

BILL No. 21 OF 1957

ANIMALS (CONTROL OF EXPERIMENTS) BILL, 1957.
ARRANGEMENT OF SECTIONS

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A BILL

INTITULED

AN ORDINANCE TO REGULATE THE PRACTICE OF EXPERIMENTS ON LIVING ANIMALS, AND MATTERS IN CONNECTION THEREWITH.

Enacted by the Legislature of British Guiana:—

1. This Ordinance may be cited as the Animals (Control of Experiments) Ordinance, 1957. Short title.
2. In this Ordinance — Interpreta-
tion.
 - “animal” means a living vertebrate animal;
 - “experiment” means any experiment performed on an animal and calculated to give pain;
 - “licensee” means a person licensed under section 7 of this Ordinance.
3. (1) No person except a licensee shall perform any experiment. Experiments
only to be
performed
by licensed
persons.
 - (2) No licensee shall perform any experiment except in accordance with the terms of his licence and subject to the restrictions imposed by this Ordinance.
4. No licensee shall perform any experiment for the purpose of attaining manual skill. Experiments
not to be
performed
for purposes
of attaining
manual skill.
5. No licensee shall perform any experiment for the purpose of illustrating any lecture at any university, university college, hospital, medical school, agricultural college, farm school or any other academic institution unless he is the holder of a teaching permit under this Ordinance, and unless the experiment is of a class specified in such permit and is performed in accordance with the terms of such permit. Prohibition
of perform-
ance of
experiments
for illus-
tration of
lectures
subject to
certain con-
ditions.
6. (1) Except as otherwise provided in section 5 of this Ordinance, no licensee shall perform any experiment except — Restrictions
upon per-
formances of
experiments
by licensee.
 - (a) for the purpose of the advancement of new discovery of physiological knowledge, or of any knowledge which will be useful for saving or prolonging life, or alleviating suffering, or for combating any disease whether of human beings, animals or plants;
 - (b) for the purpose of testing any former discovery alleged to have been made for the advancement of the types of knowledge referred to in paragraph (a) of this subsection;

(c) by the order in writing of any Judge of the Supreme Court in any case where such Judge is satisfied that it is essential for the purpose of justice in a criminal case to make such experiment.

(2) Except as otherwise provided in subsection (3) of this section, no licensee shall perform any experiment unless —

- (a) throughout the whole of the experiment the animal is under the influence of some anaesthetic of sufficient power to prevent the animal feeling pain; and
- (b) if the pain is likely to continue after the effect of the anaesthetic has ceased, or if any serious injury has been inflicted on the animal, the animal is killed before it recovers from the influence of the anaesthetic which has been administered.

(3) The provisions of subsection (2) of this section shall not apply to any licensee who is the holder of a special permit granted under section 9 of this Ordinance in relation to any experiment specified in such special permit.

Grant of
licence.

7. (1) The Governor in Council may grant a licence to any person to perform any experiment for any purpose specified in such licence during such period and subject to such conditions in addition to the conditions specified in this Ordinance as he may think fit.

(2) It shall be a condition of any licence granted under subsection (1) of this section, that any experiment performed pursuant to such licence shall be performed at such place as may be specified in such licence.

Permits.

8. (1) Where the Director of Medical Services is satisfied that it is absolutely necessary for the due instruction of persons attending any course of lectures for the purpose of acquiring physiological knowledge or any knowledge which will be used for saving or prolonging life, or alleviating suffering, or for combating any disease whether of human beings, animals or plants, for any such lecture to be illustrated by the performance of any experiment the Director of Medical Services may grant to a licensee under this Ordinance a teaching permit to perform any experiment specified in such licence for the purpose of illustrating such lecture.

(2) Every teaching permit under this section shall be subject to such conditions in addition to any conditions specified in this Ordinance as may be specified in such permit, and such permit shall remain in force for twelve months from the date on which it is granted.

Special
permits.

