and any proceeds of sale shall be paid into the Treasury and form part of the public revenue.

PART III.—POWERS OF OFFICERS.

Burial, etc., of carcases etc., of diseased animals. 9. Where an animal dies of disease any Administrative Officer, Veterinary Officer, Stock Inspector or Medical Officer may give directions with reference to the burial, destruction or disposal of the carcase, hide, skin, hair, wool, litter, dung or fodder.

Power of inoculation, disinfection, etc. 10. Any Veterinary Officer or Stock Inspector may at any time require any animal to be examined, inoculated, sprayed, dipped, washed or otherwise disinfected or to undergo a period of quarantine if he shall consider the same to be necessary in order to prevent the spread of disease.

Power to carry out blood tests. 11. Any Veterinary Officer, Stock Inspector or Medical Officer may, for the purpose of detecting or diagnosing disease take or cause to be taken from any animal blood smears, or apply such other tests as he may consider necessary.

Power to prohibit exhibitions, etc. 12. The Director of Veterinary Services may, for the purpose of preventing the spread of any disease, prohibit in any place the holding of any exhibition of stock or the sale of stock in open markets or in private sale yards.

Power to restrict slaughter. 13. The Director of Veterinary Services may, for the purpose of preventing the spread of disease, prohibit in any place the slaughter of cattle for food and the sale of meat or carcases or of any part thereof.

Power of entry. 14. Any Administrative Officer, Veterinary Officer, Stock Inspector or Medical Officer may enter any lands, building, shed, place, carriage, van, truck, boat or vehicle containing,

or suspected to contain or used for the purpose of containing or carrying animals, carcasses, hides, skins, hair, wool, butter, litter, dung or fodder and may examine the same and any animals, carcasses, hides, skins, hair, wool, butter, litter, dung or fodder found therein for the purpose of ascertaining whether any such animal is suffering from any disease or whether any such animal, carcase, hide, skin, hair, wool, butter, litter, dung or fodder is capable of transmitting any disease or for the purpose of ascertaining whether any rules, orders or directions in respect to the cleansing and disinfection of such building, shed, place, carriage, van, truck, boat or vehicle, made or given under this Ordinance, have been properly carried out.

15. The owner or person in charge of any animals, carcasses, hides, skins, hair, wool, butter, litter, dung or fodder shall produce the same for inspection when called on to do so by any Administrative Officer, Veterinary Officer, Stock Inspector or Medical Officer.

Power to inspect.

16. Where any person is required by this Ordinance or by any rule, order or direction lawfully made or given hereunder to do any act or thing and fails to comply with such requirement, any Administrative Officer, Veterinary Officer, Stock Inspector or Medical Officer may cause the same to be done at the expense of such person so failing.

Power to carry out requirements.

PART IV.—COMPENSATION.

17. Subject to the provisions of the next succeeding section, compensation for animals slaughtered under this Ordinance shall be paid to the owner as follows—

Compensation to be paid for slaughter.

(a) where the animal was affected with disease, one half of its value (to be fixed by a Veterinary Officer) immediately before it became so affected; and

(b) where the animal was not known to be so affected its value (to be fixed by a Veterinary Officer) immediately before it was slaughtered.

18. Compensation in respect of any animals slaughtered under this Ordinance may be wholly or partially withheld where the owner or person in charge of the animal has been guilty of any breach of this Ordinance or of any rule, order or direction made or given hereunder, and no compensation shall be payable in respect of any animal slaughtered if such animal was affected with disease when imported into Sierra Leone or

Cases where compensation may be withheld.

became affected before it was passed by the inspecting officer (if any) at the port or place of entry into Sierra Leone, or if such animal was imported into Sierra Leone in breach of this Ordinance or of any rule, order or direction made or given hereunder.

PART V.—INFECTED AREAS.

Governor
may declare
infected
areas.

19. The Governor may at any time, by notice published in the *Gazette*, declare any area within Sierra Leone to be an infected area for the purposes of this Ordinance:

Provided that in cases of urgency the Director of Veterinary Services may declare any area provisionally infected pending such notice in the *Gazette* and upon such declaration the provisions of sections 20 and 21 shall immediately apply to such area. Notice of any such declaration shall be posted on the office of the District Commissioner of the district in which the area is situated and shall also be sent to the Tribal Authority having jurisdiction over such area.

Rules for
infected
areas.

