

**NATIONAL ASSEMBLY OF THE FIRST SESSION  
OF THE ELEVENTH PARLIAMENT OF GUYANA  
(2015-2018)**

**REPORT OF  
THE SPECIAL SELECT COMMITTEE  
ON THE ANIMAL WELFARE BILL 2016 -  
BILL NO. 21/2016**

**PRESENTED TO THE NATIONAL ASSEMBLY  
BY  
THE CHAIRPERSON OF THE COMMITTEE  
ON  
July 12, 2018**

## **REPORT OF THE SPECIAL SELECT COMMITTEE OF THE NATIONAL ASSEMBLY ON THE ANIMAL WELFARE BILL 2016 - BILL NO. 21/2016**

### **Publication**

1. This Bill was published on the 2<sup>nd</sup> November, 2016.

### **Introduction, First Reading**

2. The Bill was introduced in the National Assembly and read a first time on 4<sup>th</sup> November, 2016.

### **Second Reading**

3. The Bill was read for a second time on the 9<sup>th</sup> February, 2017.

### **Committal to Select Committee**

4. Following its second reading on the 9<sup>th</sup> February, 2017, the Bill was committed to a Special Select Committee, by the National Assembly, for consideration.

### **Members of the Committee**

5. At a meeting held on the 9<sup>th</sup> March, 2017, the Committee of Selection nominated the following Members to comprise the Special Select Committee to consider the Animal Welfare Bill 2016- Bill No. 21/2016.

### **Members of A Partnership For National Unity/Alliance For Change**

#### **(APNU/AFC) (5)**

Hon. Dr. George A. Norton, M.P.,  
Minister of Social Cohesion

Hon. Noel L. Holder, M.P.,  
Minister of Agriculture

Hon. Dawn Hastings-Williams, M.P.,  
Minister within the Ministry of Communities

Hon. Simona Charles-Broomes, M.P.,  
Minister within the Ministry of Natural Resources

Mr. Jermaine Figueira, M.P.

**From the People's Progressive Party/Civic (PPP/C) (4)**

Mr. Dharamkumar Seeraj, M.P.

Mr. Zulfikar Mustapha, M.P.

Mr. Neendkumar, J.P., M.P.

Mr. Alister S. Charlie, M.P.

**First Meeting of the Committee - Election of Chairperson**

6. At its first meeting held on 12<sup>th</sup> April, 2017, the Committee elected the Hon. Dr. George A. Norton, M.P., Minister of Social Cohesion as Chairperson of the Special Select Committee.

**Other Meetings of the Committee**

7. The Committee met on seven other occasions, as follows:

Wednesday, 14<sup>th</sup> June, 2017

Thursday, 20<sup>th</sup> July, 2017

Monday, 7<sup>th</sup> August, 2017

Thursday, 19<sup>th</sup> April, 2018

Thursday, 10<sup>th</sup> May, 2018

Thursday, 31<sup>st</sup> May, 2018

Thursday, 14<sup>th</sup> June, 2018

## **Methodology**

8. The Committee, at its 2<sup>nd</sup> Meeting held on the 30<sup>th</sup> January, 2014, agreed to the following:

- (i) That the Hon. Minister of Agriculture would perused the Hansard of the Sitting during which the Bill was debated and seek to answer questions raised by Opposition Members. This would then be circulated to Members;
- (ii) That the Chief Parliamentary Counsel should be invited to the next meeting of the Committee;
- (iii) That an invitation for written submission from the public should be published in the print media. The invitation should specify June 23, 2017 as the closing date;
- (iv) That Members should submit their concerns to the Clerk of the Committee. This would then be forwarded to the Hon. Minister of Agriculture for response; and
- (v) Submissions received from the public should be forwarded to Members and the resource personnel at the Ministry of Agriculture.

9. At its 3<sup>rd</sup> Meeting held on 20<sup>th</sup> July, 2017 the Committee agreed that it would examine the Bill, Clause by Clause. The Committee also agreed that the Technical Officers from the Ministry of Agriculture would address the submissions made by members of the public and provide any clarification that

Members might have in relation to the various clauses of the Bill. The Committee then commenced consideration of the Bill.

### **Consideration of the Bill**

10. During the Clause by Clause consideration of the Bill various proposals for amendments were made.

11. The following Clauses were accepted as amended.

#### *Clauses*

4, 9, 13, 19, 22, 23, 24, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39 and 40,

12. The following Clauses were accepted as printed:

#### *Clauses*

2, 3, 5, 6, 7, 8, 10, 11, 12, 14, 15, 16, 17, 18, 20, 21, 25, 26, *Short Title and Long Title.*

13. The details of the amendments made to the Bill by the Committee are reflected in the matrix attached at Appendix I.

### **Views expressed by Members of the Opposition during the consideration of the Bill**

14. During the consideration of the Bill, Members of the Opposition expressed concerns with regard to various clauses of the Bill and its implementation after it would have been enacted. The Members were of the view that many of these concerns should be addressed before the passage of the Bill and its enactment.

Some of the concerns raised were as follows:

- ✓ Regulations which dealt with issues, such as, animal handlers, trainers and the transport of animals should be available before the passage of the Bill;
- ✓ The Bill refers to facilities which had not yet been built. Those facilities should be constructed before the implementation of the act;
- ✓ Persons should not be made to incur additional cost as a result of the new legislation;
- ✓ The Bill was premature and could lead to subjectivity, since there might be instances where citizens could be targeted by persons who might have been identified to perform specific duties.
- ✓ Those persons who currently operate certain animal facilities, as soon as the Act is assented to, could be penalised for non-compliance.
- ✓ There should be a systematic education campaign with the farmers who the legislation would affect since persons would be ignorant of the law, thus committing offences.
- ✓ Members of the public should also be educated on various Clauses of the Bill and their implications after it becomes law.

### **Report of the Special Select Committee**

15. At its Meeting held on June 14, 2018, the Special Select Committee on the Animal Welfare Bill 2016 - Bill No. 21/2016, agreed that this Report, on its consideration of the Bill, should be presented to the National Assembly.

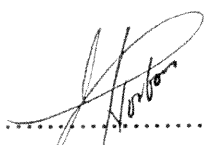
16. The Report is accordingly hereby submitted.

### **Minutes of the Meetings**

17. The Minutes of meetings of the Committee are attached at Appendix II.

### **Verbatim Record**

18. The Verbatim Records of Proceedings of the Committee have been prepared and will be available at the Parliament Office.

  
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Hon. Dr. George A. Norton, M.P.,  
Minister of Social Cohesion  
Chairperson

# APPENDIX I





# APPENDIX I



**Special Select Committee on the Animal Welfare Bill 2016 – Bill No. 21/2016**  
**Matrix of Amendments**

| Clauses of the Bill |                                   | Amendments  |  |
|---------------------|-----------------------------------|---|--|
|                     | <b>A BILL</b><br><b>Intituled</b> | <b>AN ACT</b> to deal with the welfare of animals; to provide for their protection and health; and connected matters  | <b>Accepted as printed</b>   |
| <u>A.D.</u> 2016    |                                   | Enacted by the Parliament of Guyana:-<br><br><b>PART I</b><br><b>PRELIMINARY</b>  | <b>Accepted as printed</b>   |
| <b>Clause 1</b>     | Short title and commencement      | 1. (1) This Act may be cited as the Animal Welfare Act 2016.<br><br>(2) This Act shall come into force on a date to be appointed by the Minister by order.  | <b>Accepted as printed</b>   |
| <b>Clause 2</b>     | Interpretation.                   | 2. In this Act, unless the context otherwise requires -<br><br>“abandoned animal” means any animal whose owner has intentionally abandoned it;<br><br>“alien animal species” means animal species which do not occur naturally within the territory of Guyana;<br><br>“anaesthesia” means a procedure performed to eliminate the sensation of pain in animals using special purpose means;<br><br>“analgesia” means a procedure performed to reduce or eliminate the sensation of pain in animals using | <b>Accepted as printed</b><br><br><b>Accepted as printed</b><br><br><b>Accepted as printed</b><br><br><b>Accepted as printed</b> |

**Special Select Committee on the Animal Welfare Bill 2016 – Bill No. 21/2016**  
**Matrix of Amendments**

| Clauses of the Bill | Amendments   |   |
|---------------------|--|---|
|                     | <p>special purpose means without causing loss of consciousness;</p> <p>“animal” means all vertebrates excluding their embryonic and foetal stages and human beings;</p> <p>“animal shelter” means a facility used to house and provide necessary care for abandoned and lost animals;</p> <p>“Authority” means the Guyana Livestock Development Authority established under the Guyana Livestock Development Authority Act;</p> <p>“circus and performances involving animals” means performances involving animals, which are organised by legal and natural persons with the aim of entertaining the audience;</p> <p>“companion animal” means any animal kept by man for companionship, protection, assistance or interest;</p> <p>“competent authority” means the Head of the Animal Health Unit within the Guyana Livestock</p> | <p align="center"><b>Accepted as printed</b></p> <p align="center"><b>Accepted as printed</b></p> <p align="center"><b>Accepted as printed</b></p> <p align="center"><b>Accepted as printed</b></p> <p align="center"><b>Accepted as printed</b></p> <p align="center"><b>Accepted as printed</b></p> |

**Special Select Committee on the Animal Welfare Bill 2016 – Bill No. 21/2016**  
**Matrix of Amendments**

| <b>Clauses of the Bill</b> | <b>Amendments</b>   |   |
|----------------------------|---|---|
|                            | <p>Development Authority and persons acting on his instructions and with his authority;</p> <p>“domestic animal” means an animal tamed by man and used for the production of food, feed and animal by-products and for other economic purposes;</p> <p>“experiments” means one or more procedures performed on an animal for experimental purposes which may cause it pain, suffering or injury;</p> <p>“humane killing” means a procedure performed by using tools and methods approved for such purpose and in a manner which causes the animals a minimum of pain, suffering and fear;</p> <p>“intervention” means any procedure resulting in damage to or the loss of a sensitive part of the body or the alteration of bone structure of an animal;</p> <p>“lost animal” means an animal that has strayed from its owner, without the consent of the owner, who is searching for it;</p> | <p><b>Accepted as printed</b></p> <p><b>Accepted as printed</b></p> <p><b>Accepted as printed</b></p> <p><b>Accepted as printed</b></p> |

**Special Select Committee on the Animal Welfare Bill 2016 – Bill No. 21/2016  
Matrix of Amendments**

| Clauses of the Bill  | Amendments |   |
|--|------------|---|
| <p>“Minister” means the Minister with responsibility for Agriculture;</p> <p>“owner” means any natural or legal person who is the owner, user or custodian of an animal and who is, as such, responsible for the health and welfare of the animal on a permanent or temporary basis;</p> <p>“service animal” includes bodyguard dogs, property guard dogs, guide dogs for the blind, assistance dogs, search dogs and dogs used for performing other tasks, horses and other animals used by man for purposes other than production;</p> <p>“slaughter” means causing the death of an animal by bleeding;</p> <p>“slaughter according to religious rite” means the slaughter of animals without stunning, carried out by a person authorised by a religious community;</p> |            | <p align="center"><b>Accepted as printed</b></p> <p align="center"><b>Accepted as printed</b></p> <p align="center"><b>Accepted as printed</b></p> <p align="center"><b>Accepted as printed</b></p> |

**Special Select Committee on the Animal Welfare Bill 2016 – Bill No. 21/2016**  
**Matrix of Amendments**

| <b>Clauses of the Bill</b> | <b>Amendments</b>  |   |
|----------------------------|--|---|
|                            | <p>“stunning” means an obligatory procedure to be carried out prior to slaughter or humane killing whereby an animal is put into a state of reduced consciousness;</p> <p>“transporter” refers to a natural or legal person transporting live animals;</p> <p>“working horse” means a horse used to perform certain tasks;</p> <p>“working dog” means a dog used to perform certain tasks;</p> <p>“wild animals” refers to any animal other than domestic animals, companion animals, working dogs and working horses and service animals;</p> <p>“zoological garden” means a business engaged in by natural and legal persons who keep domestic and wild animals for exhibition to the public for at least seven days a year, with the exception of circuses, pet shops, temporary exhibitions of animals, collections of animals not open to the</p> | <p><b>Accepted as printed</b></p> <p><b>Accepted as printed</b></p> <p><b>Accepted as printed</b></p> <p><b>Accepted as printed</b></p> <p><b>Accepted as printed</b></p> <p><b>Accepted as printed</b></p> |



**Special Select Committee on the Animal Welfare Bill 2016 – Bill No. 21/2016  
Matrix of Amendments**

| <b>Clauses of the Bill</b> |   | <b>Amendments</b>  |
|----------------------------|---|--|
|                            |   | public, aquariums and terrariums used for decoration in premises and establishments where animals are raised   |
| <b>Clause 3</b>            | Administration of Act                     | 3. The Authority shall be responsible for the administration of the provisions of this Act.  |
|                            |   | <b>PART II<br/>PROTECTION OF ANIMALS</b>   |
| <b>Clause 4</b>            | Prohibited acts and protection of animals | 4. (1) No person shall subject any animal to unnecessary pain or intentionally expose an animal to a condition that causes or is likely to cause pain, suffering, fear or injury.<br><br>(2) No person shall –<br><br>(a) raise an animal in a way that causes or is likely to cause pain, suffering, fear or injury;<br><br>(b) import or sell animals raised in the way prohibited by paragraph (a); |
|                            |   | <b>Accepted as printed</b>   |
|                            |   | <b>Accepted as printed</b>   |
|                            |   | <b>Accepted as printed</b>   |

**Special Select Committee on the Animal Welfare Bill 2016 – Bill No. 21/2016**  
**Matrix of Amendments**

| Clauses of the Bill   | Amendments   |                            |
|---|--|----------------------------|
|   |  | <b>Accepted as printed</b> |
| (c) through selection or other methods increase aggressiveness of an animal;  |  | <b>Accepted as printed</b> |
| (d) incite or train animals to be aggressive against humans or other animals, except in the case of the training of working and hunting dogs under the supervision of qualified persons;  |  | <b>Accepted as printed</b> |
| (e) train animals to fight or in any way associate with animal fights, including organising, attending, betting and advertising;  |  | <b>Accepted as printed</b> |
| (f) give an animal as a prize in any game of chance;  |  | <b>Accepted as amended</b> |
| (g) use technical devices, aids and tools aimed at controlling behaviour of animals by punishment, including prong collars or training devices involving the use of electric current or chemical substances, except when training working dogs; | (g) use technical devices, aids and tools aimed at controlling behaviour of animals by punishment, including prong collars or training devices involving the use of electric current or chemical substances; | <b>Accepted as amended</b> |

**Special Select Committee on the Animal Welfare Bill 2016 – Bill No. 21/2016  
Matrix of Amendments**

| Clauses of the Bill | Amendments  |   |
|---------------------|---|---|
|                     | <p>(h) organise any dog race on hard surfaces;</p> <p>(i) give to an animal any stimulant or illegal substance in order to improve their performance in sports, competitions and shows;</p> <p>(j) give to an animal any unauthorised stimulant or substance in order to enhance its growth and weight gain;</p> <p>(k) use any animal in a circus, other shows, film, television production, advertisement, exhibition or competition in which the animal is forced to behave unnaturally, or is subject to pain, suffering or injury;</p> <p>(l) force an animal into a behaviour that causes or is likely to cause pain, suffering, fear or injury;</p> <p>(m) expose an animal to adverse temperatures and weather conditions and hygiene</p> | <p><b>Accepted as printed</b></p> <p><b>Accepted as printed</b></p> <p><b>Accepted as printed</b></p> <p><b>Accepted as printed</b></p> <p><b>Accepted as printed</b></p> <p><b>Accepted as printed</b></p> |

**Special Select Committee on the Animal Welfare Bill 2016 – Bill No. 21/2016**  
**Matrix of Amendments**

| Clauses of the Bill | Amendments  |   |
|---------------------|---|---|
|                     | <p>standards unacceptable for individual animal species, or to lack of oxygen, thus causing them pain, suffering, fear or injury;</p> <p>(n) give any animal food or substance the ingestion of which will cause pain, suffering, fear, injury or death;</p> <p>(o) force an animal to take artificial or unnatural food or substances, except where scientifically justified or instructed by a veterinarian for animal health reasons;</p> <p>(p) neglect an animal in terms of its health, housing, nutrition and care;</p> <p>(q) cut off sensitive parts of the body of a live animal;</p> <p>(r) use traps other than those specified;</p> <p>(s) feed live animals to other animals unless unavoidable;</p> <p>(t) use live animals as hunting bait;</p> | <p><b>Accepted as printed</b></p> <p><b>Accepted as amended</b></p> <p><b>Accepted as printed</b></p> <p><b>Accepted as printed</b></p> <p><b>Accepted as printed</b></p> <p><b>Accepted as printed</b></p> <p><b>Accepted as printed</b></p> |

**Special Select Committee on the Animal Welfare Bill 2016 – Bill No. 21/2016  
Matrix of Amendments**

| Clauses of the Bill | Amendments   |                     |
|---------------------|--|---------------------|
|                     | <p>(u) restrict the movement of an animal in any way that causes it pain, suffering, fear or injury.</p>   | Accepted as printed |
|                     | <p>(3) Notwithstanding anything to the contrary provided in subsections (1) and (2), any person may carry out any necessary procedure or do anything necessary –</p> <p>(a) for the health and protection of an animal, the control of pests and the control of human and animal diseases;</p> | Accepted as printed |
|                     | <p>(b) to control the movement of an animal raised for production purposes through the use of electric shocks and the setting up of electric fences.</p>   | Accepted as printed |
|                     | <p>(4) A person who contravenes any provision of this section commits an offence and is liable on summary conviction to a fine of one hundred thousand dollars and to imprisonment for six months.</p>   | Accepted as printed |

