

GOLD COAST

ANIMALS (CONTROL OF IMPORTATION), 1952 (NO. 36 OF 1952)

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(Gold Coast)

NO. 36 OF 1952

AN ORDINANCE to Control The Importation of Animals.

Date of Commencement. [19th July, 1952.]

Section 1—Short Title.

This Ordinance may be cited as the Animals (Control of Importation) Ordinance, 1952.

Section 2—Interpretation.

In this Ordinance, unless the context otherwise requires—

"animals" means cattle, sheep, goats and all other ruminating domestic animals, horses, mules, asses, swine, dogs, ostriches and poultry comprising domestic fowls, turkeys, ducks, geese, pigeons, guineafowls and including the

"cattle" means bulls, cows, oxen, heifers and calves;

"disease" means anthrax, blackquarter, cattle plague (rinder-pest), contagious bovine pleuro-pneumonia, contagious coast fever, epizootic lymphangitis, foot and mouth disease, fowl pest, fowl typhoid, African horse sickness, catarrh, mange (including scab), pox, rabies, swine erysipelas, swine fever, trypanosomiasis, tuberculosis, uncer

"Government" means the Government of the Gold Coast;

"import" with its grammatical variations and cognate expressions means to bring or cause to be brought into the

"importer" includes the owner or any person for the time being possessed of or beneficially interested in any animal until the same is duly delivered out of the charge of a veterinary inspector and also any person who signs any document by this Ordinance to be signed by an importer;

"Minister" means the Minister responsible for agriculture;

"veterinary inspector" includes an officer of the Department of Animal Health not below the rank of senior veterinary officer at a place of importation, an officer of the Medical Department not below the rank of health superintendent or officer of both such classes of officer, any person authorised by the Director of Veterinary Services to perform any function under this Ordinance.

Section 3—Minister's Power to Extend or Restrict the Application of the Ordinance.

(1) The Minister may, by Order, extend the application of this Ordinance to any kind of animal or disease which is defined in section 2 of this Ordinance as "animal" or the word "disease", as the case may be, in section 2 of this Ordinance.

(2) The Minister may, by Order, declare that the provisions of this Ordinance shall not apply in respect of any definition in section 2 of this Ordinance, of the word "animal" or the word "disease" as the case may be.

Section 4—Power to Prohibit Importation.

The Minister may, for the purpose of preventing the introduction of disease into the Gold Coast, by Order, prohibit the importation of any kind thereof, brought from any specified country or any specified part of such country or generally.

Section 5—Power of Governor to make Regulations.

First Schedule.

The Governor may make regulations to control the importation of animals into the Gold Coast:

Provided that the regulations contained in the First Schedule to this Ordinance shall be in force until varied or repealed.

Section 6—Seizure of Unlawfully Imported Animals.

A veterinary inspector may, with the consent of the Director of Veterinary Services, cause to be seized any animal imported in contravention of this Ordinance.

Section 7—Authority to Slaughter Imported Animal Suspected of Being Diseased.

A veterinary inspector may cause to be slaughtered any animal imported which is affected or is suspected of being affected by a disease, or any animal which has been in contact with a diseased animal or has been otherwise exposed to the infection or contamination of such animal.

Section 8—Disposal of Carcass of Slaughtered Animal.

Where an imported animal has been slaughtered under the provisions of this Ordinance its carcass shall be buried or disposed of in such conditions as a veterinary inspector shall think fit and, if sold, any proceeds of such sale shall, less any expenses incurred in such sale, be paid to the general revenue of the Gold Coast.

Provided that in the case of an animal which has been imported in contravention of the provisions of this Ordinance and which is sold, any proceeds of such sale shall, less any expenses incurred in such sale, be paid to the general revenue of the Gold Coast.

Section 9—Indemnity and Payment of Compensation.

(1) No action shall lie against Government or any officer of Government for any act done in good faith under the provisions of this Ordinance unless the Minister otherwise directs.

(2) Whenever it shall appear to the Minister to be right, just, or equitable that pecuniary compensation should be made to the importer of such animal in respect of any loss by reason of any measures which shall have been taken in pursuance of the provisions of this Ordinance, it shall be lawful for the Minister to make such order as to the amount of the general revenue of the Gold Coast to such importer of such sum and in such manner as to him shall seem fit.