20. The following provisions shall, in the absence of other provisions made by rules under this Ordinance, apply to all infected areas, viz.—

(1) no stock or carcase shall be moved in or from any such area without the written permission of the Director of Veterinary Services or the Veterinary Officer or Stock Inspector in charge of such area;

(2) no other animal or carcase shall be moved from any such area unless previously disinfected in the manner directed by the Veterinary Officer or Stock Inspector in charge of the area, if such Officer or Inspector shall order disinfection;

(3) all stock in such area shall be herded as far as possible from any public road;

(4) the Director of Veterinary Services or the Veterinary Officer or Stock Inspector in charge of such area may require the owner or person in charge of any animal or animals within such area to isolate such animal or animals from other animals within the infected area or to move such animal or animals in or from the infected area to such other place as he may direct within a stated period;

(5) the Director of Veterinary Services or the Veterinary Officer or Stock Inspector in charge of such area may cause

any animal or carcass therein to be branded with such mark as he may think fit;

(6) no person shall leave any such area without having complied with such precautions for preventing the spread of disease as may be required by the Veterinary Officer or Stock Inspector in charge of the area;

(7) the carcasses of all animals dying from disease shall forthwith be either buried at a depth of not less than four feet below the surface of the ground or burnt at the expense of the owner if so directed by a Veterinary Officer.

21. Any person negligently allowing an animal to escape from an infected area shall be deemed, for the purposes of the last preceding section, to have moved such animal from such area.

Negligently allowing escape from infected area.

PART VI.—RULES.

22. The Governor in Council may make rules for the prevention of the introduction into and spread of disease in or from Sierra Leone and generally for the carrying out of the purposes and provisions of this Ordinance. All such rules shall be subject to the approval of the House of Representatives but shall have full force from the date of making until revoked or approved by the House.

Governor in Council may make rules.

23. The rules made under the last preceding section may include rules for all or any of the following purposes, viz.—

Purposes for which rules may be made.

(a) the control, notification, detention, custody, isolation, inoculation, disinfection, removal or slaughter of animals suffering or suspected to be suffering from any disease, or of any animals exposed to infection, or of any animals or any particular species of animals especially liable to become infected with any disease;

(b) the burial, destruction or disposal of carcasses;

(c) prescribing ports and places for the importation into or the exportation from Sierra Leone of animals, carcasses, hides, skins, hair, wool, butter, litter, dung or fodder;

(d) prohibiting or regulating the movement of animals, carcasses, hides, skins, hair, wool, butter, litter, dung or fodder within Sierra Leone;

(e) prescribing quarantine for imported animals or diseased animals or animals suspected of disease, or animals which

have been in contact with animals suffering from disease, or for animals or any particular species of animals, especially liable to become infected with disease;

(f) prohibiting or regulating the importation into or the exportation from Sierra Leone of animals, carcasses, hides, skins, hair, wool, litter, dung or fodder, and prescribing the conditions under which such importation or exportation may take place;

(g) prescribing the cleansing and disinfection of buildings and places wherein animals have been stalled or in which carcasses, hides, skins, hair, wool, butter, meat, offal, litter, dung or fodder have been kept;

(i) prescribing the cleansing and disinfection of public markets, private auction or sale yards, railway premises, railway vans, launches, trucks, boats or carriages wherein any animal shall have been placed, kept or carried;

(j) providing for the periodical dipping of animals;

(k) prescribing the disinfection of persons and their clothing and personal effects coming into contact with or employed about animals suffering or suspected to be suffering from disease or being in an infected area;

(l) prohibiting or regulating the movement of vehicles into, through or out of areas in which tsetse flies (*glossinae*) are known to exist and directing and providing for the disinfection of vehicles and boats which have passed through such areas and directing and providing for the disinfection of persons whether travellers in vehicles or otherwise who have passed through such areas;

(m) prescribing fees and charges for the examination, inoculation, testing, disinfecting or slaughtering of animals and for the feeding and stabling of animals detained in quarantine and providing generally for the payment and recovery of expenses incurred by the Government under this Ordinance.

Saving.

Nothing in this section shall limit or shall be construed so as to limit the powers conferred upon the Governor in Council by the last preceding section.

PART VII.—LEGAL PROCEEDINGS AND PENALTIES.

24. Any Tribal Authority, as defined by the Tribal Authorities Ordinance, may, with the approval of any Stock Inspector, make orders to be obeyed by all persons subject to the jurisdiction of the Tribal Authority which makes the order, for the following purposes—

Powers of
Tribal
Authorities
to make
Orders.
Cap. 61.