**Special Select Committee on the Animal Welfare Bill 2016 – Bill No. 21/2016**  
**Matrix of Amendments**

| <b>Clauses of the Bill</b> |   | <b>Amendments</b>  |   |
|----------------------------|---|--|---|
| <b>Clause 5</b>            | Protection of animals while kept or raised. | <p>5. An owner who -</p> <p>(a) abandons an animal, whether domestic, companion, wild or otherwise, kept under his control;</p> <p>(b) exposes a raised or cultivated wild animal to the wild or settle it in the wild, unless prepared for survival in such environment, in accordance with a special programme; or</p> <p>(c) inflicts pain, suffering or injury upon an animal during training,</p> <p>commits an offence and is liable on summary conviction to a fine of fifty thousand dollars and to imprisonment for three months.</p> | <p><b>Accepted as printed</b></p> <p><b>Accepted as printed</b></p> <p><b>Accepted as printed</b></p> |
| <b>Clause 6</b>            | Obligation to render assistance.            | <p>6. (1) Any person who injures an animal shall render all necessary assistance to the animal or arrange for assistance to be provided.</p> <p>(2) Any person who contravenes subsection (1) commits an offence and is liable on summary conviction to a fine of fifty thousand dollars and to imprisonment for three months.</p>   | <p><b>Accepted as printed</b></p> <p><b>Accepted as printed</b></p>                                   |

**Special Select Committee on the Animal Welfare Bill 2016 – Bill No. 21/2016**  
**Matrix of Amendments**

| <b>Clauses of the Bill</b> |  | <b>Amendments</b>  |  |
|----------------------------|--|--|--|
| Clause 7                   | Protection of animals during health care provision and zoo technical interventions | <p>7. (1) A person shall conduct all surgical or technical interventions on animals, using anaesthesia, in compliance with the current standards of the veterinary practice.</p> <p>(2) A person who fails to comply with subsection (1) commits an offence.</p>   | Accepted as printed  |
| Clause 8                   | Interventions on animals.<br><br>No. 7 of 2011.                                    | <p>8. (1) Except as otherwise provided in this section the partial or total amputation of a sensitive part of the body of an animal shall be prohibited, including –</p> <p>(a) the marking of an animal contrary to the Animal Health Act;</p> <p>(b) ear cropping and tail docking in dogs, declawing of cats, devocalisation and other interventions aimed at changing the phenotypic appearance of the animal.</p> <p>(2) Notwithstanding anything to the contrary provided in this Act the partial or total amputation or removal of a sensitive part of the body of an animal shall be permitted</p> | Accepted as printed<br><br>Accepted as printed<br><br>Accepted as printed<br><br>Accepted as printed |

**Special Select Committee on the Animal Welfare Bill 2016 – Bill No. 21/2016**  
**Matrix of Amendments**

| <b>Clauses of the Bill</b>   | <b>Amendments</b> |   |
|--|-------------------|---|
| <p>(a) where performed with prior anaesthesia and post-operative analgesia and where it is necessary for animal health and safety, experiments on animals, zoo technical purposes and controlling the reproduction of animals and to prevent pain, suffering, self-injury or injury to other animals;</p> <p>(b) in the case of a hunting dog, where it is done in compliance with specified kennel standards.</p> <p>(3) A person shall not use anaesthesia –</p> <p>(a) when the risks posed by anaesthesia would be disproportionate to its benefits;</p> <p>(b) during the marking of animals, unless necessary for the safety of the person carrying out the marking;</p> |                   | <p><b>Accepted as printed</b></p> <p><b>Accepted as printed</b></p> <p><b>Accepted as printed</b></p> <p><b>Accepted as printed</b></p> |



**Special Select Committee on the Animal Welfare Bill 2016 – Bill No. 21/2016**  
**Matrix of Amendments**

| Clauses of the Bill |  | Amendments  |   |
|---------------------|--|---|---|
|                     |  | <p>(c) in certain diagnostic and therapeutic procedures in accordance with accepted standard of veterinary practice;</p> <p>(d) when the pain caused by anaesthesia is greater than that caused by the intervention itself;</p> <p>(e) when it is incompatible with the results hoped to be achieved by the experiment.</p>   | <p><b>Accepted as printed</b></p> <p><b>Accepted as printed</b></p> <p><b>Accepted as printed</b></p>   |
| Clause 9            | Protection of animals at the time of humane killing. | <p>9. (1) A person may humanely kill an animal when -</p> <p>(a) medical treatment of the animal is likely to be long lasting, cause suffering and the outcome of the treatment is uncertain;</p> <p>(b) the animal has reached an advanced age and its vital functions are failing;</p> <p>(c) the animal is suffering from an incurable disease;</p> <p>(d) it is necessary for the implementation of disease control measures generally and in</p> | <p><b>Accepted as printed</b></p> <p><b>Accepted as printed</b></p> <p><b>Accepted as printed</b></p> <p><b>Accepted as printed</b></p> <p><b>Accepted as printed</b></p> |

**Special Select Committee on the Animal Welfare Bill 2016 – Bill No. 21/2016**  
**Matrix of Amendments**

| Clauses of the Bill |  | Amendments |   |
|---------------------|--|------------|---|
|                     | <p>particular for diseases that threatens humans and is likely to cause great economic damage;</p> <p>(e) the animal constitutes a danger to the community;</p> <p>(f) it is done for the purpose of pest control;</p> <p>(g) it is necessary for the purpose of performing an experiment on the animal or producing biological preparations or after the completion of the experiment or after using the animal for the production of biological preparations;</p> <p>(h) the animal kept or bred for production purposes is sick or injured, and slaughter or humane killing under the veterinarian's supervision is not possible.</p> |            | <p><b>Accepted as printed</b></p> <p><b>Accepted as printed</b></p> <p><b>Accepted as printed</b></p> |

**Special Select Committee on the Animal Welfare Bill 2016 – Bill No. 21/2016**  
**Matrix of Amendments**

| Clauses of the Bill   | Amendments   |                                     |
|---|--|-------------------------------------|
|   | <p><u>New Insertion</u></p> <p>(i) the animal is injured and unlikely to recover or to recover without suffering unduly.</p> | <p><b>Accepted as presented</b></p> |
| <p>(2) The owner of an animal, after consultation with a veterinarian, may decide to humanely kill the animal in keeping with subsection (1) (a) and (b) except in the case of subsection (1) (h) where the owner may humanely kill in his sole discretion.</p> <p>(3) A veterinarian in his sole discretion may humanely kill an animal in the cases referred to in subsection (1) (c) to (g).</p> <p>(4) The humane killing of an animal, generally, shall be carried out by a veterinarian or qualified veterinary technician under the supervision of a veterinarian, except where otherwise provided for and in the following cases –</p> <p>(a) the humane killing of animals bred or kept for production purposes;</p> |  | <p><b>Accepted as printed</b></p>   |
|   |  | <p><b>Accepted as printed</b></p>   |

**Special Select Committee on the Animal Welfare Bill 2016 – Bill No. 21/2016**  
**Matrix of Amendments**

| <b>Clauses of the Bill</b> |   | <b>Amendments</b>   |   |
|----------------------------|---|---|---|
|                            |   | <p>(b) the humane killing of animals for the purposes of teaching, conducting experiments or producing biological preparations;</p> <p>(c) pest control;</p> <p>(d) when it is necessary to humanely kill an animal without delay because it suffers severe and incurable pain.</p> | <p><b>Accepted as printed</b></p> <p><b>Accepted as printed</b></p> <p><b>Accepted as printed</b></p> |
| <b>Clause 10</b>           | <b>Humane killing without delay.</b>          | <p>10. (1) The owner of an animal that suffers from severe and incurable pain shall, without delay, have the animal humanely killed.</p> <p>(2) An owner of an animal who fails to comply with subsection (1) commits an offence</p>  | <p><b>Accepted as printed</b></p> <p><b>Accepted as printed</b></p>                                   |
| <b>Clause 11</b>           | <b>Protection of animals during transport</b> | <p>11. (1) No person shall transport any animal without the permission of the competent authority and without a certificate of approval of means of transport issued by the competent authority.</p>  | <p><b>Accepted as printed</b></p>   |

**Special Select Committee on the Animal Welfare Bill 2016 – Bill No. 21/2016**  
**Matrix of Amendments**

| Clauses of the Bill | Amendments   | Accepted as printed   |
|---------------------|--|---|
|                     | <p>(2) A transporter shall personally or through a designated agent be responsible for the safety, feeding, watering and resting of the animals during transport.</p> <p>(3) A transporter when transporting animals shall comply with the following conditions -</p> <p>(a) steps must be taken in advance to minimise the length of the journey and of any delay, and to meet the animals' needs during the journey;</p> <p>(b) the animals must be fit for the journey;</p> <p>(c) the means of transport must be designed, constructed, maintained and operated so as to avoid injury and suffering and to ensure the safety of the animals;</p> <p>(d) the loading and unloading facilities and equipment must be designed, constructed, maintained and operated so as to avoid</p> | <p><b>Accepted as printed</b></p> <p><b>Accepted as printed</b></p> <p><b>Accepted as printed</b></p> <p><b>Accepted as printed</b></p> <p><b>Accepted as printed</b></p> <p><b>Accepted as printed</b></p> |

**Special Select Committee on the Animal Welfare Bill 2016 – Bill No. 21/2016**  
**Matrix of Amendments**

| Clauses of the Bill | Amendments   |   |
|---------------------|--|---|
|                     | <p>pain, suffering and injury and ensure the safety of the animals;</p> <p>(e) the conditions of the means of transport of animals must be regularly checked and maintained;</p> <p>(f) sufficient floor area and height must be provided for the animals, appropriate to their species and age and the length of the journey;</p> <p>(g) water and feed must be offered to the animals at suitable intervals and must be appropriate in quality and quantity to the species, size and age of the animals;</p> <p>(h) during the journey, the animals must be rested at appropriate intervals;</p> <p>(i) in the case of aquatic animals transported in special means of transport or containers, a sufficient quantity of water</p> | <p style="text-align: center;"><b>Accepted as printed</b></p> <p style="text-align: center;"><b>Accepted as printed</b></p> <p style="text-align: center;"><b>Accepted as printed</b></p> <p style="text-align: center;"><b>Accepted as printed</b></p> <p style="text-align: center;"><b>Accepted as printed</b></p> <p style="text-align: center;"><b>Accepted as printed</b></p> |

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| Clauses of the Bill  | Amendments                                       |
|--|--|
| <p>of appropriate temperature and an adequate oxygen supply must be provided during transport, depending on the needs of the particular animal species;</p> <p>(j) late-pregnant females during a period equal to ten percent of the length of gestation before giving birth, and females during one week after giving birth shall not be considered fit for transport, except when emergency veterinary treatment is needed;</p> <p>(k) when the upright position of a container in which animals are transported is not readily visible from outside, the said position must be indicated by a sign;</p> <p>(l) where it is not apparent from the nature of a container that live animals are carried in it, the container must be clearly</p> | <p align="center"><b>Accepted as printed</b></p> |
|  | <p align="center"><b>Accepted as printed</b></p> |
|  | <p align="center"><b>Accepted as printed</b></p> |

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|---------------------|---|---|
|                     | <p>marked to indicate that it contains live animals as well as the species of those animals.</p> <p>(4) All persons handling animals at an assembly centre or resting points shall be trained in the care of animals.</p> <p>(5) The competent authority shall keep a register of transporters of animals.</p> <p>(6) Notwithstanding anything in this section to the contrary, a farmer may using his own vehicle transport his own animal for not more than fifty kilometres from any holding.</p> <p>(7) The competent authority shall keep a register of resting points for animals transported.</p> <p>(8) A person who fails to comply with subsections (1), (3) or (4) commits an offence.</p> | <p><b>Accepted as printed</b></p> <p><b>Accepted as printed</b></p> <p><b>Accepted as printed</b></p> <p><b>Accepted as printed</b></p>               |
| Clause 12           | Humane transportation of animals  | <p>12. A person shall not transport animals in a way that causes the animals' pain, suffering, injury or death.</p> <p><b>Accepted as printed</b></p> |



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| <b>Clauses of the Bill</b> |                             | <b>Amendments</b>   |   |
|----------------------------|-----------------------------|---|---|
| Clause 13                  | Protection of wild animals. | <p>13. (1) A person commits an offence, if the person -</p> <p>(a) tortures a wild animal;</p> <p>(b) restrains a wild animal from satisfying its physiological needs for a period longer than the period that may be prescribed by regulations;</p> <p>(c) prevents a wild animal from accessing water or any part of the habitat essential for the survival of a species;</p> <p>(d) fences any area, contaminates any water, chases away any wild animal thereby preventing it from accessing water and excluding it from its natural habitat;</p> <p>(e) destroys an entire habitat or portions thereof, essential to the survival of a species;</p> <p>(f) introduces into the habitat of a wild animal any dangerous alien animal species likely to destroy the animal in the wild;</p> | <p><b>Accepted as printed</b></p> <p><b>Accepted as amended</b></p> <p><b>Accepted as printed</b></p> <p><b>Accepted as printed</b></p> <p><b>Accepted as printed</b></p> <p><b>Accepted as printed</b></p> <p><b>Accepted as printed</b></p> |
|                            |                             | (b) restrains a wild animal from satisfying its physiological needs;  |   |

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|---------------------|---|---|
|                     | <p>(g) captures or kills live animals in the wild in a way that may cause them lengthy suffering, unless justified for reasons of scientific research or for the purpose of helping a population;</p> <p>(h) does anything that will have harmful consequences on wild animals.</p> <p>(2) Any public institution charged with the responsibility of managing protected parts of nature inhabited by wild animals shall ensure that –</p> <p>(a) all necessary conditions are satisfied for biological survival of a natural population consistent with ecological balance;</p> <p>(b) any disturbance of an existing or new habitat of wild animals shall be reasonably restored;</p> <p>(c) veterinary healthcare is available when necessary for the wild animals in the protected area.</p> | <p><b>Accepted as printed</b></p> <p><b>Accepted as printed</b></p> <p><b>Accepted as printed</b></p> <p><b>Accepted as printed</b></p> <p><b>Accepted as printed</b></p> <p><b>Accepted as printed</b></p> |

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| Clauses of the Bill |                     | Amendments  |
|---------------------|---------------------|---|
| Clause 14           | Stunning of animals | <p style="text-align: center;"><b>PART III</b><br/> <b>PROTECTION AT THE TIME OF SLAUGHTER OR HUMANE KILLING</b></p> <p>14. (1) Except in the case of poultry and rabbits slaughtered for private domestic consumption, a person shall stun all animals before slaughtering.</p> <p>(2) Without prejudice to the generality of subsection (1), a person may slaughter an animal without prior stunning in cases of emergency slaughter or slaughter according to religious rites.</p> <p>(3) Stunning equipment or methods that cause or are likely to cause pain, suffering or fear to animals shall not be used.</p> <p>(4) The Minister shall by regulations prescribe the methods of stunning and the equipment to be used.</p> |
|                     |                     | <p><u>New Insertion</u></p> <p>(c) All activities shall be conducted in accordance with the Protected Areas Act.</p>  |
|                     |                     | <b>Accepted as presented</b>  |
|                     |                     | <b>Accepted as printed</b>  |
|                     |                     | <b>Accepted as printed</b>  |
|                     |                     | <b>Accepted as printed</b>  |
|                     |                     | <b>Accepted as printed</b>  |

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| <b>Clauses of the Bill</b> |  | <b>Amendments</b>          |
|----------------------------|--|----------------------------|
|                            |  | <b>Accepted as printed</b> |
|                            | (5) A person who fails to comply with subsections (1) or (3) commits an offence.   |                            |
| Clause 15                  | The handling of animals in slaughterhouses   | <b>Accepted as printed</b> |
|                            | <p style="text-align: center;">15. (1) All persons handling animals in a slaughterhouse shall comply with the following requirements -</p> <p>(a) the unloading of animals at a slaughterhouse must be done using suitable equipment and in a manner that minimises pain, suffering or fear in the animal;</p> <p>(b) the moving of animals within the precincts of the slaughterhouse to their lairages must be done with care and without causing pain, suffering or fear, with the use of suitable tools;</p> <p>(c) slaughterhouses must be equipped with suitable stalls and pens where animals are to be kept, protected from adverse weather conditions, fed and given water.</p> | <b>Accepted as printed</b> |

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| Clauses of the Bill |                                  | Amendments  |   |
|---------------------|----------------------------------|---|---|
| Clause 16           | Slaughtering and humane killing. | <p>(2) A person who slaughters an animal shall do so in the manner and with the use of the equipment prescribed.</p> <p>16. (1) A person conducting the humane killing of an animal shall do so in a way as to avoid unnecessary pain, suffering, injury or fear to the animal.</p> <p>(2) Animals may be moved, lairaged and cared for in the slaughterhouse, restrained, stunned, slaughtered or humanely killed only by persons who are trained to perform these tasks.</p> <p>(3) A person who slaughters an animal for private domestic consumption shall ensure that the animal be slaughtered in a way as to spare the animal any unnecessary pain, suffering, injury or fear, in accordance with the provisions of this Act.</p> <p>(4) Where, in the case of emergency slaughter, stunning is not possible, a person shall carry out a slaughter in a way as to spare the animals any unnecessary pain, suffering, injury or fear.</p> | <p><b>Accepted as printed</b></p> <p><b>Accepted as printed</b></p> <p><b>Accepted as printed</b></p> <p><b>Accepted as printed</b></p> <p><b>Accepted as printed</b></p> |

