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## FORM OF VETERINARY SURGEONS' REGISTER.

## CHAPTER 258.

## ANIMALS DISEASES.

29 of 1936.  
10 of 1950.  
10 of 1953.

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

[30TH DECEMBER, 1936.]

Short title.

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

Interpretation.

2. In this Ordinance unless the context otherwise requires, the following expressions shall have the meanings hereby assigned to them—

“ animal ” means any bull, cow, ox, heifer, calf, horse, mare, gelding, colt, filly, mule, ass, sheep, swine, goat, dog or any other animal which the Governor in Council may, by order, direct to be included in the expression;

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

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

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

“ Director ” means the Director of Agriculture;

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

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

“officer” means any police constable or any officer appointed by the Governor in Council or the Director;

“order” means any order made by the Governor in Council and in force under this Ordinance;

“owner” means—

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

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

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

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

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

“regulations” means regulations made by the Governor in Council under this Ordinance;

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

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

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

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

“village” means any village district or country district duly declared under the Local Government Ordinance.

## VETERINARY SURGEONS.

Veterinary  
Surgeons'  
Register.  
Schedule.

3. (1) The Director shall keep a register, in the form contained in the schedule to this Ordinance, to be styled the Veterinary Surgeons' Register, of all persons registered as veterinary surgeons.

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

(3) The Director, in the month of February in each year, shall publish in the Gazette a copy of the register.

Registration  
of persons in  
register.

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

(2) If the Director declines to register any person who applies to be registered, such person may appeal to the Governor in Council and, if it be made to appear to the Governor in Council that such person is entitled to be registered, the Governor in Council may direct that such person shall be registered.

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

Evidence of  
registration.

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

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

Notification  
of disease.

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

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

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

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

(4) The Director shall supply forms of notification to any veterinary surgeon registered under this Ordinance.

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

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

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

Correction of register.

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

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

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

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

9. Every person who wilfully procures or attempts to procure himself to be registered by making or producing or causing to be made or produced any false statement or declaration, and every person aiding or assisting him therein shall be liable to a penalty not exceeding two hundred dollars or to imprisonment with or without hard labour for any term not exceeding six months.

Penalty for obtaining registration by false declaration.

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

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

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

Qualifications for registration.

11. Any person who—

(1) is registered or entitled by law to be registered as a veterinary surgeon in the United Kingdom under any Act for the time being in force; or

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

(3) is at the commencement of this Ordinance registered under the provisions of the (repealed) Animals (Breed and Contagious Diseases) Ordinance, shall on payment of a fee of twenty-four dollars be entitled to be registered:

Cap. 272 of the 1929 Edition.

Provided that no fee shall be payable by any person registered under the provisions of subsection (3) of this section or by a Government veterinary surgeon.

#### IMPORTATION OF ANIMALS.

Ports of entry.

12. (1) The Governor in Council may, by order, declare any place to be a port of entry.

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

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

Prohibition of importation from specified places.  
10 of 1953, s. 2.

13. \*(1) The Governor in Council may, by order—

(a) prohibit or prescribe the terms and conditions for permitting the importation into the Colony of animals or of

\* This subsection is deemed to have come into operation on the 30th December, 1952 (10 of 1953, s. 3.).

any specified kind thereof or of carcasses, fodder, litter, excreta or other thing from any specified place out of the Colony;

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

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

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

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

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

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

Conditions of  
introduction  
of animals.

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

Animals  
suffering  
from or  
suspected  
of disease.  
10 of 1950,  
s. 2.

(4) Every person who imports or lands or attempts to import or land any animal or any carcass, fodder, litter, excreta, or any other thing in contravention of any such order as aforesaid, shall be liable to a penalty not exceeding one hundred dollars.

(5) The Comptroller of Customs and any police constable and any officer appointed by the Director shall have power to seize and slaughter any animal and to bury or destroy any carcass, fodder, litter, excreta or any other thing imported into the

Slaughter  
of animals  
imported in  
contravention  
of orders.  
10 of 1950,  
s. 2.

Colony contrary to any such order as aforesaid and to bury or destroy any carcass of any animal hereunder prohibited to be imported and found on any vessel in the waters of this Colony or on board any vessel or aircraft at a port of entry:

Animals not to be slaughtered until examination by a veterinary surgeon.

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

Landing of dogs.  
10 of 1950,  
s. 3.

14. If any dog is landed from any vessel or aircraft coming from abroad without express permission in writing from the Government veterinary surgeon, such dog may be seized and destroyed by the Comptroller of Customs, and the master of the vessel or commander of the aircraft shall be liable to a penalty not exceeding twenty dollars.

#### PRECAUTIONS AGAINST THE SPREAD OF DISEASE.

Infected area.

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

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

(3) The Governor in Council may, by order, vary the limits of a declared area.

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

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

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

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



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

Removal of infected stock prohibited.

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

Notification of disease and declaration of suspected and infected areas.

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

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

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

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

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

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

Animals found within infected area.

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

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

Rights of  
owner of land  
in respect of  
straying  
stock.

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

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

Slaughter of  
diseased  
animals.

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

Disposal of  
animal  
infected.

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

Compensa-  
tion for  
animal  
slaughtered.

22. The Governor in Council may award such compensation in respect of the compulsory slaughter of any animal under the provisions of this Ordinance as he may think fit out of any moneys provided by the Legislative Council for that purpose.