Provided that no compensation shall be paid in respect of any animal slaughtered under the provisions of this Ordinance in consequence of a contravention of the provisions of this Ordinance.

Section 10—Fees for Examination of Imported Animals.

The Minister may, by Order, prescribe the fees to be charged in respect of the examination of imported animals of such kinds of animals.

Section 11—Payment of Other Expenses.

The Government may recover from the importer of an animal any expenses incurred in the keep and treatment of such animal.

Section 12—Recovery of Fees.

Any veterinary inspector authorised in that behalf by the Director of Veterinary Services may sue on behalf of the Government in respect of the examination of any animal and of any expenses as provided by section 11 of this Ordinance.

Section 13—Sale of Animal to Meet the Moneys Due.

Wherever the importer of any animal in respect of which an examination has been conducted has, after demand for the fee and other expenses and to remove the animal, the Director of Veterinary Services may cause the animal to be sold and the moneys due in respect of the fee and other expenses aforesaid, pay the balance, if any, to the importer of the animal.

Section 14—Repeal of Caps. 247 and 248.

The Animals (Control of Importation) Ordinance and the Importation of Livestock Ordinance are hereby repealed.

SCHEDULES

(Section 5.)

REGULATIONS FOR THE CONTROL OF THE IMPORTATION OF ANIMALS.

Regulation 1—Title.

These Regulations may be cited as the Animals (Control of Importation) Regulations, 1952.

Regulation 2—Interpretation.

In these Regulations, unless the context otherwise requires —

"veterinary surgeon" means —

- (a) a Fellow or Member of the Royal College of Veterinary Surgeons as defined by section 2 of the Veterinary S
- (b) any person possessing a veterinary qualification recognized by such College as equal to its own; or
- (c) any person possessing a veterinary qualification recognized by the Minister.

Regulation 3—Restriction on Importation of Animals by Land.

- (1) Any person who imports an animal into the Gold Coast by land otherwise than through Aflao, Bole, Hama, or Vomkoro, shall be guilty of an offence.
- (2) The Minister may, by Order, make additions to or deletions from the places specified in paragraph (1) of this

Regulation 4—Restriction on Importation of Cattle by Land.

Any person who imports cattle into the Gold Coast by land unless, at the time of importation, he produces to the authority recognized by the Minister by a notice published in the Gazette showing to the satisfaction of the veterinary authority of the foreign territory concerned of such cattle is authorised by such authority, shall be guilty of an offence.

Regulation 5—Cattle May be Removed.

Any veterinary inspector may seize any cattle imported into the Gold Coast in contravention of the provisions of this regulation, and, in his discretion, remove the cattle from the Gold Coast notwithstanding that proceedings against the person responsible have been instituted.

Regulation 6—Routes for Imported Cattle.

A veterinary inspector may issue directions regarding the routes to be followed by cattle which are allowed to be imported.

Regulation 7—Animals Imported by Sea and Air.

- (1) Any person who imports an animal into the Gold Coast by sea otherwise than through the ports of Accra or Tema, or into the Gold Coast by air otherwise than through the airports of Accra or Takoradi, shall be guilty of an offence.
- (2) The Minister may, by Order, make additions to or deletions from the places specified in paragraph (1) of this

Regulation 8—Examination of Imported Animals.

- (1) All animals imported into the Gold Coast shall be subjected to examination by a veterinary inspector at the time of importation appointed by him for that purpose.
- (2) Any person who moves an animal from the place of detention before the importer holds a certificate signed by a veterinary inspector that the animal is free from disease, shall be guilty of an offence.

(3) A certificate under paragraph (2) of this regulation shall be in the form set out in the First Schedule to these permit.

Regulation 9—Disinfection of Imported Animals.

A veterinary inspector may cause any animal imported into the Gold Coast to be inoculated, dipped, disinfected or be removed from the place of detention if issued.

Regulation 10—Quarantine of Imported Animals.

A veterinary inspector may cause any animal imported into the Gold Coast to undergo a period of quarantine if he is satisfied that the outbreak or spread of disease.

Regulation 11—Release of Examined Animals.

If upon examination an imported animal is found to be free from disease it shall, upon payment of the fee prescribed, be released.