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|---|--|--|---|
|   |  | <p>(5) A person who slaughter according to religious rite shall do so in a slaughterhouse specially approved by the competent authority for that purpose.</p> <p>(6) A person who fails to comply with the provisions of this section commits an offence.</p>  | <b>Accepted as printed</b>  |
| Establishment and composition of Commission |  | <p><b>PART IV</b><br/> <b>ANIMAL WELFARE COMMISSION</b></p> <p>17. The Minister shall establish an Animal Welfare Commission which shall comprise no less than eight and no more than twelve members drawn from experts from the following disciplines, veterinary medicine, human medicine, biology, pharmacy, biochemistry and agronomy, as well as representatives from the animal protection associations.</p> | <b>Accepted as printed</b>  |
| Functions of the Commission.                |  | <p>18. (1) The Animal Welfare Commission shall –</p> <p>(a) issue opinions on proposals for legislation in the field of animal protection;</p> <p>(b) advise the Minister on current scientific and technical developments in the field of animal welfare;</p>   | <p><b>Accepted as printed</b></p> <p><b>Accepted as printed</b></p> <p><b>Accepted as printed</b></p> |

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|  | <p>(c) prepare and submit to the Minister not later than the end of March in any current year, an annual report on its work for the preceding year;</p> <p>(d) provide opinions on matters relating to animal protection when requested by competent state administration bodies.</p> <p>(2) The Animal Welfare Commission shall establish its rules of procedure.</p>  | <p>Accepted as printed</p> <p>Accepted as printed</p> <p>Accepted as printed</p> |
| <p>Clause 19</p> <p>Principles for the keeping of animals.</p> | <p style="text-align: center;"><b>PART V</b></p> <p style="text-align: center;"><b>THE KEEPING OF ANIMALS USED FOR PRODUCTION PURPOSES</b></p> <p>19.(1) A person may keep an animal for production purposes if its biological needs can be met in a way that does not impede its physiological functions and behaviour.</p> <p>(2) The owner of an animal kept for production purposes shall, taking into consideration the age, species, degree of development, adaptation and domestication of the animal ensure that it has adequate food, care, space and land</p> | <p>Accepted as printed</p> <p>Accepted as printed</p>                            |

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|--|--|---|
|  |  | <p>for freedom of movement and accommodation appropriate to its physiological and ethological needs.</p> <p>(3) Any person who wishes to keep an animal for production purposes shall register with the Authority.</p> <p>(4) A person who keeps animals for production purposes shall have training and experience in caring for such animals.</p> |
| <p>Clause 20</p> <p>Care of ill or injured animals</p> | <p>20. (1) An owner shall, without delay, care for any animal which shows signs of illness or is injured and, where necessary, ensure that the animal receives veterinary attention.</p> <p>(2) The owner of an ill or injured animal shall place that animal in accommodation appropriate to its needs and, where necessary, in a separate area or pen.</p> <p>(3) A person who fails to comply with the provisions of this section commits an offence.</p> | <p>(4) A person who keeps animals for commercial production purposes shall have training <b>or</b> experience in caring for such animals.</p> <p><b>Accepted as amended</b></p>   |
|  |  | <p><b>Accepted as printed</b></p>   |
|  |  | <p><b>Accepted as amended</b></p>   |
|  |  | <p><b>Accepted as printed</b></p>   |
|  |  | <p><b>Accepted as printed</b></p>   |
|  |  | <p><b>Accepted as printed</b></p>   |



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| <b>Clauses of the Bill</b> | <b>Amendments</b>          |   |
|----------------------------|----------------------------|---|
| <p>Clause 21</p>           | <p>Movement of animals</p> | <p>21. (1) A person shall not restrict the movement of an animal in such a way as to cause it unnecessary pain, suffering, fear or injury.</p> <p>(2) The owner of an animal kept on a tether shall-</p> <p>(a) allow that animal a daily time off the tether so that the animal can move freely in accordance with its physiological and ethological needs;</p> <p>(b) allow the animal ease of movement; and</p> <p>(c) not subject the animal to pain, suffering, fear or injury.</p> <p>(3) A person who cares for domestic animals and farmed wild animals shall provide the animals with suitable facilities or shelters to move around and with an adequate running and grazing area.</p> <p>(4) A person shall not tether a wild animal, except for –</p> |
|                            |                            | <p><b>Accepted as printed</b></p>   |
|                            |                            | <p><b>Accepted as printed</b></p>   |
|                            |                            | <p><b>Accepted as printed</b></p>   |
|                            |                            | <p><b>Accepted as printed</b></p>   |
|                            |                            | <p><b>Accepted as printed</b></p>   |
|                            |                            | <p><b>Accepted as printed</b></p>   |
|                            |                            | <p><b>Accepted as printed</b></p>   |

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| <b>Clauses of the Bill</b> |  | <b>Amendments</b>   |  |
|----------------------------|--|---|--|
| Clause 23                  | Construction and equipment of animal houses. | <p>23. (1) Any person constructing an animal house shall-</p> <p>(a) use materials and equipment which are -</p> <p style="padding-left: 20px;">(i) not harmful to the animal nor adversely affect its health; and</p> <p style="padding-left: 20px;">(ii) easy to clean and, where necessary, disinfect;</p> <p>(b) ensure that the animal house, enclosures and equipment are constructed so that there are no sharp corners, edges or protrusions likely to cause injury to animals.</p> <p>(2) A person who fails to comply with the provisions of this section commits an offence.</p> | <p>order were an extramural work order made under section 3 of that Act.</p> <p style="text-align: center;"><b>Accepted as printed</b></p> |
|                            |  | <p>(2) A person who fails to comply with the provisions of this section commits an offence and is liable on summary conviction to a fine of twenty-five thousand dollars and in the case of a second or subsequent conviction to a fine of fifty thousand dollars and to imprisonment for one month.</p> <p style="text-align: center;"><b>Accepted as amended</b></p>  | <p style="text-align: center;"><b>Accepted as printed</b></p>  |

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|---------------------|--|---|
| Clause 24           | <p>Animals not kept in buildings</p>       | <p>24. (1) Where animals are temporarily or permanently not kept in buildings, the owner shall, where necessary, provide –</p> <p style="padding-left: 40px;">(a) adequate shelter from adverse weather and climatic conditions; and</p> <p style="padding-left: 40px;">(b) protection from predators and other risks that threatens their health and well-being.</p> <p>(2) A person who fails to comply with the provisions of this section commits an offence.</p> |
|                     |  | <b>Accepted as printed</b>  |
|                     |  | <b>Accepted as printed</b>  |
|                     |  | <b>Accepted as printed</b>  |
|                     |  | <b>Accepted as amended</b>  |
|                     |  | <p>(2) A person who fails to comply with the provisions of this section commits an offence <b>and is liable on summary conviction to a fine of twenty-five thousand dollars and in the case of a second or subsequent conviction to a fine of fifty thousand dollars and to imprisonment for one month.</b></p>   |
| Clause 25           | <p>Inspection of animals and equipment</p> | <p>25.(1) The owner of animals shall ensure that animals kept on holdings or in husbandry systems in which their health and welfare depend on human care must be inspected on a regular basis, at least once per day.</p>   |
|                     |  | <b>Accepted as printed</b>  |

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|                     |   | <p>(2) To enable the animals to be inspected at any time, the owner shall provide adequate lighting to the extent necessary for the care and inspection of the animals.</p> <p>(3) The owner of animals shall regularly inspect all automated and mechanical equipment essential for maintaining the health of the animals, at least once per day.</p> <p>(4) Where defects are discovered, the owner shall rectify them immediately, or if this is impossible, provide backup equipment to preserve the health and well-being of the animals.</p> | <p><b>Accepted as printed</b></p> <p><b>Accepted as printed</b></p> <p><b>Accepted as printed</b></p>  |
| <p>Clause 26</p>    | <p>Records</p> <p>26. (1) The owner of animals shall maintain a record of medical treatment given to each animal and the number of animals that died or was killed.</p> <p>(2) The owner shall-</p> <p>(a) retain records required to be maintained under subsection (1) for at least one year; and</p> <p>(b) make the records available to the competent authority on request within that period.</p> |  | <p><b>Accepted as printed.</b></p> <p><b>Accepted as printed</b></p> <p><b>Accepted as printed</b></p> |

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|---------------------|--|-----------------------|
|                     | <p>(3) A person who fails to comply with the provisions of this section commits an offence.</p>  | Accepted as printed   |
|                     | <p style="text-align: center;"><u>Insertion of a New PART VI</u></p> <p style="text-align: center;"><b>PART VI</b></p> <p style="text-align: center;"><b>TREATMENT OF NON-AMBULATORY ANIMALS</b></p> <p>Animals on farm or feedlot</p> <p style="text-align: center;"><b>27. (1) Where an animal on a farm or feedlot becomes non ambulatory but continues to eat and drink, the owner shall provide, water and shelter and contact a veterinarian to determine the appropriate course of action and where the animal's condition is obviously irreversible, the animal shall be humanely euthanized.</b></p> <p style="text-align: center;"><b>(2) Before transport off the farm or feedlot, the owner shall evaluate each animal's fitness to travel and non-ambulatory animals shall not be moved off</b></p> | Accepted as presented |

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|---------------------|--|--|-----------------------|
|                     |  | <p>the premises except for the purpose of receiving veterinary treatment.</p> <p>(3) The following animals at high risk for becoming non ambulatory shall not be transported off the farm unless for the purpose of treatment –</p> <p>(a) pregnant females for whom ninety percent or more of the expected gestation period had passed;</p> <p>(b) females who have given birth in the previous week;</p> <p>(c) pigs of less than three weeks;</p> <p>(d) lambs of less than one week; and</p> <p>(e) calves of less than ten days of age.</p> <p>(4) A person who fails to comply with the provisions of this section commits an offence.</p> |                       |

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|---------------------|--|-----------------------|
|                     | <p>Animals at market feedlot.</p> <p>28. (1) A person in charge of a livestock market shall cause all market employees of the livestock market to be trained in proper animal care and handling.</p> <p>(2) All animals received at livestock market facilities shall be assessed for fitness by a licensed veterinarian, and non-ambulatory animals shall not be accepted for marketing.</p> <p>(3) A person in charge of a livestock market shall have at the livestock market, written policies, procedures, and equipment in place for handling animals that become non-ambulatory after delivery to the facility.</p> <p>(4) A person in charge of a livestock market shall cause animals becoming non-ambulatory on the premises</p> | Accepted as presented |

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|---------------------|--|---|-----------------------|
|                     |  | <p>of a livestock market to be humanely euthanized or provided with treatment as prescribed by a licensed veterinarian without delay.</p> <p>(5) A person who fails to comply with the provisions of this section commits an offence.</p>   |                       |
|                     |  | <p>Animals at slaughter-houses or abattoirs</p> <p>29. (1) A person in charge of a slaughterhouse or abattoir shall ensure that non-ambulatory animals are not accepted for slaughter at a slaughterhouse or abattoir:</p> <p>Provided that a non-ambulatory animal may be unloaded at a slaughter house or abattoir for the purpose of euthanasia where the procedure cannot be safely performed on the transport vehicle.</p> | Accepted as presented |



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|---------------------|------------|---|
|                     |            | <p>(2) A person in charge of a slaughter house or abattoir shall cause animals that arrive at a slaughterhouse or abattoir in a non-ambulatory condition, or which go down after arrival, to be euthanized immediately and not be taken for slaughter.</p> <p>(3) Non-ambulatory animals shall be separated from ambulatory animals to prevent injury.</p> <p>(4) A person shall not cause a non-ambulatory animal to be thrown, dragged, or pulled by the neck or other extremity, or pushed with equipment, but shall cause them to be moved with a sling or on a stone boat or other sledlike or wheeled conveyance.</p> <p>(5) Euthanasia, if required, shall be performed by a competent and trained</p> |

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|---------------------|---------------------------------|---|--|
| Clause 27           | Protection of companion animals | <p style="text-align: center;"><b>PART VI</b><br/> <b>PROTECTION OF COMPANION ANIMALS</b></p> <p>27. (1) A person shall keep companion animals in conditions appropriate to their needs.<br/>           (2) A person shall not sell companion animals to persons under the age of eighteen years.<br/>           (3) A person shall not keep and handle a companion animal, or allow it to move, in a way that poses a risk to the health and safety of other animals and people, in particular children.</p> | <p>individual by a single blow of a penetrating captive bolt or gunshot, or by chemical means that immediately render the animal unconscious with complete unconsciousness persisting until death.<br/>           (6) A person who fails to comply with the provisions of this section commits an offence.</p> |
|                     |                                 | Renumbered as <b>PART VII.</b><br><br>Renumbered as Clause 30   | Accepted as amended<br><br>Accepted as amended   |

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|---------------------|--|---|
| Clause 28           | <p>Breeders of companion animals</p> <p>(4) The owner of a companion animal shall ensure the controlled reproduction of the animal which is under his control.</p> <p>(5) Any owner of a companion animal shall take care of the offspring or bear the costs of its care.</p> <p>(6) A person who fails to comply with the provisions of this section commits an offence.</p> <p>28. (1) Where a person wishes to breed three or more companion animals for the purpose of selling the animals, the person shall apply to the competent authority for permission before he commences breeding the animals.</p> <p>(2) The competent authority shall keep a register of breeders referred to in subsection (1).</p> <p>(3) A person who fails to comply with subsection (1) commits an offence.</p> | <p><b>Renumbered as Clause 31</b></p> <p><b>Accepted as amended</b></p> |
| Clause 29           | <p>Temporary housing of companion animals</p> <p>29. (1) Any person may with the approval of the competent authority establish a temporary facility for the housing of companion animals.</p>  | <p><b>Renumbered as Clause 32</b></p> <p><b>Accepted as amended</b></p> |

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|----------------------------|---|--|---|
| Clause 30                  | Protection of animals in zoological gardens<br><br>No. 22 of 2016 | <p>(2) The competent authority shall keep a register of the facilities for the temporary housing of companion animals.</p> <p>(3) A person who fails to comply with subsection (1) commits an offence.</p>   | <p style="text-align: center;"><b>Renumbered as Clause 33</b></p> |
|                            |   | <p>30. (1) No one shall establish a zoological garden without first obtaining the permission of the competent authority.</p> <p>(2) Upon receipt of permission from the competent authority, the person may proceed to establish, operate and manage the zoological garden in accordance with the outlining requirements regulations prescribed in section 39(2) and any relevant provision of the Regulations made under the Wildlife Conservation and Management Act.</p> <p>(3) The competent authority shall keep a register of zoological gardens.</p> <p>(4) The owner or administrator of a zoological garden shall ensure that –</p> | <p style="text-align: center;"><b>Accepted as amended</b></p>     |

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|---------------------|--|--|
|                     | <p>(a) animal housing facilities are adequate for each animal species kept in the zoological garden;</p> <p>(b) outdoor exercise enclosures are provided where necessary;</p> <p>(c) each animal receives an adequate daily supply of feed and water;</p> <p>(d) veterinary health care is available to the animals when necessary;</p> <p>(e) each animal receives humane treatment by staff members;</p> <p>(f) each animal is protected from visitors;</p> <p>(g) visitors are protected from the animals in the zoological garden;</p> <p>(h) a plan is in place to take care of animals should the zoological garden be closed.</p> <p>(5) The competent authority may close a zoological garden or part thereof for any contravention of the provisions of this section.</p> |  |

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|----------------------------|--|---|
| Clause 31                  | Protection of animals used in circuses and performances involving animals.   | <p>(6) In cases considered appropriate by the competent authority, the competent authority may direct that an animal be given to a specified person or humanely killed.</p> <p>(7) Where the competent authority incurs any expense in taking care of an animal in or belonging to a zoological garden, the owner of the zoological garden shall reimburse the competent authority.</p> |
|                            | <p>31. (1) A person shall not keep or use a wild animal in a circus and performances involving animals without the permission of the competent authority.</p> <p>(2) A person shall not use an animal with a physical defect or a confined animal in a circus or in a performance.</p> <p>(3) Where a person wishes to have a circus or change the venue where a circus will be held, the person shall apply to the competent authority for approval with supporting information on the availability of the venue or the new venue, the types and times of performances and the number and species of animals to be used.</p> <p>(4) The competent authority on being satisfied with the information provided and that there are no veterinary</p> | <p style="text-align: center;"><b>Renumbered as Clause 34</b></p> <p style="text-align: center;"><b>Accepted as amended</b></p>   |

**Special Select Committee on the Animal Welfare Bill 2016 – Bill No. 21/2016  
Matrix of Amendments**

| <b>Clauses of the Bill</b> |  | <b>Amendments</b>  |
|----------------------------|--|--|
|                            | <p>health obstacles to the movement of the animals shall issue an approval in writing.</p> <p>(5) Anyone who contravenes subsections (1), (2) or (3) commits an offence.</p>   |  |
| Clause 32                  | <p>Protection of animals used in film and television productions, exhibitions and competitions.</p> <p>32.(1) Anyone who intends to use any animal in a film or television production, exhibition or competition shall at least seven days prior to the intended use notify the competent authority of the place and time of the event and the manner in which the animals are kept.</p> <p>(2) It shall be an offence to use an animal in a film or television production, exhibition or competition without providing the competent authority with the requisite notification.</p> | <b>Renumbered as Clause 35</b>   |
| Clause 33                  | <p>Protection of abandoned and lost animals.</p> <p>33. (1) The owner of a lost animal shall make a report within three days to an animal shelter except in the case of a dog which must be reported to a person authorised to keep a dog register.</p>  | <p><b>Renumbered as PART VIII</b></p> <p><b>Renumbered as Clause 36</b></p> <p><b>36. (1) The owner of a lost animal shall make a report within three days to an animal shelter.</b></p> |

**Special Select Committee on the Animal Welfare Bill 2016 – Bill No. 21/2016**  
**Matrix of Amendments**

| Clauses of the Bill |   | Amendments  |   |
|---------------------|---|---|---|
|                     | <p>(2) A person who recovers his animal from a shelter shall pay to the shelter the expenses incurred in the housing and feeding of the animal.</p> <p>(3) A person who finds an animal abandoned or suspected to be abandoned or lost shall inform an animal shelter.</p> <p>(4) An animal shelter shall provide for the collection of abandoned and lost animals and, in the case their owners cannot be identified immediately, for their housing.</p> <p>(5) Any wild animal found shall be placed in a shelter for wild animals which shall ensure that it is returned to the wild, if possible, or otherwise be offered to a zoological garden equipped to receive it.</p> <p>(6) Where the zoological garden is unable to receive the animal, the animal may be humanely killed.</p> |   |   |
| Clause 34           | The establishment of an animal shelter  | <p>34. (1) Any person may upon satisfaction of the requirements set by the competent authority establish and operate an animal shelter.</p> | <p><b>Renumbered as Clause 37</b></p> <p><b>Accepted as amended</b></p> |