Execution of  
orders within  
village or  
country  
districts.

23. When an area within the confines of any village or country district or on any land on which animals are received for agistment is declared by the Governor in Council to be an infected area, the village or district council or the owner of the plantation as the case may be shall be responsible for the due execution of the order.

Special  
provisions as  
to anthrax.

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

(2) The Director may in writing under his hand appoint persons (in this section styled "authorised persons") to enter the infected area for the purpose of herding, inoculating and marking animals under this section and similarly cancel the appointment of an authorised person.

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

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

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

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

Isolation of premises.  
Glanders or farcy.

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

(b) make a full report of the circumstances to the Director.

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

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

Recovery of cost of isolation.

(2) A certificate purporting to be signed by the Financial Secretary that a specified sum is the amount of the cost so

incurred shall, without any proof of the signature, be received in all courts as proof of the fact until the contrary is proved.

#### MISCELLANEOUS.

Service of notices.

27. Any notice or other document required by this Ordinance or by any order or regulation to be served on the owner or occupier of any premises may be served, if the owner or occupier cannot readily be found or served, by affixing the same to some conspicuous part of such premises.

Duty of police constable.

28. It shall be the duty of every police constable to enforce this Ordinance and the orders and regulations.

Powers of police.

29. Where a person is seen or found committing, or is reasonably suspected of being engaged in committing an offence against this Ordinance, a police constable may, without warrant, stop and detain him; and if his name and address are not known to the police constable, and he fails to give them to the satisfaction of the police constable, the police constable may, without warrant, apprehend him; and the police constable may, whether so stopping, or detaining, or apprehending the person or not, stop, detain and examine any animal, vehicle, boat or thing to which the offence or suspected offence relates, and require the same to be forthwith taken back to or into any place or district wherefrom or whereout it was unlawfully removed, and execute and enforce that requisition.

Officers to have powers of police constables.

30. Any officer shall, for the purposes of this Ordinance, have all powers which a police constable has under this Ordinance or otherwise in the place where such officer is acting.

Offences.

31. Every person who, without lawful authority or excuse the proof whereof shall lie on him—

(a) does anything in contravention of this Ordinance or of an order; or

(b) where required to keep an animal separate as far as practicable, or to give notice of disease with all practicable speed, fails to do so; or

(c) refuses, to an inspector or other officer acting in execution of this Ordinance or of an order, admission to any land, building, place, vessel, pen, vehicle, or boat which the inspector or officer is entitled to enter or examine, or obstructs or impedes him, in so entering or examining, or otherwise, in any respect obstructs or impedes an inspector, or constable

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

shall be guilty of an offence against this Ordinance.

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

(a) to a penalty not exceeding ninety-six dollars; and

(b) for a second or subsequent offence to a penalty not exceeding two hundred and forty dollars or to imprisonment with or without hard labour for a period not exceeding six months.

**33.** Offences and penalties under this Ordinance and all orders and regulations may be prosecuted and recovered under the Summary Jurisdiction Ordinances. Procedure.

**34.** The Director with the approval of the Governor may appoint persons for any of the following purposes— Persons to be appointed by Director.

(a) to inspect animals imported into the Colony and to issue permits for landing of such animals or to prohibit the landing of such as are suffering from disease or suspected of suffering from disease;

(b) to examine animals found within infected areas; and

(c) to issue permission in writing for the removal of animals liable to disease from an infected area or of the carcass or any part of the carcass of any animal which has died or is suspected of having died of disease or which has been destroyed by reason thereof.

**35.** (1) The Governor in Council may appoint persons for the proper carrying out of the provisions of this Ordinance and orders and regulations. Appointment of officers for carrying out Ordinance.

(2) The remuneration of all persons appointed by the Governor in Council and by the Director shall be at such rate as the Governor in Council may think fit and be paid out of moneys provided by the Legislative Council.

Powers of  
Governor  
in Council.

36. The Governor in Council may make regulations for any of the following purposes—

(1) to regulate the export and movement of animals from or in the Colony;

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

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

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

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

(d) while on unenclosed land; or

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

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

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

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

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

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

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

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

(10) prohibiting or regulating the carrying, leading or driving of diseased or suspected animals, or the causing them

to be carried, led or driven, on highways or thoroughfares, or elsewhere;

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

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

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

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

(15) as to the introduction into and the removal and disinfecting within the Colony of animals, hides, skin, or other articles likely to spread a disease;

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

(17) for such control of abattoirs or pounds and of public markets as will prevent the spread of a disease, and for compelling persons in charge thereof to report any disease which has been discovered amongst animals therein;

(18) prescribing the forms for the purpose of this Ordinance, the orders or regulations;

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

(20) generally for carrying into effect the provisions of this Ordinance or the orders.

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

Breach of regulations.

Power of Governor to exempt any district from operation of Ordinance.

38. The Governor may, by proclamation, exempt any specified district of this Colony from the operation of this Ordinance or any specified sections of this Ordinance for such time as may be stated in such proclamation.

Protection of persons acting under Ordinance. Cap. 18.

39. Every person acting under the provisions of this Ordinance or of any order or the regulations shall be entitled to the protection afforded by the Justices Protection Ordinance.

s. 3.

SCHEDULE.

FORM OF VETERINARY SURGEONS' REGISTER.

Name.	Residence.	Qualification.	Date of Registration.

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