9. (1) Where the Director of Medical Services is satisfied that the object of any experiment permitted to be performed by a licensee under this Ordinance would necessarily be frustrated—

- (a) by the performance of such experiment under any anaesthetic; or
- (b) by killing the animal on which such experiment is performed before it recovers from the influence of any anaesthetic,

he may grant a special permit authorising the licensee to perform such experiment without administering any anaesthetic to the animal or without killing the animal before it recovers from the influence of such anaesthetic as the case may be.

(2) Any special permit under this section shall specify the period for which it shall remain in force.

Records and
inspections.

10. (1) Every licensee under this Ordinance shall keep, in such form as may be prescribed, records of all experiments performed by him.

(2) Every licensee under this Ordinance shall permit any person authorised in writing by the Director of Medical Services to inspect any records kept by him at any time between 8 a.m. and 6 p.m. on any day other than a Sunday or public holiday.

(3) Every licensee under this Ordinance shall permit any person authorised in writing as aforesaid to enter and inspect, for the purpose of securing compliance with the provisions of this Ordinance, any place specified in such licensee's licence for the performance of experiments.

11. Every licensee shall render to the Director of Medical Services in such form and at such time as may be prescribed such returns as may be required in relation to any experiments performed by him.

Returns.

12. (1) The Governor in Council may make regulations generally for the better carrying out of the provisions of this Ordinance.

Regulations.

(2) Regulations made under this section may without prejudice to the generality of the power conferred by subsection (1) of this section provide for the keeping of records of all experiments performed by any licensee under this Ordinance and for the rendering of returns in relation to any experiments performed under this Ordinance.

13. It shall be a condition of every licence or permit granted under this Ordinance that such licence or permit may be revoked at any time by the person granting it on his being satisfied that such licence or permit ought to be revoked.

Revocation of licence or permit.

14. Every person who acts in contravention of any of the provisions of this Ordinance or of any condition of any licence or permit granted under this Ordinance shall be guilty of a summary offence and upon conviction thereof shall be liable to a fine of two hundred and forty dollars or to imprisonment for any term not exceeding six months or to both such fine and such imprisonment.

Penalty.

15. A prosecution under this Ordinance against a licensee shall not be instituted except by or with the consent of the Attorney General.

Restriction on prosecution of licensee.

OBJECTS AND REASONS

This bill, which is based on the Animals (Control of Experiments) Law (Chapter 13) of Jamaica seeks to provide for the regulating of the practice of experiments on living animals.

2. Clause 3 seeks to prohibit any person other than a licensee from performing an experiment, and that a licensee must perform any experiment in accordance with the terms of his licence. Clause 4 seeks to prevent the performance of any experiment for attaining manual skill.

3. Clause 5 seeks to permit the performance of experiments for illustrating lectures subject to certain conditions, while clause 6 seeks to prohibit the performance of any experiment except for the purposes and subject to the conditions set out therein.

4. Clause 7 seeks to provide for the grant by the Director of Medical Services of a licence to perform any experiment for the purposes and subject to the conditions set out in such licence. Clause 8 seeks to make provision for the grant of a teaching permit to a licensee to perform an experiment for the purpose of illustrating a lecture. This clause also seeks to provide for the duration of such a permit. Clause 9 seeks to provide for the grant of a special permit to perform an experiment without administering anaesthetic to an animal or without killing the animal before it recovers from the influence of such anaesthetic.

5. Clause 10 seeks to make provision for the keeping of records of experiments, and for the inspection of such records, and also of premises where experiments are performed.

6. Clause 11 seeks to provide for the making of returns to the Director of Medical Services.

7. Clause 12 seeks to provide for the making of regulations by the Governor in Council.

8. Clause 13 seeks to make provision for the revocation of a licence or permit.

9. Clause 14 seeks to prescribe the penalty for the breach of the Ordinance or of any conditions contained in a licence or permit.

10. Clause 15 seeks to provide that no prosecution under the Ordinance shall be instituted except with the Attorney General's consent.

PERCIVAL A. CUMMINGS,

Member for Labour, Health and Housing.

(M.P. MED. 73/5)

(Leg. Bill No. 21/1957).