**Special Select Committee on the Animal Welfare Bill 2016 – Bill No. 21/2016**  
**Matrix of Amendments**

| Clauses of the Bill   |  | Amendments  |
|---|--|---|
| <p>Clause 35</p> <p>Duties and obligations of animal shelter.</p> | <p>(2) The competent authority shall keep a register of all animal shelters.</p> <p>35. (1) The management or owner of an animal shelter shall-</p> <ul style="list-style-type: none"> <li>(a) record and store all reports received on lost or abandoned animals;</li> <li>(b) house and feed abandoned or lost animals placed in its care and custody;</li> <li>(c) where necessary collect abandoned or lost animals;</li> <li>(d) where necessary ensure that animals in its care and custody receive veterinary treatment;</li> <li>(e) record all deaths and humane killing of animal in its care;</li> <li>(f) record all animals permanently removed from or taken out of the shelter;</li> <li>(g) comply with all directions given by the competent authority from time to time</li> </ul> | <p style="text-align: center;"><b>Renumbered as Clause 38</b></p> <p style="text-align: center;"><b>Accepted as amended</b></p> |

**Special Select Committee on the Animal Welfare Bill 2016 – Bill No. 21/2016**  
**Matrix of Amendments**

| <b>Clauses of the Bill</b>   |  | <b>Amendments</b>                     |                                   |
|--|--|---------------------------------------|-----------------------------------|
|  | <p>including the manner of handling lost and abandoned animals.</p> <p>(2) An animal shelter shall implement the measures ordered by the competent authority.</p> <p>(3) Any animal placed or taken into an animal shelter may be sold or placed in a foster home by the management of the shelter where not claimed by the owner within fifteen days of being placed in the shelter.</p> <p>(4) Any animal placed or taken into an animal shelter and not sold, placed in a foster home or returned to the owner may be humanely killed after sixty days.</p> <p>(5) A person who fails to comply with the provisions of this section commits an offence.</p> |                                       |                                   |
| <p>Clause 36</p> <p>Promoting animal protection and supervision.</p> | <p>36. (1) The owner of an animal shelter shall make available to the public, information on lost and abandoned animals in his care.</p>   | <p><b>Renumbered as Clause 39</b></p> | <p><b>Accepted as amended</b></p> |

**Special Select Committee on the Animal Welfare Bill 2016 – Bill No. 21/2016**  
**Matrix of Amendments**

| Clauses of the Bill   |  | Amendments  |
|---|--|---|
| <p>Clause 37</p> <p>Protection of animals in pet shops.</p> | <p>(2) The competent authority shall inspect animal shelters at regular intervals to ensure compliance with the provisions of this Act.</p> <p>37. (1) No one shall without the approval of the Authority sell or offer for sale in a shop or confined space any companion animal.</p> <p>(2) The competent authority in issuing approval may stipulate conditions to be complied with and any breach thereof may result in the withdrawal of the approval.</p> <p>(3) No owner of a pet shop shall employ staff not trained in the care of animals to sell in the pet shop.</p> <p>(4) The owner of a pet shop shall provide written instructions on the proper care of animal purchased from his shop.</p> <p>(5) A person shall only offer an animal for sale in a pet shop which comes from a registered establishment.</p> <p>(6) The competent authority shall keep a register of pet shops.</p> | <p style="text-align: center;"><b>Renumbered as Clause 40</b></p> <p style="text-align: center;"><b>Accepted as amended</b></p> |

**Special Select Committee on the Animal Welfare Bill 2016 – Bill No. 21/2016**  
**Matrix of Amendments**

| <b>Clauses of the Bill</b> |                           | <b>Amendments</b>   |                                |
|----------------------------|---------------------------|---|--------------------------------|
|                            |                           | (7) A person who fails to comply with subsections (1), (3), (4) or (5) commits an offence.  |                                |
|                            |                           | <b>PART VIII<br/>PENALTIES</b>  | <b>Renumbered as PART IX</b>   |
| Clause 38                  | Penalties.                | 38. Where no penalty is provided for an offence committed under this Act, such offence shall upon summary conviction be punishable by a fine of sixty thousand dollars and to imprisonment for four months.   | <b>Renumbered as Clause 41</b> |
|                            |                           | <b>PART IX<br/>MISCELLANEOUS</b>  | <b>Renumbered as PART X</b>    |
| Clause 39                  | Power to make regulations | 39. (1) The Minister may make regulations generally for the purpose of carrying out the provisions of this Act.<br>(2) In particular and without limiting the generality of subsection (1), the Minister may make regulations –<br>(a) prescribing the form of an application, other form or document, and fees to be charged by the competent authority;<br>(b) prescribing the requirements and conditions under which animals are transported; | <b>Renumbered as Clause 42</b> |
|                            |                           |   | <b>Accepted as amended</b>     |
|                            |                           |   | <b>Accepted as amended</b>     |

**Special Select Committee on the Animal Welfare Bill 2016 – Bill No. 21/2016**  
**Matrix of Amendments**

| Clauses of the Bill | Amendments   |
|---------------------|--|
|                     | <p>(c) establishing the conditions to be satisfied at resting points and assembly centres for animals;</p> <p>(d) stipulating the training requirements for attendants and staff at assembly centres and resting points for animals;</p> <p>(e) stipulating the methods and equipment to be used for the slaughter and humane killing of an animal;</p> <p>(f) outlining training requirements for staff who are responsible for the care, the restraint, the stunning and the slaughter of animals in a slaughterhouse;</p> <p>(g) prescribing the methods of stunning and the equipment to be used;</p> <p>(h) prescribing the requirements for the housing and keeping of experimental animals;</p> <p>(i) setting out the general content of records to be kept on animals used in experiment;</p> |

**Special Select Committee on the Animal Welfare Bill 2016 – Bill No. 21/2016**  
**Matrix of Amendments**

| Clauses of the Bill | Amendments   |  |
|---------------------|--|--|
|                     | <p>(j) prescribing the method and requirements of the breeding of animals of any type or species;</p> <p>(k) providing for the requirements and manner of keeping animals for production purposes;</p> <p>(l) outlining qualification of persons taking care of animals, the manner and method of registering persons who keep animals and the keeping of records of animals used for production purposes;</p> <p>(m) stipulating the requirements for the keeping and raising of wild animals;</p> <p>(n) stipulating the requirements for and the manner of keeping dangerous or potentially dangerous animals;</p> <p>(o) prescribing the requirements and methods of the breeding of companion animals;</p> <p>(p) prescribing the facilities required for the temporary housing of companion animals;</p> |  |

**Special Select Committee on the Animal Welfare Bill 2016 – Bill No. 21/2016**  
**Matrix of Amendments**

| Clauses of the Bill | Amendments  |
|---------------------|---|
|                     | <p>(q) outlining the requirements for the establishment, operation and management of a zoological garden;</p> <p>(r) prescribing the training requirements for staff taking care of an animal in the zoological garden;</p> <p>(s) stipulating conditions to be satisfied for the keeping and use of animals in circus, in exhibition and competition;</p> <p>(t) prescribing the requirements for the establishment and operation of an animal shelter;</p> <p>(u) specifying traps to be used to capture animals;</p> <p>(v) specifying kennel standards for dogs;</p> <p>(w) and any other matter deemed necessary to achieve the purposes of this Act.</p> <p>(3) A person who commits an offence under Regulations made under this Act shall be liable on summary conviction to a fine of fifty thousand dollars and to imprisonment for three months.</p> |

**Special Select Committee on the Animal Welfare Bill 2016 – Bill No. 21/2016**  
**Matrix of Amendments**

| <b>Clauses of the Bill</b> |                       | <b>Amendments</b>   |                                |
|----------------------------|-----------------------|---|--------------------------------|
| Clause 40                  | Act not in derogation | 40. This Act shall be in addition to and not in derogation of any other law relating to offences prescribed in this Act in relation to animals. | <b>Renumbered as Clause 43</b> |
|                            |                       |   | <b>Accepted as amended</b>     |

*Committees Division  
Parliament Office  
Public Buildings  
Brickdam  
Georgetown  
July 4, 2018*





# APPENDIX II



THE NATIONAL ASSEMBLY OF THE FIRST SESSION OF THE ELEVENTH  
PARLIAMENT OF GUYANA (2015-2017)

MINUTES OF THE 1<sup>ST</sup> MEETING OF THE SPECIAL SELECT COMMITTEE  
ON THE ANIMAL WELFARE BILL - BILL NO. 21 OF 2016  
HELD AT 4.26 P.M  
ON THURSDAY, 13<sup>TH</sup> APRIL, 2017  
IN THE SPEAKER'S CHAMBER, PUBLIC BUILDINGS, BRICKDAM,  
GEORGETOWN.

**MEMBERS OF THE COMMITTEE (9)**

**MEMBERS OF THE COMMITTEE**

**Presiding Member**

Hon. Dr. Barton U.A. Scotland, O.R., C.C.H., M.P.,  
Speaker of the National Assembly

**Other Members**

**A Partnership For National Unity/Alliance For Change (APNU/AFC) (5)**  
**(Nominated by the Committee of Selection on March 9, 2017)**

Hon. Dr. George A. Norton, M.P.,  
Minister of Social Cohesion

Hon. Noel L. Holder, M.P.,  
Minister of Agriculture

Hon. Dawn Hastings-Williams, M.P.,  
Minister within the Ministry of Communities

Hon. Simona Charles-Broomes, M.P.,  
Minister within the Ministry of Natural Resources

Mr. Jermaine Figueira, M.P.

**From the People's Progressive Party/ Civic (PPP/C) (4)**  
**(Nominated by the Committee of Selection on March 9, 2017)**

Mr. Dharamkumar Seeraj, M.P.

Mr. Zulfikar Mustapha, M.P.

Mr. Neendkumar, J.P., M.P.

Mr. Alister S. Charlie, M.P.

**Officers in Attendance**

Ms. Debra H. Cadogan - Head of Committees Division  
Ms. Sueanna Reynolds - Clerk of Committees  
Ms. Sereeta Bethune - Assistant Clerk of Committees

**ITEM 1: CALL TO ORDER**

- 1.1 The Speaker, as Presiding Officer for the election of a Chairperson for the Committee, called the meeting to order at 4.26 p.m.

**ITEM 2: CIRCULATION OF DOCUMENTS**

- 2.1 The following document was circulated prior to the Meeting:-
- Notice of the 1<sup>st</sup> Meeting dated 12<sup>th</sup> April, 2017.

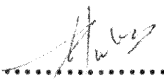
**ITEM 3: ELECTION OF CHAIRPERSON OF THE SPECIAL SELECT COMMITTEE ON THE ANIMAL WELFARE BILL- BILL NO. 21 OF 2016**

- 3.1 The Speaker called for nominations of a Chairperson for the Committee.
- 3.2 The Hon. Simona Charles-Broomes, M.P., proposed and Mr. Jermaine Figueira, M.P., seconded the nomination of the Hon. Dr. George Norton, M.P., as Chairperson of the Committee.
- 3.3 There being no other nomination, the Speaker declared the Hon. Dr. George Norton, M.P., as Chairperson of the Committee.

**Adjournment**

At 4.30 p.m., the meeting was adjourned *sine die*.

*Confirmed this 14<sup>th</sup> day of June, 2017*

  
.....  
**Hon. Dr. George Norton, M.P.,**  
**Minister of Social Cohesion**  
**Chairperson**

**THE NATIONAL ASSEMBLY OF THE FIRST SESSION  
OF THE ELEVENTH PARLIAMENT OF GUYANA (2015-2017)**

**MINUTES OF THE 2<sup>ND</sup> MEETING OF THE SPECIAL SELECT COMMITTEE  
ON THE ANIMAL WELFARE BILL 2016 - BILL NO. 21 OF 2016  
HELD AT 10.00 A.M  
ON WEDNESDAY, 14<sup>TH</sup> JUNE, 2017  
IN COMMITTEE ROOM NO. 1, COMMITTEES DIVISION, PUBLIC BUILDINGS,  
BRICKDAM, GEORGETOWN.**

**ATTENDANCE**

**CHAIRPERSON (1)**

**A Partnership For National Unity/Alliance For Change (APNU/AFC)**

(Nominated by the Committee of Selection on March 9, 2017)

(Elected by the Committee on 13<sup>th</sup> April, 2017)

Hon. Dr. George A. Norton, M.P.,  
Minister of Social Cohesion

**Other Members**

**From A Partnership For National Unity/Alliance For Change (APNU/AFC) (4)**

(Nominated by the Committee of Selection on March 9, 2017)

Hon. Noel L. Holder, M.P.,  
Minister of Agriculture

Hon. Dawn Hastings-Williams, M.P.,  
Minister within the Ministry of Communities

Hon. Simona Charles-Broomes, M.P.,  
Minister within the Ministry of Natural Resources

Mr. Jermaine Figueira, M.P.

**From the People's Progressive Party/ Civic (PPP/C) (4)**

(Nominated by the Committee of Selection on March 9, 2017)

Mr. Dharamkumar Seeraj, M.P. - Absent

Mr. Zulfikar Mustapha, M.P.

Mr. Neendkumar, J.P., M.P.

Mr. Alister S. Charlie, M.P.

**Officers in Attendance**

Ms. Sueanna Reynolds - Clerk of Committees  
Ms. Sereeta Bethune - Assistant Clerk of Committees  
Ms. Jessica Small - Assistant Clerk of Committees

**ITEM 1: CALL TO ORDER.**

1.1 The Chairman called the meeting to order at 10.09 a.m.

**ITEM 2: ANNOUNCEMENTS**

**2.1 Welcome and Preliminary Remarks**

2.1.1 The Chairperson extended a warm welcome to Members and staff of the Committee. He stated that the task of the Special Select Committee was to evaluate the Bill and make amendments and recommendations which would then be sent to the National Assembly. He also mentioned that as the subject Minister for the Bill, the Hon. Minister of Agriculture would have an input in relation to the way forward.

2.1.2 The Chairperson further stated that Ms. Sueanna Reynolds had been assigned as Clerk of the Committee. She will be assisted by Ms. Sereeta Bethune and Ms. Jessica Small, Assistant Clerks of Committee.

**ITEM 3: CIRCULATION OF DOCUMENTS**

**3.1 The following documents had been circulated prior to the Meeting:**

- (i) Notice of the 2<sup>nd</sup> Meeting dated 9<sup>th</sup> June, 2017; and
- (ii) Minutes of the 1<sup>st</sup> Meeting held on 13<sup>th</sup> April, 2017.

**3.2 The following document was circulated at the Meeting:**

- Animal Welfare Bill 2016 - Bill No. 21/2016.

**ITEM 4: CORRECTION AND CONFIRMATION OF MINUTES OF THE 1<sup>ST</sup> MEETING HELD ON 13<sup>TH</sup> APRIL, 2017.**

- 4.1 The Minutes were confirmed, without correction, on a motion, moved and seconded by the Hon. Noel L. Holder, M.P., and Mr. Neendkumar, J.P., M.P., respectively.

**ITEM 5: MATTERS ARISING**

- 5.1 There were no matters arising from the Minutes.

**ITEM 6: TO CONSIDER THE METHODOLOGY, TIME AND DATE OF THE COMMITTEE'S PROCEEDINGS**

**Methodology**

- 6.1 The Chairperson sought Members' views on the way forward.
- 6.2 Minister Holder enquired whether he could be accompanied by Dr. Pierre, an expert on the Bill, at the next meeting. He suggested that with the use of the multimedia system, the Committee could go through the Bill, Clause by Clause.
- 6.3 Mr. Neendkumar indicated that a representative from the Attorney General Chambers should be present at the next meeting. He also suggested that the Committee could be provided with briefing notes on the various clauses prior to the clause by clause consideration.
- 6.4 Minister Holder posited that if the Committee so wish, he could make available to Members a copy of his presentation on the Bill to National Assembly. He also stated that he could peruse the Handsard of that Sitting and sought to answer questions raised by Opposition Members during the debate on the Bill.
- 6.5 Mr. Mustapha suggested that the Committee should invite submission on the Bill from members of the public.
- 6.6 A discussion ensued during which Members expressed differing views with regard to submission from members of the public.
- 6.7 In response to a query, the Clerk of the Committee stated that Special Select Committees could invite written and oral submissions from the public; however, the Committee would have to decide on the matter.



6.8 At the conclusion of the discussion, the Committee agreed to the following:

- (i) That the Hon. Minister of Agriculture would perused the Hansard of the Sitting during which the Bill was debated and seek to answer questions raised by Opposition Members. This would then be circulated to Members;
- (ii) That the Chief Parliamentary Counsel should be invited to the next meeting of the Committee;
- (iii) That an invitation for written submission from the public should be published in the print media. The invitation should specify June 23, 2017 as the closing date;
- (iv) That Members should submit their concerns to the Clerk of the Committee. This would then be forwarded to the Hon. Minister of Agriculture for response; and
- (v) Submissions received from the public should be forwarded to Members and the resource personnel at the Ministry of Agriculture.

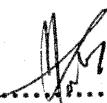
#### **Meetings of the Committee**

6.9 The Committee agreed that it would meet at 1.00 p.m. on Thursdays whenever there were no Sittings of the National Assembly.

#### **Adjournment**

At 10.43 a.m., the meeting was adjourned to 1.00 p.m. on Thursday, 29<sup>th</sup> June, 2017.