(a) preventing the spread of any infectious or contagious disease among stock; and

(b) prohibiting, restricting, or regulating the movement in or through the area of the Authority of stock of any description.

25. No action shall lie against the Government or any officer thereof for any act done in good faith under the provisions of this Ordinance or of any rule, order or direction made or given hereunder, and save as hereinbefore provided, no compensation shall be payable to any person for any act done under this Ordinance, unless the Governor otherwise directs.

Savings of acts done under Ordinance.

26. Any person obstructing or impeding or assisting to obstruct or impede a person in the lawful exercise of his duties under this Ordinance shall be guilty of an offence under this Ordinance and may be arrested without warrant by a constable.

Obstruction.

27. Any person improperly altering a permit given under this Ordinance or under any rules made hereunder shall be guilty of an offence under this Ordinance.

Improperly altering permits.

28. Any person guilty of an offence under this Ordinance or committing any breach hereof or of any rule made hereunder or failing to comply with any rule, order or direction lawfully made or given hereunder shall be liable on summary conviction to imprisonment for a period not exceeding twelve months or to a fine not exceeding three hundred pounds or to both.

Penalties.

29. Where a person is seen or found committing or is suspected of being engaged in committing an offence or breach as described in section 28, an Administrative Officer, Veterinary Officer or Stock Inspector or constable may, if such person's name and address are not known to such official, and he fails to give them to the satisfaction of the official, the official may, without warrant, arrest him:

Detention arrest.

Provided that where the official arresting is not a constable he shall without unnecessary delay hand over the offender to a constable or take the offender either to the nearest Police Station or the administrative headquarters of the district in which the arrest was made.

30. (1) An Administrative Officer, Veterinary Officer, Stock Inspector or constable may seize and examine any animal, carcass, hide, skin, vehicle, boat or thing with regard to which

Seizure of animals, etc.

he suspects that any such offence or breach as aforesaid has been or is being committed and may order the same to be taken back forthwith to or into any area or place wherefrom it may be suspected to have been unlawfully removed or he may remove the same to any pound, enclosure or other place selected by a Veterinary Officer or Stock Inspector and there detain the same subject to the orders of a magistrate.

(2) Any seizure and detention made under this section shall, with all practicable speed, be reported by the official making the same to a magistrate having jurisdiction in the district within which the seizure has been made.

Forfeiture on conviction.

31. (1) Whenever any person shall have been convicted of an offence or breach as aforesaid the court convicting such person may in addition to or in lieu of imposing any other punishment authorised by law order that the animals or things or any of them in respect of which such offence or breach has been committed shall be forfeited.

Forfeiture when offender not found.

(2) Whenever it shall be reported to a magistrate that any animal or thing has been seized and detained under section 30 but that the person who is alleged to have committed an offence or breach in respect of such animal or thing is unknown or cannot be found, the magistrate may, if satisfied by evidence on oath that there is reason to believe that such offence or breach has been committed, order such animal or thing to be forfeited:

Provided, however, that no order shall be made unless the owner (if his name and whereabouts be known) of such animal or thing shall have had an opportunity of appearing before the magistrate to show cause why such order should not be made.

Recovery of expenses.

(3) A magistrate whenever he shall be satisfied that there is reason to believe that an offence or breach as aforesaid has been committed in respect of any animal or thing seized and detained under section 30 may order that the owner thereof shall pay to the Director of Veterinary Services such sum as he may consider reasonable to cover the expenses connected with the removal of such animal or thing to the place of detention and (in the case of an animal) the cost of its keep during such detention and that unless such sum be paid within a time to be specified in such order the animal or thing shall be forfeited.

Forfeited property how dealt with.

(4) Whenever any animal or thing is forfeit under the provisions of this Ordinance it shall be slaughtered, sold or otherwise dealt with as the Governor may by any general or

special order direct and the proceeds of sale (if any) shall form part of the public revenue.

32. Nothing in the last three preceding sections shall take away or abridge any power or authority that a constable would have had if the said sections had not been enacted. Powers of Police saved.

33. When the owner or person in charge of any animal suffering from disease is charged with an offence under any rule under this Ordinance, he shall be presumed to have known of the existence of such disease in such animal unless he satisfies the court that he had not such knowledge and could not with reasonable diligence have obtained such knowledge. Presumption.