Regulation 12—Seizure and Detention of Animals Unlawfully Imported.

A veterinary inspector may seize and detain for the purposes of examination any animal imported in contravention of these regulations.

Regulation 13—Control of Importation of Animals other than for Slaughter.

(1) The importation of all animals other than for slaughter and consumption, is prohibited except in accordance with the following provisions:

(a) all animals shall be accompanied by a certificate of health from a veterinary surgeon in the country of origin and, upon departure of the said animals;

(b) such certificate of health shall state —

(i) in respect of cattle, that they have not been exposed to the infection of tickborne disease, have successfully passed the mallein test (and, to be attached to the certificate) and, with the exception of cattle imported from any of the countries specified in the Schedule, they have been inoculated against rinderpest;

(ii) in respect of sheep and goats, that they are from an area free from disease and that they have never been exposed to the infection of rinderpest;

(iii) in respect of horses, mules and donkeys that they have successfully passed the mallein test, save that there shall be an exemption in the case of an animal imported directly from the Ivory Coast, Dahomey, Togoland under French Territory of the West if the animal has not passed through any part of Africa in which horse sickness is known to exist and that the animal has not contracted lymphangitis;

(iv) in respect of swine, that since birth there has been no swine fever or swine erysipelas in the herd from which they are taken;

(v) in respect of poultry, that the flock from which they are taken is free from bacillary white diarrhoea and salmonellosis and is situated in an area which at the time of export of the poultry is free from the disease known as fowl paralysis;

(vi) in respect of dogs and cats, that they are healthy and free from infectious disease and that they come from an area of six months prior to the date when they leave their country of origin;

(c) notice of intended importation of animals must be given to the Director of Veterinary Services at least four weeks before the date of importation to the Gold Coast.

(2) Any person who fails to comply with the conditions set out in paragraph (1) of this regulation shall be guilty of an offence.

Regulation 14—Importation of Dogs Prohibited.

(1) The importation of any dog the weight of which exceeds twenty-five pounds or the weight of which when weighed by a veterinary inspector exceed twenty-five pounds, is prohibited.

(2) Any person who contravenes the provisions of paragraph (1) of this regulation shall be guilty of an offence and shall be liable on conviction to a fine not exceeding twenty pounds or to imprisonment for a term not exceeding three months or to both such fine and imprisonment.

Regulation 15—Penalties.

(1) Any person who imports any animal, the importation of which is prohibited by an Order made by the Council under this Ordinance shall be guilty of an offence.

(2) Any person who refuses, or omits or wilfully delays to comply with any order or direction lawfully issued by a veterinary inspector, or who delays or obstructs any veterinary inspector acting in the course of his powers thereunder, shall be guilty of an offence.

(3) A person shall on conviction for an offence under the provisions of these Regulations be liable to a fine not exceeding one hundred pounds or to imprisonment for a term not exceeding one year, or to both such fine and imprisonment.

(4) Whenever any person shall have been convicted of an offence as aforesaid, the Court convicting such person may, in addition to any other punishment, order that the animal in respect of which such offence has been committed shall be forfeited and shall be disposed of or otherwise dealt with as the Court thinks fit and, if sold, that the proceeds of the sale shall, less any expenses incurred, be paid to the Council of the Gold Coast.

Regulation 16—Director of Veterinary Services May Authorise Importation of Animals in Special Circumstances.

Notwithstanding anything to the contrary in these Regulations the Director of Veterinary Services may in special circumstances authorise the importation of any animal.

FIRST SCHEDULE

(Regulation 8)

THE ANIMALS (CONTROL OF IMPORTATION) ORDINANCE CERTIFICATE

This is to certify that I have this day examined

land

(1) imported by (2) sea into the Gold Coast by

air

(3) from (4) and found them to be free from disease.

Dated this day of , 19 .

Veterinary Inspector.

(2) Delete whichever does not apply.

(3) Insert name of importer.

(4) Insert name of place from which the animals have been imported.

SECOND SCHEDULE

(Regulation 13)

Basutoland

Bechuanaland

Canada

Northern Rhodesia

Nyasaland

Portuguese East Africa

Southern Rhodesia

Swaziland

Union of South Africa

United States of America

All countries in Europe.

All countries in South America.