*Confirmed this 20<sup>th</sup> day of July, 2017*

  
.....  
**Hon. Dr. George Norton, M.P.,**  
**Minister of Social Cohesion**  
**Chairperson**

THE NATIONAL ASSEMBLY OF THE FIRST SESSION  
OF THE ELEVENTH PARLIAMENT OF GUYANA (2015-2017)

MINUTES OF THE 3<sup>RD</sup> MEETING OF THE SPECIAL SELECT COMMITTEE  
ON THE ANIMAL WELFARE BILL 2016 - BILL NO. 21 OF 2016  
HELD AT 1.00 P.M  
ON THURSDAY, JULY 20, 2017  
IN COMMITTEE ROOM NO. 2, (GROUND FLOOR, WEST OF THE MAIN  
STAIRWAY), PUBLIC BUILDINGS, BRICKDAM, GEORGETOWN.

**ATTENDANCE**

**CHAIRPERSON**

**A Partnership For National Unity/Alliance For Change (APNU/AFC) (1)**

(Nominated by the Committee of Selection on March 9, 2017)

(Elected by the Committee on 13<sup>th</sup> April, 2017)

Hon. Dr. George A. Norton, M.P.,  
Minister of Social Cohesion

**Other Members**

**From A Partnership For National Unity/Alliance For Change (APNU/AFC) (4)**

(Nominated by the Committee of Selection on March 9, 2017)

Hon. Noel L. Holder, M.P.,  
Minister of Agriculture

Hon. Dawn Hastings-Williams, M.P.,  
Minister within the Ministry of Communities

Hon. Simona Charles-Broomes, M.P., - Excused  
Minister within the Ministry of Natural Resources

Mr. Jermaine Figueira, M.P.

**From the People's Progressive Party /Civic (PPP/C) (4)**

(Nominated by the Committee of Selection on March 9, 2017)

Mr. Dharamkumar Seeraj, M.P. - Excused

Mr. Zulfikar Mustapha, M.P.

Mr. Neendkumar, J.P., M.P.

Mr. Alister S. Charlie, M.P. - Excused

## **Officers in Attendance**

|                      |   |                               |
|----------------------|---|-------------------------------|
| Ms. Sueanna Reynolds | - | Clerk of Committees           |
| Ms. Sereeta Bethune  | - | Assistant Clerk of Committees |
| Ms. Jessica Small    | - | Assistant Clerk of Committees |

## **Special Attendees**

|                             |   |  |
|-----------------------------|---|--|
| Mr. Charles Fung-a-Fat S.C. | - | Chief Parliamentary Counsel  |
| Mr. Omadatt Chandan         | - | Attorney-at-Law, Ministry of Agriculture                                 |
| Dr. Mark Pierre             | - | Agricultural Health & Food Safety Specialist;<br>Ministry of Agriculture |

### **ITEM 1: CALL TO ORDER**

- 1.1 The Chairman called the meeting to order at 1.09 p.m.

### **ITEM 2: ANNOUNCEMENTS**

#### **2.1 Welcome and Preliminary Remarks**

- 2.1.1 The Chairperson extended a warm welcome to Members and staff of the Committee, as well as, the Officials from the Ministry of Agriculture.

#### **2.2 Excuses**

- 2.2.1 The Chairperson informed the Committee that the following Members had asked to be excused the meeting:

- (i) Hon. Simona Broomes, M.P.; and
- (ii) Mr. Dharamkumar Seeraj, M.P.

### **ITEM 3: CIRCULATION OF DOCUMENTS**

- 3.1 The following documents had been circulated prior to the Meeting:

- (i) Notice of the 3<sup>rd</sup> Meeting dated July 13, 2017;
- (ii) Minutes of the 2<sup>nd</sup> Meeting held on June 14, 2017;

(iii) Submissions received from:

- Ms. Devina Singh (Sonya);
- Guyana Society for the Prevention of Cruelty to Animals;
- Guyana Wildlife Management Authority Wildlife Division;
- Ms. Shanti Mathews;
- Ms. Syeda Manbodh;
- Ms. Melinda Janki; and
- Ms. Yolander Persaud.

3.2 The following documents were circulated at the Meeting:

(i) Response from the Hon. Minister of Agriculture to queries raised by the following persons:

- Members of the Opposition (Queries raised during the debate);
- Melinda Janki;
- The Guyana Society for the prevention of Cruelty to Animals;
- Guyana Wildlife Management Authority, Wildlife Division;
- Ms. Syeda Manbodh;
- Ms. Shanti Matthews;
- Ms. Devina Singh (Sonya); and
- Ms. Yolander Persaud.

(ii) Hon. Minister of Agriculture's presentation to the National Assembly on the Animal Welfare Bill.

**ITEM 4: CORRECTION AND CONFIRMATION OF MINUTES OF THE 2ND MEETING HELD ON JUNE, 14, 2017.**

4.1 The Minutes were confirmed, without correction, on a motion, moved and seconded by the Hon. Noel L. Holder, M.P., and Mr. Neendkumar, J.P., M.P., respectively.

**ITEM 5: MATTERS ARISING**

**5.1 Page 3, paragraph 6.4 – Methodology**

5.1.1 The Chairperson noted that Hon. Minister Holder did make available to Members, a copy of his presentation on the Bill to the National Assembly.

**5.2 Page 4, paragraph 6.8(ii) – Methodology**

5.2.1 The Chairperson informed Members that the Chief Parliamentary Counsel was invited to attend meetings of the Committee.

**5.3 Page 4, paragraph 6.8 (iii) – Methodology**

- 5.3.1 The Committee noted that the invitation for written submission was placed in the print Media.

**ITEM 6: TO COMMENCEE CONSIDERATION OF THE ANIMAL WELFARE BILL 2016 – BILL NO. 21/2016.**

- 6.1 The Chairperson sought Members' views on the way forward.
- 6.1.1 Following a brief discussion, the Committee agreed to consider the Bill, Clause by Clause. During this consideration, the Experts would address the submissions made by members of the public and provide any clarification that Members might have in relation to the various clauses.
- 6.1.2 The Committee also agreed that it would discuss the Hon. Minister of Agriculture's presentation to the National Assembly and the responses to questions raised by Members of the Opposition.
- 6.2 The Committee, thereafter, commenced consideration of the Bill, clause by clause.
- 6.2.1 Dr. Pierre informed the meeting that the genesis of the Bill, apart from the welfare and social concerns, was to be able to support the export of meat products and animals from Guyana. It also supports tourism.

**PART I: PRELIMINARY**

**6.3 Clause 1 - Short title and commencement**

- 6.3.1 **Sub clause (1)** was *accepted as presented*.
- 6.3.2 **Sub clause (2)**
- 6.3.2.1 Dr. Pierre sought clarification with regard to the commencement date of the Act. He noted that one suggestion had been that the Act should come into force when it was assented to by the President.
- 6.3.2.2 The Chief Parliamentary Council advised that in Guyana, because of the Interpretation Act, a Bill becomes Law on the date when it is gazetted. He stated that by placing Clause 1 (2) in the Bill, meant that it would become Law when the Minister takes action.
- 6.3.2.3 Mr. Needkumar stated that sub clause (2) was too vague.

6.3.2.4 Following a brief discussion, the Committee agreed to revisit sub clause (2).

#### **6.4 Clause 2 – Interpretation**

##### **“animal shelter”**

- 6.4.1 Mr. Needkumar sought clarification with regard to the definition of “animal shelter”. He indicated that the definition should be revisited.
- 6.4.2 Minister Holder, however, pointed out that the definition would be expounded in the Regulations.
- 6.4.3 The Chief Parliamentary Council explained that the definitions used in the Bill, speak specifically to the Bill and were not necessarily dictionary definitions.
- 6.4.4 After much discussion, the Committee agreed to revisit the interpretation of “animal shelter”. The Chairperson suggested that Mr. Needkumar provide the Committee with a submission on how the definition of animal welfare should be amended.

##### **“circus and performances involving animals”**

- 6.4.5 The Chairperson sought clarification with regard to the meaning of the terms ‘legal’ and ‘natural persons’.
- 6.4.6 The Chief Parliamentary Counsel advised that the terms ‘legal persons’ refers to agencies or corporations while ‘natural persons’ refer to individuals.
- 6.4.7 Dr. Pierre added that the definitions were developed with guidance from the definitions provided by the World Organisation for Animal Health.
- 6.4.8 Thereafter, the interpretation of “circus and performances involving animals” was *accepted as presented*.

#### **6.5 Clause 3 - Administration of Act**

- 6.5.1 Mr. Needkumar sought clarity as to who was the ‘authority’ responsible for the administration of the provisions set out in the Bill.
- 6.5.2 Dr. Pierre stated that the Guyana Livestock Development Authority was the “authority” referred to, since it was the most competent body in dealing with issues pertaining to animal health and welfare, in keeping with the standards set out by the World Organisation for Animal Health.
- 6.5.3 **Clause 3** was then *accepted as presented*.

## PART II: PROTECTION OF ANIMALS

### 6.6 Clause 4 – Prohibited acts and protection of animals

#### Sub clause 1

- 6.6.1 Mr. Mustapha and Mr. Needkumar raised concerns regarding the protection of animals, particularly, horses.
- 6.6.2 Mr. Chandan stated that the Bill provide general protection for all animals. He indicated that the concerns raised by the Members would be provided for in the horse racing regulations.
- 6.6.3 Thereafter, **Clause 4 (1)** was *accepted as presented*.

#### Sub clause 2

- 6.6.4 **Sub clause 2, paragraphs (a), (b) and (c)** were *accepted as presented*.

#### Sub clause (2) (d)

- 6.6.5 Some Members sought clarification with regard to the inciting and training of animals to be aggressive, as well as, who would be deemed as a qualified person to train animals.
- 6.6.6 Dr. Pierre pointed out that this would be specified in the regulations, but qualified person would have to be certified by the Guyana Livestock Development Authority.
- 6.6.7 Thereafter, **sub clause (2), paragraph (d)** was *accepted as presented*.
- 6.6.8 **Clause 4, sub clause 2, paragraphs (e) and (f)** were *accepted as presented*.

#### Clause 4 (2) (g)

- 6.6.9 Mr. Figueira enquired whether the whipping of horses during horse racing could be considered as inhumane.
- 6.6.10 He was informed that, internationally, whipping was prohibited and the Bill would ensure that this practice would no longer be used in Guyana.
- 6.6.11 Dr. Pierre brought to the attention of Members, the proposal from one of the submissions, that the words “except when training working dogs” should be deleted.
- 6.6.12 The Committee then agreed to delete the words “**except when training working dogs**” at the end of the paragraph.

6.6.13 **Clause 4, sub clause (2), paragraph (g)** was then *accepted as amended*.

6.6.14 **Clause 4, sub clause (2), paragraphs (i) to (u)** were *accepted as presented*.

6.6.13 **Clause 4, sub clause (3), paragraph (a)** was *accepted as presented*.

**Clause 4, sub clause (3) (b)**

6.6.14 Some Members sought clarification with regard to the use of electric shocks as outlined in the Bill.

6.6.14.1 After some discussion, **Clause 4, sub clause (3), paragraph (b)** was *accepted as presented*.

6.6.15 **Clause 4, sub clause (4)** was *accepted as presented*.

**6.7 Clause 5 - Protection of animals while kept or raised**

6.7.1 Mr. Needkumar enquired as to how one would determine the owner who would have committed one or all of the offences as outlined in Clause 5.

6.7.2 A short discussion ensued, during which Dr. Pierre indicated that a solution would be to register all owners. He also added that a section which addresses the control of animals through leach would have to be included in the Bill or the Regulations.

7.7.3 At the conclusion of the short discussion, the Committee agreed to revisit the Clause.

6.8 **Clauses 6 and 7** were *accepted as presented*.

**6.9 Clause 8**

6.9.1 **Clause 8, sub clauses (1) and (2)** were *accepted as presented*.

6.9.2 **Clause 8, sub clause (3), paragraph (a)** was *accepted as presented*.

**Sub Clause (3) (b)**

6.9.3 Mr. Needkumar raised concerns with regard to the branding of animals. He posited that the act of branding was considered to be painful. However, animal owners still need to be identified, especially in instances of road fatalities caused by animals.

6.9.4 Dr. Pierre indicated that liquid nitrogen could be used to cold brand animals, but was rather expensive. He added that ear tags and microchips could also be used.

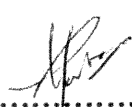
6.9.5 Following a brief discussion and advised from Dr. Pierre, **Clause 8, sub clause (3), paragraph (b)** was *accepted as presented*.



**Adjournment**

At 3.00 p.m., the meeting was adjourned *sine die*.

Confirmed this <sup>7th</sup>.....day of August, 2017

  
.....  
**Hon. Dr. George Norton, M.P.,**  
**Minister of Social Cohesion**  
**Chairperson**

THE NATIONAL ASSEMBLY OF THE FIRST SESSION  
OF THE ELEVENTH PARLIAMENT OF GUYANA (2015-2017)

MINUTES OF THE 4<sup>TH</sup> MEETING OF THE SPECIAL SELECT COMMITTEE  
ON THE ANIMAL WELFARE BILL 2016 - BILL NO. 21 OF 2016  
HELD AT 1.00 P.M  
ON MONDAY, AUGUST 7, 2017  
IN COMMITTEE ROOM NO. 1, COMMITTEES DIVISION, PUBLIC BUILDINGS,  
BRICKDAM, GEORGETOWN.

**CHAIRPERSON**

**A Partnership For National Unity/Alliance For Change (APNU/AFC) (1)**

(Nominated by the Committee of Selection on March 9, 2017)

(Elected by the Committee on 13<sup>th</sup> April, 2017)

Hon. Dr. George A. Norton, M.P.,  
Minister of Social Cohesion

**Other Members**

**From A Partnership For National Unity/Alliance For Change (APNU/AFC) (4)**

(Nominated by the Committee of Selection on March 9, 2017)

Hon. Noel L. Holder, M.P.,  
Minister of Agriculture

Hon. Dawn Hastings-Williams, M.P.,  
Minister within the Ministry of Communities

- Excused

Hon. Simona Charles-Broomes, M.P.,  
Minister within the Ministry of Natural Resources

Mr. Jermaine Figueira, M.P.

**From the People's Progressive Party /Civic (PPP/C) (4)**

(Nominated by the Committee of Selection on March 9, 2017)

Mr. Dharamkumar Seeraj, M.P.

- Absent

Mr. Zulfikar Mustapha, M.P.

Mr. Neendkumar, J.P., M.P.

Mr. Alister S. Charlie, M.P.

- Excused

## Officers in Attendance

|                      |   |                               |
|----------------------|---|-------------------------------|
| Ms. Sueanna Reynolds | - | Clerk of Committees           |
| Ms. Sereeta Bethune  | - | Assistant Clerk of Committees |
| Ms. Jessica Small    | - | Assistant Clerk of Committees |

## Special Attendees

|                             |   |  |
|-----------------------------|---|--|
| Mr. Charles Fung-a-Fat S.C. | - | Chief Parliamentary Counsel  |
| Mr. Omadatt Chandan         | - | Attorney-at-Law, Ministry of Agriculture                                 |
| Dr. Mark Pierre             | - | Agricultural Health & Food Safety Specialist;<br>Ministry of Agriculture |

## **ITEM 1: CALL TO ORDER**

- 1.1 The Chairman called the meeting to order at 1.11 p.m.

## **ITEM 2: ANNOUNCEMENTS**

### **2.1 Excuses**

- 2.1.1 The Chairperson informed the Committee that the following Members had asked to be excused from the meeting:

- (i) Hon. Dawn Hastings-Williams, M.P.; and
- (ii) Mr. Alister S. Charlie, M.P.

## **ITEM 3: CIRCULATION OF DOCUMENTS**

- 3.1 The following documents had been circulated prior to the Meeting:

- (i) Notice of the 4<sup>th</sup> Meeting dated August 3, 2017; and
- (ii) Minutes of the 3<sup>rd</sup> Meeting held on July 20, 2017.

**ITEM 4: CORRECTION AND CONFIRMATION OF MINUTES OF THE 3<sup>RD</sup> MEETING HELD ON JULY 20, 2017.**

**Correction**

**4.1. Page 4, Paragraph 6.3.23 - Part I Preliminary**

4.1.1 Substitution of the word 'Neendkumar' for the word 'Needkumar' in the paragraph and wherever it appeared in the document.

**4.2 Page 7, Paragraph 6.9.5 - Part II: Protection of Animals**

4.2.1 Substitution of the word 'advice' for the word 'advised' in line 1 of the paragraph.

**4.3 Page 7, paragraph 6.9.3 - Clause 8, Sub clause (3) (b)**

4.3.1 Substitution of the following for the paragraph:

*"Mr. Neendkumar raised concerns with regard to the branding of animals. He posited that while there is need for animal owners to be identified, especially in instances of road fatalities caused by animals, the act of branding using a hot iron was considered to be very painful. He suggested that a different system should be employed."*

**Confirmation**

4.4 Thereafter, the Minutes were confirmed, as corrected, on a motion, moved and seconded by the Hon. Noel L. Holder, M.P., and Mr. Neendkumar, J.P., M.P., respectively.

**ITEM 5: MATTERS ARISING**

**5.1 Page 5, paragraph 6.4.3 and 6.4.4 – Clause 2 Interpretation**

5.1.1 Mr. Neendkumar sought clarification as to whether the definition used for the term "animal shelter" was a dictionary definition or a legal definition.

5.1.2 The Chairman reminded Members that at the last meeting the Chief Parliamentary Counsel had indicated that the definition of the term speaks specifically to the Bill.

5.1.3 The Chairman then enquired as to whether Mr. Neendkumar had prepared his submission on the definition of “animal shelter” for the Committee.

5.2.2 Mr. Neendkumar responded that he was unable to prepare the submission and agreed to provide his submission at a later date.

**5.3 Page 6, paragraph 6.6.6 – Clause 4, Sub clause (2) (d)**

5.3.1 Mr. Neendkumar sought clarification as to whether the Guyana Livestock Development Authority had trained personnel to monitor animal handlers and transporters.

5.3.2 In response, Dr. Pierre stated that currently, there was no regulation available regarding animal trainers. However, once the Bill became an Act, regulations dealing with all aspects of animal training and handing would be implemented. He added that certification criteria would be developed and training would become necessary for animal handlers and transporters. He also stated that the Guyana Livestock Development Authority would have some of the capabilities; but if required persons would be brought in from overseas to conduct training.

**ITEM 6: TO CONTINUE CONSIDERATION OF THE ANIMAL WELFARE BILL 2016 – BILL NO. 21/2016.**

6.1 Some Members suggested and the Committee agreed to have the Experts go through the Bill with the Committee as a preliminary consideration and provide it with any clarification it might have. Thereafter, the Committee would continue its Clause by Clause consideration.

**PART II: PROTECTION OF ANIMALS**

**Clause 8 – Interventions on animals**

6.2 **Clause 8, Sub Clause (3) (e)**

- 6.2.1 In responding to a query from a Member, regarding the prohibition of the use of anesthesia during experiments, Dr. Pierre indicated that the intention of the clause was to control the use of anesthesia during certain experiments. He also added that the clause would allow for compatibility with other countries.

**Clause 11 – Protection of animals during transport**

**6.3 Clause 11, Sub Clause (1)**

- 6.3.1 Some Members raised concerns with regard to the transporting of animals from one point to another and the acquisition of certificates of approval.
- 6.3.2 Dr. Pierre indicated that Guyana has to move towards complying with the regulations of the OIE - World Organisation of Animal Health which require that the country be divided into sections in order to control diseases. He noted that the control of the movements of animals would allow for containment in the event that there was an outbreak in diseases.

**Clause 13 – Protection of wild animals**

**6.4 Clause 13, Sub clause 1(e)**

- 6.4.1 Mr. Figueira raised concerns with regard to the issue of forestry/mining and the habitat of wild animals since forestry and mining could destroy their habitat.
- 6.4.2 Hon. Minister Holder referred to the Wild Life Protection Act and stated that in developing certain areas, for example the savannah, one has to cater for protective areas.
- 6.4.3 The meeting was informed that with the advent of deforestation the animals would move and seek another habitat.

**6.5 Clause 13, Sub Clause 1, (g)**

- 6.5.1 The Chairperson commented that Clause 13(1) (g) might be in direct contravention with the cultural practices of the Indigenous people in Guyana. He also indicated that he had some reservation with regard to the use of the word 'population'. He noted that the word 'population' did not necessary refer to humans.

- 6.5.2 A discussion ensued during which Members were, informed that Clause 13 (1) (g) did provide for the justification of such practices. The Experts were also asked to review the use of the word 'population' in the clause.

#### **PART IV ANIMAL WELFARE COMMISSION**

##### **6.6 Clause 17**

- 6.6.1 Mr. Mustapha sought clarification as to how persons would be selected for the composition of the Animal Welfare Commission.
- 6.6.2 A discussion ensued during which Dr. Pierre indicated that the Animal Welfare Commission role was to advise the Minister. He then suggested that the word 'commission' be replaced with 'committee'.
- 6.6.3 At the conclusion of the discussion, the Chief Parliamentary Counsel was requested to review the Clause and provide the Committee with suggestions at the next meeting.

#### **ITEM 7: ANY OTHER BUSINESS**

##### **7.1 Next meeting of the Committee**

- 7.1.1 The Committee agreed that its next meeting would be held after the recess period.

#### **Adjournment**

At 2.36 p.m., the meeting was adjourned *sine die*.

*Confirmed this 14<sup>th</sup> day of April, 2018*

.....  
**Hon. Dr. George Norton, M.P.,**  
**Minister of Social Cohesion**  
**Chairperson**

THE NATIONAL ASSEMBLY OF THE FIRST SESSION  
OF THE ELEVENTH PARLIAMENT OF GUYANA (2015-2018)

MINUTES OF THE 5<sup>TH</sup> MEETING OF THE SPECIAL SELECT COMMITTEE  
ON THE ANIMAL WELFARE BILL 2016 - BILL NO. 21 OF 2016  
HELD AT 1.00 P.M  
ON THURSDAY, APRIL 19, 2018  
IN COMMITTEE ROOM NO. 1, COMMITTEES DIVISION, PUBLIC BUILDINGS,  
BRICKDAM, GEORGETOWN.

**CHAIRPERSON**

**A Partnership For National Unity/Alliance For Change (APNU/AFC) (1)**

(Nominated by the Committee of Selection on March 9, 2017)

(Elected by the Committee on 13<sup>th</sup> April, 2017)

Hon. Dr. George A. Norton, M.P.,  
Minister of Social Cohesion

**Other Members**

**From A Partnership For National Unity/Alliance For Change (APNU/AFC) (4)**

(Nominated by the Committee of Selection on March 9, 2017)

Hon. Noel L. Holder, M.P.,  
Minister of Agriculture

Hon. Dawn Hastings-Williams, M.P.,  
Minister within the Ministry of Communities - Excused

Hon. Simona Charles-Broomes, M.P.,  
Minister within the Ministry of Natural Resources - Excused

Mr. Jermaine Figueira, M.P.

**From the People's Progressive Party /Civic (PPP/C) (4)**

(Nominated by the Committee of Selection on March 9, 2017)

Mr. Dharamkumar Seeraj, M.P.

Mr. Zulfikar Mustapha, M.P.

Mr. Neendkumar, J.P., M.P.

Mr. Alister S. Charlie, M.P.



## Officers in Attendance

|                      |   |                               |
|----------------------|---|-------------------------------|
| Ms. Sueanna Reynolds | - | Clerk of Committees           |
| Ms. Sereeta Bethune  | - | Assistant Clerk of Committees |
| Ms. Jessica Small    | - | Assistant Clerk of Committees |

## Special Attendees

|                             |   |  |
|-----------------------------|---|--|
| Mr. Charles Fung-a-Fat S.C. | - | Chief Parliamentary Counsel  |
| Mr. Omadatt Chandan         | - | Attorney-at-Law, Ministry of Agriculture                                 |
| Dr. Mark Pierre             | - | Agricultural Health & Food Safety Specialist;<br>Ministry of Agriculture |

## **ITEM 1: CALL TO ORDER**

- 1.1 The Chairman called the meeting to order at 1.14 p.m.

## **ITEM 2: ANNOUNCEMENTS**

### **2.1 Welcome**

- 2.1.1 The Chairman extended a warm welcome to the Members, staff and advisors of the Committee. He expressed the hope that the Committee would conclude its work in a timely fashion after the long hiatus.

### **2.2 Excuses**

- 2.2.1 The Chairperson informed the Committee that the following Members had asked to be excused from the meeting:
- (i) Hon. Dawn Hastings-Williams, M.P.; and
  - (ii) Hon. Simona Charles-Broomes, M.P.

## **ITEM 3: CIRCULATION OF DOCUMENTS**

- 3.1 The following documents had been circulated prior to the Meeting:
- (i) Notice of the 5<sup>th</sup> Meeting dated April 13, 2018; and
  - (ii) Minutes of the 4<sup>th</sup> Meeting held on August 7, 2017.

3.2 The following document was circulated at the Meeting:

- (i) Proposals to be incorporated into the Animal Welfare Act submitted by Dr. Mark Pierre.

**ITEM 4: CORRECTION AND CONFIRMATION OF MINUTES OF THE 4<sup>th</sup> MEETING HELD ON AUGUST 7, 2017.**

**Correction**

**4.1. Page 5, Paragraph 6.4.2 – Clause 13- Protection of wild animals**

- 4.1.1 Substitution of the word ‘savannahs’ for the word ‘savannah’ in the second line of the paragraph.

**Confirmation**

- 4.2 Thereafter, the Minutes were confirmed, as corrected, on a motion, moved and seconded by the Hon. Minister and Mr. Neendkumar, respectively.

**ITEM 5: MATTERS ARISING**

**5.1 Page 4, paragraph 5.2.2 - Clause 2 Interpretation**

- 5.1.1 The Hon. Minister Holder enquired as to whether Mr. Neendkumar had prepared a definition for the term “animal shelter” for consideration by the Committee.
- 5.1.2 Mr. Neendkumar responded that he was unable to prepare the submission and requested that the Committee sought the assistance of the technical officers.
- 5.1.3 A brief discussion ensued during which Dr. Pierre informed Members that the term animal shelter was outlined and detailed at Part 7 of the Bill. He also indicated that the Animal Welfare Regulations would outline the specifications and requirements of animal shelters.
- 5.1.4 The Committee thereafter, agreed to have further clarification on the matter when it considers Part 7 of the Bill.

**5.2 Page 4, paragraph 5.3.1 and 5.3.2 – Clause 4, Sub-Clause (2) (d)**

- 5.2.1 Mr. Neendkumar reiterated his concerns with regard to the availability of trained personnel of the Guyana Livestock Development Authority to monitor animal handlers and transporters.

**5.3 Page 5, paragraph 6.5.1, Clause 13, Sub-Clause 1 (g)**

- 5.3.1 The Chairperson referred to the Committee's previous discussion on the use of the word 'population' in the Clause and enquired whether Dr. Pierre was able to review the use of the word.
- 5.3.2 Dr. Pierre informed the meeting that that issue was raised during a discussion on the Food Safety Bill. Following this discussion it was agreed that the term population would referred to a population of animals. However, as used in the Animal Welfare Bill, the term would refer to a population of people.
- 5.3.3 After a brief discussion, the Committee agreed that further research on the use of the term should be conducted. The Chief Parliamentary Counsel advised the Committee that the term referred to animal species and not humans.
- 5.3.4 The Hon. Minister Holder suggested that the word "population" should be defined in the interpretation section of the Bill.
- 5.3.5 At the conclusion of the discussion, Dr. Pierre was requested to conduct further research on the use of the term and to provide a definition for inclusion in the interpretation section of the Bill. Mr. Chandan added that the definition should be as general as possible.

**5.4 Page 6, paragraph 6.6, Clauses 17 and 18 - Animal Welfare Commission**

- 5.4.1 In response to a query from a Member, as to whether the term "commission" or "committee" should be used to describe the animal welfare body that should be established by the Minister, the Chief Parliamentary Counsel advised the Committee that the term "commission" referred to a long term establishment which would have more functions and powers while "committee" speaks of a short term establishment. He added that a commission would be best suited to carry out the functions outlined in the Bill.
- 5.4.2 Emanating from the brief discussion which ensued, the Chief Parliamentary Counsel suggested that a general chapeau could be inserted to provide for wider functions and powers of the Animal Welfare Commission. However, some Members suggested that the term "Commission" should remain in the Clause.

**ITEM 6: TO CONTINUE CONSIDERATION OF THE ANIMAL WELFARE BILL 2016 – BILL NO. 21/2016.**

- 6.1 The Committee continued its Clause by Clause consideration of the above named Bill.

## **PART V: THE KEEPING OF ANIMALS USED FOR PRODUCTION PURPOSES**

### **Clause 19 – Principles for the keeping of animals**

#### **6.2 Clause 19, Sub Clause (4)**

- 6.2.1 Dr. Pierre informed the Committee that while the clause contained the general principles for the keeping of commercial production animals, the regulations would be more specific on the species.
- 6.2.2 Mr. Seeraj raised concerns with regard to the issue of persons being trained or experienced to keep animals for production. He commented that many persons who have been rearing animals for production might not have been trained but would have acquired the experience in rearing over time.
- 6.2.3 A discussion ensued during which some Members suggested that the following amendment should be made in sub-clause (4):
- the word “commercial” should be inserted before the word “production” in line 1 ; and
  - the word “or” should be substituted for the word “and ” in line 2.
  -

### **Clause 22 – Feeding and watering**

#### **6.3 Clause 22, Sub Clause (2)**

- 6.3.1 After a brief discussion, Some Members suggested that the word “ecological” should be inserted before the word “needs” in the last line of the paragraph.

#### **6.4 Clause 28 – Protection of companion animals**

- 6.4.1 Mr. Seeraj sought clarification as whether the Bill catered for a person who might not be a breeder of dogs but have more than three dogs at his home.
- 6.4.2 A discussion ensued during which Members were referred to Clause 27 (4) which states that “The owner of a companion animal shall ensure the controlled reproduction of the animal which is under his control”. Dr. Pierre indicated that the intention was to control the population of dogs. He then referred to the issue of rabies in Bali.
- 6.4.3 At the conclusion of the discussion, Mr. Seeraj commented that the purpose should be to legislate for the comfort, wellbeing and protection of persons and animals.

## **ITEM 7: ANY OTHER BUSINESS**

**7.1 Submission from Dr. Pierre**

7.1.1 Dr. Pierre informed the Committee that the document submitted reflected amendments that were highlighted by an expert during a recent visit and should be placed in the Bill. He further stated that it specifically addressed the treatment of downer or non- ambulatory animals.

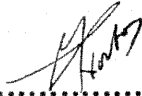
**7.2 Next meeting of the Committee**

7.2.1 The Committee agreed that its next meeting would be held at 1.00 p.m., on Thursday, May 10, 2018.

**Adjournment**

At 4.42 p.m., the meeting was adjourned to 1.00 pm on Thursday, May 10, 2018.

*Confirmed this <sup>10<sup>th</sup></sup> day of May, 2018*



.....  
**Hon. Dr. George Norton, M.P.,  
Minister of Social Cohesion  
Chairperson**

THE NATIONAL ASSEMBLY OF THE FIRST SESSION  
OF THE ELEVENTH PARLIAMENT OF GUYANA (2015-2018)

MINUTES OF THE 6<sup>TH</sup> MEETING OF THE SPECIAL SELECT COMMITTEE  
ON THE ANIMAL WELFARE BILL 2016 - BILL NO. 21 OF 2016  
HELD AT 1.00 P.M  
ON THURSDAY, MAY 10, 2018  
IN COMMITTEE ROOM NO. 1, COMMITTEES DIVISION, PUBLIC BUILDINGS,  
BRICKDAM, GEORGETOWN.

**CHAIRPERSON**

**A Partnership For National Unity/Alliance For Change (APNU/AFC) (1)**

(Nominated by the Committee of Selection on March 9, 2017)

(Elected by the Committee on 13<sup>th</sup> April, 2017)

Hon. Dr. George A. Norton, M.P.,  
Minister of Social Cohesion

**Other Members**

**From A Partnership For National Unity/Alliance For Change (APNU/AFC) (4)**

(Nominated by the Committee of Selection on March 9, 2017)

Hon. Noel L. Holder, M.P.,  
Minister of Agriculture

Hon. Dawn Hastings-Williams, M.P.,  
Minister of Public Affairs

Hon. Simona Charles-Broomes, M.P., - Absent  
Minister within the Ministry of Natural Resources

Mr. Jermaine Figueira, M.P.

**From the People's Progressive Party/Civic (PPP/C) (4)**

(Nominated by the Committee of Selection on March 9, 2017)

Mr. Dharamkumar Seeraj, M.P. - Excused

Mr. Zulfikar Mustapha, M.P.

Mr. Neendkumar, J.P., M.P.

Mr. Alister S. Charlie, M.P.

### Officers in Attendance

|                      |   |                               |
|----------------------|---|-------------------------------|
| Ms. Sueanna Reynolds | - | Clerk of Committees           |
| Ms. Sereeta Bethune  | - | Assistant Clerk of Committees |
| Ms. Jessica Small    | - | Assistant Clerk of Committees |

### Special Attendees

|                              |   |  |
|------------------------------|---|--|
| Mr. Charles Fung-a-Fat, S.C. | - | Chief Parliamentary Counsel  |
| Mr. Omadatt Chandan          | - | Attorney-at-Law, Ministry of Agriculture                                 |
| Dr. Mark Pierre              | - | Agricultural Health & Food Safety Specialist;<br>Ministry of Agriculture |

### **ITEM 1: CALL TO ORDER**

- 1.1 The Chairman called the meeting to order at 1.06 p.m.

### **ITEM 2: ANNOUNCEMENTS**

#### **2.1 Welcome**

- 2.1.1 The Chairman extended a warm welcome to the Members, staff and advisors of the Committee. He expressed the hope that the Committee would conclude its meeting at 3.00 p.m.

#### **2.2 Excuses**

- 2.2.1 The Chairperson informed the Committee that the following Member had asked to be excused from the meeting:
- Mr. Dharamkumar Seeraj, M.P.

### **ITEM 3: CIRCULATION OF DOCUMENTS**

- 3.1 The following documents had been circulated prior to the Meeting:
- Notice of the 6<sup>th</sup> Meeting dated May 4, 2018; and
  - Minutes of the 5<sup>th</sup> Meeting held on April 19, 2018.
- 3.2 The following documents were circulated at the Meeting:
- Extract of pages 3 and 4 of the Minutes of the 5<sup>th</sup> Meeting.

- (ii) Matrix of with recommendation by Ms. Melinda Janki on the Animal Welfare Bill 2016 and comments from the Technical Advisors.

**ITEM 4: CORRECTION AND CONFIRMATION OF MINUTES OF THE 5<sup>th</sup> MEETING HELD ON APRIL 19, 2018.**

**Correction**

**4.1. Page 3, paragraph 4.2 – Clause 13- Protection of wild animals**

- 4.1.1 Insertion of the name ‘Holder’ after the word ‘Minister’ in the second line of the paragraph.

**4.2 Page 4, paragraph 5.3.2 - Clause 13, Sub-Clause 1 (g)**

- 4.2.1. Deletion of the word ‘would’ in the third line of the paragraph.

**Confirmation**

- 4.3 Thereafter, the Minutes were confirmed, as corrected, on a motion, moved and seconded by the Hon. Minister Holder and the Hon. Minister Hastings-Williams, respectively.

**ITEM 5: MATTERS ARISING**

**5.1 Page 3, paragraph 5.1.2 - Clause 2 Interpretation**

- 5.1.1 Mr. Mustapha enquired as to whether the Technical Advisors were able to examine the definition of the term “animal shelter”. He was informed that the matter would be discussed subsequently when the Committee considers Part 7 of the Bill.

**5.2 Page 4, paragraph 5.3.4 and 5.3.5 - Clause 13, Sub-Clause 1 (g)**

- 5.2.1 The Chairperson referred to the Committee’s previous discussion on the use of the word “population” in the Clause. Dr. Pierre suggested that the definition of the word in the dictionary should remain; as such, the word would be interpreted based on the circumstances or context in which it is being used in the Bill.

**5.3 Page 4, paragraph 5.4.2 - Clauses 17 and 18 - Animal Welfare Commission**

- 5.3.1 Mr. Mustapha sought clarification with regard to the use of the word Commission in the Clause. He was advised that the term “Commission” should remain in the clause.



**ITEM 6: TO CONTINUE CONSIDERATION OF THE ANIMAL WELFARE BILL  
2016 – BILL NO. 21/2016.**

- 6.1 The Committee continued its Clause by Clause consideration of the above named Bill.

**PART VII ANIMAL SHELTERS**

**Clause 33 - Protection of abandoned and lost animals**

**6.2 Clause 33, Sub Clause (1)**

- 6.2.1 In response to a query, Dr. Pierre explained that the person in charge of an animal shelter would be required to keep a register of all animals. He commented that emphasis was placed on dogs since the intention was to control the population of stray dogs in Guyana by implementing dog control activities.
- 6.2.2 After some deliberation Dr. Pierre suggested that the words "*except in the case of a dog which must be reported to a person authorized to keep a dog register.*" should be deleted.

**6.3 Clause 36 – Promoting animal protection and supervision**

- 6.3.1 Mr. Mustapha reiterated the concerns expressed by some Members regarding references to facilities which were not yet available in the Bill. He commented that when the Bill is enacted, the State would be required to ensure that the facilities referred to in the Act were available. Their unavailability could make the State vulnerable to lawsuits from citizens. He then provided an example to Members. Mr. Mustapha also opined that the Bill was premature.
- 6.3.2 Mr. Figueira referred to the issue of stray dogs in Guyana and pointed out that, at present, there was no law or facilities to correct the issue. He posited that there was need for legislation to govern such matters.
- 6.3.3 The Chief Parliamentary Counsel advised the Committee that although the Bill referred to facilities which would have to be constructed, when the Act is assented to and becomes law it would be enforced at a date specified by the Minister. Hence, provisions could be made to have facilities established/erected before the commencement date to avoid certain circumstances such as lawsuits against the Government.

**PART VIII PENALTIES**

**6.4 Clause 38 – Penalties**

- 6.4.1 The Chairperson enquired as to how the sum of \$60,000 was arrived at as a fine for committing an offence.

- 6.4.2 The Chief Parliamentary Counsel explained that the sum represents the maximum amount for an offence committed. However, the Magistrate could determine whether an offender would be required to pay the maximum fine or less. The Interpretation Act would provide for such occurrences/matters.
- 6.4.3 In response to a Member's query, the Chief Parliamentary Counsel stated that the word "and" before the word imprisonment is disjunctive and could be interpreted as "and/or"; therefore a person who commits an offense could either be fined and/or imprisoned.

## **PART IX MICELLANEOUS**

### **Clause 39 – Power to make regulations**

#### **6.5 Clause 39, Sub Clause (3)**

- 6.5.1 The Chairperson enquired as to why the fines outlined in Clause 38 varied from that which was outlined in Clause 38.
- 6.5.2 Following a brief discussion, the Chief Parliamentary Counsel was requested to review the penalties/fines to ensure that they were consistent and in keeping with the law.

### **ITEM 7: PROPOSALS TO BE INCORPORATED INTO THE ANIMAL WELFARE BILL 2016 – BILL NO. 21/ 2016 SUBMITTED BY DR. MARK PIERRE**

- 7.1 The Chairperson referred to the proposal by Dr. Mark Pierre which was submitted at the Committee's previous meeting. He stated that Dr. Pierre had indicated that there was no reference to downer and non-ambulatory animals in the Bill and had proposed that this be included. The proposal is outlined as follows:

#### **"On the farm or feedlot**

*If an animal becomes non ambulatory but continues to eat and drink, the producer shall provide, water, and shelter and contact a veterinarian to determine the appropriate course of action. If the animal's condition is obviously irreversible, the animal shall be humanely euthanized.*

*Before transport off the farm or feedlot, the producer shall evaluate each animal's fitness to travel. Non ambulatory animals shall not be moved off the premises unless for the purpose of receiving veterinary treatment.*

*The following animals at high risk for becoming non ambulatory*

*shall not be transported off the farm unless for the purpose of treatment: pregnant females for whom 90 percent or more of the expected gestation period had passed, females who have given birth in the previous week, pigs of less than three weeks, lambs of less than one week, and calves of less than ten days of age.*

*At a market auction*

*All markets shall train employees in proper animal care and handling.*

*All animals received at market facilities shall be assessed for fitness by a licensed veterinarian, and non ambulatory animal shall not be accepted for marketing.*

*All markets shall have written policies, procedures, and equipment in place to handle animals that become non ambulatory after delivery to the facility.*

*Animals becoming non ambulatory on the grounds of a livestock market shall be humanely euthanized or provided with treatment as prescribed by a licensed veterinarian without delay.*

*At a slaughterhouse*

*Non ambulatory animals shall not be accepted for slaughter; however, a non ambulatory animal may be unloaded at a slaughter establishment for the purpose of euthanasia if the procedure cannot be safely performed on the transport vehicle.*

*Animals that arrive at a slaughter establishment in a non ambulatory condition, or who go down after arrival, shall be euthanized immediately and not take to slaughter.*

*At all Times*

*Non ambulatory animals shall be segregated from ambulatory animals to prevent injury.*

*Under no circumstances shall a non ambulatory animal be thrown, dragged, or pulled by the neck or other extremity, or pushed with equipment, but shall be moved with a sling or on a stone boat or other sled like or wheeled conveyance.*

*Euthanasia, if required, shall be performed by a competent and trained individual by a single blow of a penetrating captive bolt or gunshot, or by chemical means that immediately renders the animal unconscious with complete unconsciousness persisting until death."*

7.2 The Committee, thereafter, examined the proposal paragraph by paragraph.

**On the farm or feedlot**

7.2.1 Some Members suggested and the Committee agreed that the words "*If the Animal's condition is obviously irreversible, the animal shall be humanely euthanized*" at the end of paragraph, should be deleted.

7.2.2 Mr. Mustapha raised concern with regard to additional cost being incurred by farmers to have veterinarians visit their farms to determine the course of action to be taken when an animal becomes non ambulatory.

**At a market or auction**

7.2.3 Dr. Pierre explained that presently there were no auction houses or livestock markets and these facilities would have to be established once the Bill is enacted.

7.2.4 Some Members expressed concerns with regard to the inclusion of clauses into the Bill to accommodate facilities which have not yet been erected.

**At all times**

7.2.5 Mr. Neendkumar pointed out that non ambulatory animals with diseases should be separated from ambulatory animals. He added that this issue should be stated clearly in the Bill.

7.2.6 In response, Dr. Pierre pointed out that this section took into consideration any animal which becomes non ambulatory. He added that the Animal Health Act already addressed how sick animals should be dealt with.

7.2.7 Following discussions, the Committee agreed that the proposed insertions should form part of the Bill. Dr. Pierre suggested that the proposal should be included as Part VI of the Bill.

7.2.8 The Chief Parliamentary Counsel was requested to collaborate with the Technical Advisors to determine which section of the Bill should the proposed insertion be incorporated. The Chief Parliamentary Counsel was also requested to ensure that the proposal was in keeping with legislative drafting.

**ITEM 8: CONSIDERATION OF MATRIX WITH SUBMISSION BY MELINDA JANKI AND COMMENTS FROM THE TECHNICAL OFFICERS.**

**PART 11 PROTECTION OF ANIMALS**

**8.1 Clause 4 – Prohibited acts and protection of animals**

- 8.1.1 Following a brief discussion, the Committee agreed with the proposal that a schedule to reflect offences and levels of sanctions prescribed be included in the Bill.

**Clause 9 – Protection of animals at the time of humane killing**

**8.2 Clause 9, Sub Clause (1)**

- 8.2.1 Dr. Pierre suggested that the proposed insertion of the words “the animal is injured and unlikely to recover or to recover without suffering unduly” should be included in the Bill.

- 8.2.2 After a brief discussion, the Committee agreed to include the following as Clause 9 (1) (i):

*“the animal is injured and unlikely to recover or to recover without suffering unduly”.*

**Clause 13 – Protection of wild animals**

**8.3 Clause 13, Sub Clause (1) (b)**

- 8.3.1 The Committee considered the proposed amendment and agreed that the words “*for a period longer than the period that may be prescribed by regulations*” should be deleted from the paragraph.

**8.4 Clause 13, Sub Clause (2)**

- 8.4.1 After a brief discussion, the Committee agreed that the proposed insertion should be accepted. The new insertion would be read as follows:

*“(d) All activities shall be conducted in accordance with the Protected Areas Act.”*

**PART V THE KEEPING OF ANIMALS USED FOR PRODUCTION PURPOSES**

**8.5 Clause 22 – Feeding and watering**

8.5.1 The Committee discussed the proposed recommendation for the inclusion of sanctions in the Clause.

8.5.2 Mr. Figueira posited that community service could be added as a form of sanction. This view was shared by other Members, since it was felt that some case offenders might not be able to pay the fines and the jails were already overcrowded.

8.5.3 The Chief Parliamentary Counsel suggested that the proposals be incorporated into sub clause 22 (4) and agreed to review the proposal and provide a submission at the next meeting.

**8.6 Clause 23 – Construction and equipment of animal houses**

8.6.1 The Committee considered the proposed amendment. After a brief discussion, The Chief Parliamentary Counsel and the Technical Officers were requested to review the Clause with a view to providing the appropriate sanctions to accompany the Clause.

**8.7 Clause 24 – Animals not kept in buildings**

8.7.1 The Committee discussed the recommendations proffered to Clause 24. The Chief Parliamentary Counsel and the Technical Advisors were requested to collaborate with the aim of identifying appropriate sanctions to accompany the clause.

**ITEM 9: ANY OTHER BUSINESS**

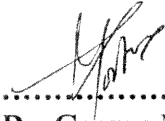
**9.1 Next meeting of the Committee**

9.1.1 The Committee agreed that its next meeting would be held at 1.00 p.m., on Thursday, May 31, 2018.

**Adjournment**

At 3.00 p.m., the meeting was adjourned to 1.00 pm on Thursday, May 31, 2018.

*Confirmed this 31<sup>st</sup> day of May, 2018*



.....  
**Hon. Dr. George Norton, M.P.,  
Minister of Social Cohesion  
Chairperson**

THE NATIONAL ASSEMBLY OF THE FIRST SESSION  
OF THE ELEVENTH PARLIAMENT OF GUYANA (2015-2018)

MINUTES OF THE 7<sup>TH</sup> MEETING OF THE SPECIAL SELECT COMMITTEE  
ON THE ANIMAL WELFARE BILL 2016 - BILL NO. 21 OF 2016  
HELD AT 1.00 P.M  
ON THURSDAY, MAY 31, 2018  
IN COMMITTEE ROOM NO. 1, COMMITTEES DIVISION, PUBLIC BUILDINGS,  
BRICKDAM, GEORGETOWN.

**CHAIRPERSON**

**A Partnership For National Unity/Alliance For Change (APNU/AFC) (1)**

(Nominated by the Committee of Selection on March 9, 2017)

(Elected by the Committee on 13<sup>th</sup> April, 2017)

Hon. Dr. George A. Norton, M.P.,  
Minister of Social Cohesion

**Other Members**

**From A Partnership For National Unity/Alliance For Change (APNU/AFC) (4)**

(Nominated by the Committee of Selection on March 9, 2017)

Hon. Noel L. Holder, M.P.,  
Minister of Agriculture

Hon. Dawn Hastings-Williams, M.P., - Excused  
Minister of Public Affairs

Hon. Simona Charles-Broomes, M.P.,  
Minister within the Ministry of Natural Resources

Mr. Jermaine Figueira, M.P.

**From the People's Progressive Party/Civic (PPP/C) (4)**

(Nominated by the Committee of Selection on March 9, 2017)

Mr. Dharamkumar Seeraj, M.P. - Absent

Mr. Zulfikar Mustapha, M.P.

Mr. Neendkumar, J.P., M.P.

Mr. Alister S. Charlie, M.P.



### **Officers in Attendance**

Ms. Sueanna Reynolds - Clerk of Committees  
Ms. Sereeta Bethune - Assistant Clerk of Committees  
Ms. Jessica Small - Assistant Clerk of Committees

### **Special Attendees**

Mr. Charles Fung-a-Fat, S.C. - Chief Parliamentary Counsel  
Mr. Omadatt Chandan - Attorney-at-Law, Ministry of Agriculture (Absent)  
Dr. Mark Pierre - Agricultural Health & Food Safety Specialist;  
Ministry of Agriculture

### **ITEM 1: CALL TO ORDER**

1.1 The Chairperson called the meeting to order at 1.06 p.m.

### **ITEM 2: ANNOUNCEMENTS**

#### **2.1 Excuses**

2.1.1 The Chairperson informed the Committee that the following Member had asked to be excused from the meeting:

- Hon. Dawn Hastings-Williams, M.P.

### **ITEM 3: CIRCULATION OF DOCUMENTS**

3.1 The following documents had been circulated prior to the meeting:

- (i) Notice of the 7<sup>th</sup> Meeting dated May 25, 2018;
- (ii) Minutes of the 6<sup>th</sup> Meeting held on May 10, 2018; and
- (iii) Matrix of Proposed Amendments.

3.2 The following documents were circulated at the meeting:

- (i) Amended Minutes of the 6<sup>th</sup> Meeting held on May 10, 2018; and
- (ii) Submission from the Chief Parliamentary Counsel.

**ITEM 4: CORRECTION AND CONFIRMATION OF MINUTES OF THE 6<sup>TH</sup> MEETING HELD ON MAY 10, 2018.**

**Correction**

**4.1. Page 3, paragraph 3.2 (ii) – Circulation of Documents**

4.1.1 Deletion of the word ‘of’ after the word ‘Matrix’ in line one.

**4.2 Page 5, paragraph 6.5.1 - Clause 39, Sub-Clause (3)**

4.2.1. Substitution of the number “39” for the number “38” in line 2 of the paragraph.

**Confirmation**

4.3 Thereafter, the Minutes were confirmed, as corrected, on a motion, moved and seconded by the Hon. Minister Holder and Mr. Neendkumar, respectively.

**ITEM 5: MATTERS ARISING**

**5.1 Page 3, paragraph 5.1.2- Clause 2 Interpretation**

5.1.1 Based on a query, the Chairperson informed the meeting that Part 7 of the Bill which provided for animal shelter was considered and agreed to by the Committee.

**5.2 Page 4, paragraph 6.1- Proposals to be incorporated into the Animal Welfare Bill 2016- Bill No. 21/ 2016 submitted by Dr. Mark Pierre**

5.2.1 Mr. Neendkumar referred to the penultimate paragraph and queried whether it was possible for all markets to:

- (i) train employees in proper animal care and handlings; and
- (ii) have written policies, procedures and equipment in place to handle all animals who had become non-ambulatory after delivery at the facility.

5.2.2 He also referred to the statement made by Dr. Pierre at the previous meeting with regard to the availability of auction houses and life stock market. He reiterated the comment that the Bill was premature.

5.2.3 The Chairman referred Members to the submission from the Chief Parliamentary Counsel (CPC). He reminded Members that the CPC was requested to ensure that the proposed insertion was in keeping with legislative drafting.

5.2.4 Mr. Neendkumar commented that the proposed insertion was well written, however, it might take many years before it could be implemented.

- 5.2.5 Member Mustapha indicted that the new proposed clauses did not cater for those markets which were found in the local government bodies, such as the Neighbourhood Democratic Council. In addition, the type of market being referred to was not specified. He posited that while it was important for the country to have the legislation there were many activities to be completed before the legislation could be implemented. One such activity was the systematic education of the farmers who would be affected by the legislation.
- 5.2.6 Member Mustapha also suggested that the Committee should seek to engage the farmers and receive their views before passing the Bill.
- 5.2.7 The Chairperson reminded Members that during previous discussion on the matter the CPC had advised that although the Bill referred to facilities which would have to be constructed, when the Act is assented to and becomes law it would be enforced at a date specified the Minister.
- 5.2.8 The Hon. Minister Holder in an effort to provide further clarification referred to the issue of exportation of Cat Fish and the requirements of the United States market.
- 5.2.9 Members of the Opposition indicted that based on the various concerns which they had raised during the discussion on the Bill they would withhold support of the Bill. At this point, after reminding the Chairperson of their intention to leave, Members of the Opposition were excused from the meeting.
- 5.2.10 The Hon. Minister Holder noted that legislation was necessary in order for Guyana to export animal products.

**ITEM 6: TO CONTINUE CONSIDERATION OF THE ANIMAL WELFARE BILL 2016 – BILL NO. 21/2016.**

- 6.1 The Committee concluded Clause by Clause consideration of Bill and the matrix of Proposed Amendments.
- 6.2 The following amendments were agreed to by the Committee:

**PART I - PRELIMINARY**

- Clauses 1 to 3 were *accepted as printed*.
- Clause 4 (1) was *accepted as printed*.

- Clauses 4(2) (a) to (f) were *accepted as printed*.

## **PART II – PROTECTION OF ANIMALS**

- Clause 4 (2) (g) was amended as follows:

*(g) use technical devices, aids and tools aimed at controlling behaviour of animals by punishment, including prong collars or training devices involving the use of electric current or chemical substances;*

- Clause 4 (2) (g) was *accepted as amended*.
- Clause 4 (2) (h) to (u) were *accepted as printed*.
- Clause 4(2) to (4) were *accepted as printed*.
- Clauses 5 to 8 were *accepted as printed*.
- Clause (9) (1) was amended as follows:

Insertion of the words “*the animal is injured and unlikely to recover or to recover without suffering unduly*” as paragraph (i).

- Clause (9) (1) was *accepted as amended*.
- Clauses (9) (2) to (4) were *accepted as printed*.
- Clauses (10) to 12 were *accepted as printed*.
- Clause 13 (1) (a) was *accepted as printed*.
- Clause 13 (1) (b) was amended as follows:  
  
Deletion of the words “*for a period longer than the period that may be prescribed by regulations*” after the word “needs”.
- Clause 13 (1) (b) was *accepted as amended*.
- Clause 13 (1) (c) to (h) was *accepted as printed*.
- Clause 13 (2) (a) and (b) were *accepted as printed*.
- The new Clause 13 (c) was *accepted as presented*.

Insertion of the words “*All activities shall be conducted in accordance with the Protected Areas Act*” as a new Clause 13 (c).

**PART III – PROTECTION AT THE TIME OF SLAUGHTER OR HUMANE KILLING**

- Clauses 14 and 16 were *accepted as printed*.

**PART IV – ANIMAL WELFARE COMMISSION**

- Clause 17 and 18 were *accepted as printed*.

**PART V – THE KEEPING OF ANIMALS FOR PRODUCTION PURPOSES**

- Clause 19 (1) to (3) were *accepted as printed*.
- Clause 19 (4) was amended as follows:
  - Insertion of the word “**commercial**” after the word “for”.
  - Substitution of the word “**or**” for the word “and”.
- Clause 19 (4) was *accepted as amended*.
- Clauses 20 and 21 were *accepted as printed*.
- Clause 22 (1) was *accepted as printed*.
- Clause 22 (2) was amended as follows:
  - Insertion of the word “**ecological**” before the word “needs”.
- Clause 22 (2) was *accepted as amended*.
- Clause 22 (3) was *accepted as printed*.
- Clause 22 (4) was amended as follows:
  - Insertion of the words “ **and is liable on summary conviction to a fine of twenty-five thousand dollars and in the case of a second or subsequent conviction to a fine of fifty thousand dollars and to imprisonment for one month**” at the end of the paragraph.
- Clause 22 (4) was accepted as amended.
- The new Clause 22 (5) was *accepted as presented*.

“(5) Notwithstanding the other provisions of this section, a court convicting a person of an offence under this section, may, in addition to imposing a fine, make an order requiring the person convicted to perform community service for such period not exceeding six months in lieu of imprisonment and for such number of hours each day, excluding public holidays, as are specified in the order and where any such order is made the provisions of sections 3(2) to 7, inclusive, of the Extra-Mural Work Act shall, *mutatis mutandis*, apply as if the order were an extramural work order made under section 3 of that Act.”

- Clause 23 (1) was *accepted as printed*.
- Clause 23 (2) was *amended as follows*:
  - Insertion of the words “**and is liable on summary conviction to a fine of twenty-five thousand dollars and in the case of a second or subsequent conviction to a fine of fifty thousand dollars and to imprisonment for one month**” at the end of the paragraph.
- Clause 23 (2) was *accepted as amended*.
- Clause 24 (1) was *accepted as printed*.
- Clause 24 (2) was amended as follows:
  - Insertion of the words “**and is liable on summary conviction to a fine of twenty-five thousand dollars and in the case of a second or subsequent conviction to a fine of fifty thousand dollars and to imprisonment for one month**” at the end of the paragraph.
- Clauses 25 and 26 were *accepted as printed*.

## PART VI

- The following was inserted as Part VI of the Bill and accepted in principle.

### “PART VI

#### TREATMENT OF NON-AMBULATORY ANIMALS

Animals on farm or feedlot      27. (1) Where an animal becomes non ambulatory but continues to eat and drink, the owner shall provide, water, and shelter and contact a veterinarian to determine the appropriate course of action and where the animal’s condition is obviously irreversible, the animal shall be humanely euthanized.

(2) Before transport off the farm or feedlot, the owner shall evaluate each animal's fitness to travel and non-ambulatory animals shall not be moved off the premises except for the purpose of receiving veterinary treatment.

(3) The following animals at high risk for becoming non ambulatory shall not be transported off the farm unless for the purpose of treatment –

- (a) pregnant females for whom ninety percent or more of the expected gestation period had passed;
- (b) females who have given birth in the previous week;
- (c) pigs of less than three weeks;
- (d) lambs of less than one week; and
- (e) calves of less than ten days of age.

(4) A person who fails to comply with the provisions of this section commits an offence.

Animals  
at  
market  
feedlot.

28. (1) A city council or town council, as the case may be, shall cause all livestock market employees to be trained in proper animal care and handling.

(2) All animals received at market facilities shall be assessed for fitness by a licensed veterinarian, and non-ambulatory animals shall not be accepted for marketing.

(3) A city council or town council shall, at all markets, have written policies, procedures, and equipment in place for handling animals that become non-ambulatory after delivery to the facility.

(4) A city council or town council shall cause animals becoming non-ambulatory on the grounds of a livestock market to be humanely euthanized or provided with treatment as prescribed by a licensed veterinarian without delay.

(5) A person who fails to comply with the provisions of this section commits an offence.

Animals at  
slaughter-  
houses or  
abattoirs

29. (1) A city council or town council (or an owner of a private slaughter house or abattoir) shall ensure that non-ambulatory animals are not accepted for slaughter at a slaughter house or abattoir:

Provided that a non-ambulatory animal may be unloaded at a slaughter house or abattoir for the purpose of euthanasia where the procedure cannot be safely performed on the transport vehicle.

(2) A city council or town council (or an owner of a private slaughter house or abattoir) shall cause animals that arrive at a slaughter house or abattoir in a non-ambulatory condition, or which go down after arrival, shall be euthanized immediately and not be taken for slaughter.

(3) Non-ambulatory animals shall be separated from ambulatory animals to prevent injury.

(4) A person shall not cause a non-ambulatory animal to be thrown, dragged, or pulled by the neck or other extremity, or pushed with equipment, but shall cause them to be moved with a sling or on a stone boat or other sled like or wheeled conveyance.

(5) Euthanasia, if required, shall be performed by a competent and trained individual by a single blow of a penetrating captive bolt or gunshot, or by chemical means that immediately render the animal unconscious with complete unconsciousness persisting until death.

(6) A person who fails to comply with the provisions of this section commits an offence.”

### 6.3 Views expressed by Members of the Opposition

6.3.1 Members of the Opposition had expressed reservations on some aspects of the abovementioned amendments and did not agree to the amendments. Some Members suggested that the word livestock should be included before the word market. Additionally, the Clause should refer to those markets which were found in the Neighbourhood Democratic Councils.

6.3.2 Based on comments made by Members of the Opposition the CPC and the Technical Adviser agreed to review the new Part VI, once more, and provide the Committee with their suggestion at the next meeting.



## **PART VI – PROTECTION OF COMPANION ANIMALS**

Part VI was amended as follows:

- Part VI was renumbered as Part VII of the Bill.
- Clauses 27 to 32 were renumbered as Clauses 30 to 35, respectively.

## **PART VII – ANIMAL SHELTERS**

Part VII was amended as follows:

- Part VII was renumbered as Part VIII of the Bill.
- Clause 33 was renumbered as Clause 36.
- Deletion of the words “**except in the case of a dog which must be reported to a person authorized to keep a dog register**” after the word “shelter”.
- Clauses 34 to 37 were renumbered as Clauses 37 to 40.

### **ITEM 7: ANY OTHER BUSINESS**

#### **7.1 Report of the Committee**

7.1 At the conclusion of the consideration of the Animal Welfare Bill 2016 – Bill No. 21/2016, the Clerk was requested to prepare a Draft Report to be considered at the next meeting of the Committee.

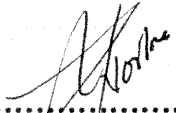
#### **7.2 Next meeting of the Committee**

7.2.1 The Committee agreed that its next meeting would be held at 1.00 p.m., on Thursday, June 14, 2018.

### **Adjournment**

At 2.33 p.m., the meeting was adjourned to 1.00 pm on Thursday, June 14, 2018.

*Confirmed this <sup>14</sup> day of June, 2018*

  
.....  
**Hon. Dr. George Norton, M.P.,**  
**Minister of Social Cohesion**  
**Chairperson**

THE NATIONAL ASSEMBLY OF THE FIRST SESSION  
OF THE ELEVENTH PARLIAMENT OF GUYANA (2015-2018)

MINUTES OF THE 8<sup>TH</sup> MEETING OF THE SPECIAL SELECT COMMITTEE  
ON THE ANIMAL WELFARE BILL 2016 - BILL NO. 21 OF 2016  
HELD AT 1.00 P.M  
ON THURSDAY, JUNE 14, 2018  
IN COMMITTEE ROOM NO. 2, (GROUND FLOOR, WEST OF THE MAIN  
STAIRWAY), PUBLIC BUILDINGS, BRICKDAM, GEORGETOWN

**CHAIRPERSON**

**A Partnership For National Unity/Alliance For Change (APNU/AFC) (1)**

(Nominated by the Committee of Selection on March 9, 2017)

(Elected by the Committee on 13<sup>th</sup> April, 2017)

Hon. Dr. George A. Norton, M.P.,  
Minister of Social Cohesion

**Other Members**

**From A Partnership For National Unity/Alliance For Change (APNU/AFC) (4)**

(Nominated by the Committee of Selection on March 9, 2017)

Hon. Noel L. Holder, M.P.,  
Minister of Agriculture

Hon. Dawn Hastings-Williams, M.P.,  
Minister of Public Affairs

Hon. Simona Charles-Broomes, M.P.,  
Minister within the Ministry of Natural Resources

Mr. Jermaine Figueira, M.P.

**From the People's Progressive Party/Civic (PPP/C) (4)**

(Nominated by the Committee of Selection on March 9, 2017)

Mr. Dharamkumar Seeraj, M.P. - Absent

Mr. Zulfikar Mustapha, M.P.

Mr. Neendkumar, J.P., M.P.

Mr. Alister S. Charlie, M.P.

## Officers in Attendance

Ms. Sueanna Reynolds - Clerk of Committees  
Ms. Sereeta Bethune - Assistant Clerk of Committees  
Ms. Jessica Small - Assistant Clerk of Committees

## Special Attendees

Mr. Charles Fung-a-Fat, S.C. - Chief Parliamentary Counsel  
Mr. Omadatt Chandan - Attorney-at-Law, Ministry of Agriculture  
Dr. Mark Pierre - Agricultural Health & Food Safety Specialist;  
Ministry of Agriculture

### **ITEM 1: CALL TO ORDER**

1.1 The Chairperson called the meeting to order at 1.11 p.m.

### **ITEM 2: CIRCULATION OF DOCUMENTS**

2.1 The following documents had been circulated prior to the meeting:

- (i) Notice of the 8<sup>th</sup> Meeting dated June 8, 2018;
- (ii) Minutes of the 7<sup>th</sup> Meeting held on May 31, 2018;
- (iii) Matrix of Amendments to the Animal Welfare Bill 2016- Bill No. 21 of 2016; and
- (iv) Draft Report of the Special Select Committee on the Animal Welfare Bill 2016- Bill No. 21 of 2016.

2.2 The following document was circulated at the meeting:

- Submission by the Chief Parliamentary Counsel on the New Part VI of the Bill.

### **ITEM 3: CORRECTION AND CONFIRMATION OF MINUTES OF THE 7<sup>TH</sup> MEETING HELD ON MAY 31, 2018.**

#### Corrections

3.1. Page 3, paragraph 5.2.2 – Proposals to be incorporated into the Animal Welfare Bill 2016- Bill No. 21/ 2016 submitted by Dr. Mark Pierre

3.1.1 Substitution of the word '*livestock*' for the words '*life stock*' in line two.

**3.2 Page 4, paragraph 5.2.9 - Proposals to be incorporated into the Animal Welfare Bill 2016- Bill No. 21/ 2016 submitted by Dr. Mark Pierre**

3.2.1. Insertion of the names “Mr. Mustapha and Mr. Neendkumar” after the word “Opposition” in the last line of the paragraph.

**3.3 Page 6, Bullet 1**

3.3.1 Insertion of the words “At this point Mr. Charlie joined the meeting” after the first bullet.

**3.4 Page 9, paragraph 6.3.1 – Views expressed by the Members of the Opposition**

3.4.1 Substitution of the word ‘agree’ for the word ‘agreed’ in line two.

3.4.2 Substitution of the word ‘refer’ for the word ‘referred’ in line four.

**3.5 Page 9, paragraph 6.3.2 - Views expressed by the Members of the Opposition**

3.5.1 Substitution of the word ‘suggestions’ for the word ‘suggestion’ in line last line of the paragraph.

**Confirmation**

3.6 Thereafter, the Minutes were confirmed, as corrected, on a motion, moved and seconded by the Hon. Minister Holder and Mr. Neendkumar, respectively.

**ITEM 4: MATTERS ARISING**

**4.1 Page 9, paragraph 6.3.2 - Views expressed by Members of the Opposition**

4.1.1 Based on a query, the Chairperson informed Members that the Chief Parliamentary Counsel had submitted proposed amendments to the new Part IV for inclusion in the Bill. The Committee then considered the amendments.

4.1.2 Mr. Neendkumar reiterated his previous comments that the Bill was premature and there was need for facilities to be established before the Bill is implemented. He also pointed out that there was need for the farmers and other stakeholders to be educated on the various aspects of the Bill. He added that persons would require time to purchase the necessary equipment and to upgrade their facilities to reach the standards outlined in the Bill.

4.1.3 Mr. Neendkumar referred to Clause 28 (1) of the proposed amendments and enquired when training of market employees in proper animal care and handling would be done.

4.1.4 The Hon. Minister Holder explained that the legislation was being put into place to allow for the establishment of facilities such as animal shelters and pounds and to serve as a guide when establishing these facilities.

4.1.5 After some discussion the Committee agreed to the following:

**New Part VI**

4.1.6 **Clause 27 (1):**

- Insertion of the “**on a farm or feedlot**” for the words” before the word “**becomes**” in line 1.

4.1.7 **Clause 28 (1)**

- Substitution of the words “**A person in charge of a livestock market**” for the words “**A city council or town council, as the case may be,**” in the paragraph.

4.1.8 **Clause 28 (2)**

- Insertion of the word “**livestock**” before the word “**market**” in line 1.

4.1.9 **Clause 28 (3)**

- Substitution of the words “**person in charge of a livestock market shall have, at the livestock market**” for the words “**city council or town council shall, at all markets**” in line 1.

4.1.10 **Clause 28 (4)**

- Substitution of the words “**person in charge of a livestock market**” for the words “**city council or town council**” in line 1.
- Substitution of the word “**premises**” for the word “**grounds**” in line 2.

4.1.11 **Clause 29 (1)**

- Substitution of the words “**person in charge of a slaughter house or abattoir**” for the words “**city council or town council (or an owner of a private slaughter house or abattoir**” in line 1.

4.1.12 **Clause 29 (2)**

- Substitution of the words “**person in charge of a slaughter house or abattoir**” for the words “**city council or town council (or an owner of a private slaughter house or abattoir**” in line 1.

- Substitution of the word “to” for the word “shall” in line 3.

4.1.13 Part VI was then accepted as amended. Thereafter, the Committee agreed that Part VI stand part of the Bill.

**ITEM 5: TO CONSIDER THE DRAFT REPORT OF THE SPECIAL SELECT COMMITTEE ON THE ANIMAL WELFARE BILL 2016 – BILL NO. 21/2016**

5.1 The Committee considered the Draft Report paragraph by paragraph.

**5.2 Page 3, paragraph 7, Methodology – Item (i)**

5.2.1 Substitution of the word “peruse” for the word “perused” in line 1.

**5.3 Page 3, paragraph 7, Methodology – Item (iii)**

5.3.1 Substitution of the word “submissions” for the word “submission” in line 1.

**5.4 Page 4, paragraph 13 - Minorities Views/Non-Support of the Bill**

5.4.1 Mr. Neendkumar indicated that he was not in agreement with the use of the words “Minority view” in the Report.

5.4.2 A brief discussion ensued during which Mr. Neendkumar and Mr. Mustapha indicated that the Report did not adequately reflect/outline the concerns raised during the consideration of the Bill.

5.4.3 The Chairperson informed Members that the Report would be accompanied by a Matrix of Amendments to the Bill and the Minutes of the Committee’s Meeting. The Minutes would therefore reflect the discussions on the areas of concern.

5.4.4 Mr. Mustapha, however, suggested that the Clerk of the Committee peruse the Verbatim Records of the Proceedings of the Committee and extract the concerns which they had highlighted during the Committee’s deliberation.

5.4.5 At the conclusion of the discussion, the Committee agreed to the following:

(i) Substitution of the words “**Views expressed by Members of the Opposition**” for the words “**Minority views/Non-Support of the Bill**”.

(ii) The Clerk of the Committee should extract from the Verbatim Records of Proceedings and compile a list of objections/concerns expressed by Members of the Opposition. The list should then be circulated, via email, for the Members perusal and concurrence. Thereafter, the list would be included in the Report of the Committee.

**5.5 Matrix of Amendments to the Bill**

- 5.5.1 The Matrix of Amendments to the Bill was agreed to by the Committee. The Clerk of the Committee was requested to amend the Part VI of the matrix in keeping with the amendments made at this meeting.

**ITEM 6: ANY OTHER BUSINESS**

**6.1 Report of the Committee**

- 6.1.1 The Committee adopted the report and agreed that it should be presented at the Sitting of the National Assembly scheduled for Monday, June 25, 2018.

**Adjournment**

At 1.55 p.m., the meeting was adjourned *sine die*.

*Unconfirmed*