

INDEPENDENT STATE OF PAPUA NEW GUINEA.

CHAPTER NO. 206.

*Animal Disease and Control.*

GENERAL ANNOTATION.

ADMINISTRATION.

As at 13 February 1976 (the date of gazettal of the most comprehensive allocation of responsibilities to Ministers and Departments at about the effective date), the administration of this Chapter was vested in the Minister for Primary Industry.

Accordingly, as at that date, except where a different intention is clearly indicated, by note or in the text, references in or in relation to this Chapter to—

“the Minister”—should be read as references to the Minister for Primary Industry;

“the Departmental Head”—should be read as references to the Secretary for Primary Industry<sup>1</sup>;

“the Department”—should be read as references to the Department of Primary Industry<sup>2</sup>.

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<sup>1</sup> Previously the Director of Agriculture, Stock and Fisheries.

<sup>2</sup> Previously the Department of Agriculture, Stock and Fisheries.



INDEPENDENT STATE OF PAPUA NEW GUINEA.

CHAPTER NO. 206.

*Animal Disease and Control Act.*

ARRANGEMENT OF SECTIONS.

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  - "Disease Area"
  - "domestic animals"
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  - "notifiable disease"
  - "noxious animal"
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20. Compensation for destruction.
21. Obstruction, etc.
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INDEPENDENT STATE OF PAPUA NEW GUINEA.

CHAPTER NO. 206.

*Animal Disease and Control Act*<sup>1</sup>.

Being an Act—

- (a) relating to diseases of animals; and
- (b) to prohibit and restrict the importation into and the keeping in the country of certain animals,

and for related purposes.

PART I.—PRELIMINARY.

1. Interpretation.

In this Act, unless the contrary intention appears—

- “animal” means any member of the animal kingdom other than man, and includes a part or product of an animal;
- “the Chief Stock Inspector” means the Chief Stock Inspector appointed under Section 2;
- “disease” means, subject to Section 6(2), rabies or a disease or pest declared under Section 6 to be a disease for the purposes of this Act;
- “Disease Area” means an area declared under Section 9 to be a Disease Area for the purposes of this Act;
- “domestic animals” means—
  - (a) horses, donkeys, mules, oxen, sheep, goats, buffaloes or other ruminants, pigs, dogs, cats, poultry or bees; or
  - (b) any other animals declared under this Act to be domestic animals for the purposes of this Act<sup>2</sup>;
- “Inspector” means, subject to Section 3(b), the Chief Stock Inspector or an Inspector appointed under Section 3;
- “notifiable disease” means rabies or a disease declared under Section 7 to be a notifiable disease;
- “noxious animal” means an animal declared under Section 11 to be a noxious animal;
- “owner”, in relation to an animal, includes a person who is the representative, agent, manager or overseer of the owner, or who has the custody or control of the animal;
- “the regulations” means any regulations made under this Act;
- “this Act” includes the regulations.

<sup>1</sup> See, also, *Quarantine Act, Quarantine (Animals) Regulation*.

<sup>2</sup> No specific provision for such a declaration was made.

PART II.—INSPECTORS.

**2. Chief Stock Inspector.**

(1) The Minister may, by notice in the National Gazette, appoint an officer to be the Chief Stock Inspector.

(2) Subject to any directions of the Minister, the Chief Stock Inspector is responsible for the administration of this Act.

**3. Inspectors.**

The Chief Stock Inspector may—

- (a) by notice in the National Gazette, appoint an officer to be an Inspector for the purposes of this Act; and
- (b) in a notice under Paragraph (a) limit the powers of an Inspector to some or all of the powers conferred by this Act.

**4. General powers of Inspectors<sup>1</sup>.**

For the purposes of this Act, an Inspector may—

- (a) examine an animal; and
- (b) with or without assistants, enter any land, premises, ship, vehicle, aeroplane or airship for the purpose of—
  - (i) inspecting or treating an animal; or
  - (ii) enforcing this Act; and
- (c) order a person—
  - (i) to produce documents or papers in his possession or under his control relating to an animal; and
  - (ii) to answer truly a question put to him relating to an animal; and
- (d) order the owner, or the occupier, of any land on which there is an animal—
  - (i) to muster it for the purposes of examination or treatment; and
  - (ii) to provide crushes or such other means as are prescribed or as the Inspector thinks necessary; and
  - (iii) to provide such assistance as the Inspector reasonably requires; and
- (e) destroy, or order the owner to destroy, any animal that is, or is suspected of being, diseased, as to which the Inspector alone shall decide; and
- (f) submit an animal to a system of quarantine; and
- (g) carry out tests on or treat an animal, by vaccination or otherwise; and
- (h) seize, detain and remove an animal for the purpose of—
  - (i) examination; or
  - (ii) destruction; or
  - (iii) submission to a system of quarantine; or
  - (iv) carrying out tests or treatment; and
- (i) order the owner of a diseased animal or of an animal that is suspected to be diseased to disinfect or carry out prescribed treatment on the animal; or

<sup>1</sup> In relation to these powers, see Constitution, Subdivision III.3.C (*qualified rights*) generally, and especially Sections 44 (*freedom from arbitrary search and entry*) and 53 (*protection from unjust deprivation of property*).

- (j) destroy, disinfect or treat—
  - (i) any hay, straw, fodder or other article; or
  - (ii) any veterinary diagnostic agents, sera or vaccines,  
by which there may be a danger of a disease being introduced to or propagated in the country; or
- (k) order the owner of an animal or the occupier of any land on which an animal is found to remove to a specified place—
  - (i) the animal; and
  - (ii) any hay, straw, fodder, fittings or things used in connexion with the animal; or
- (l) order the owner, or the person in charge, of any land, premises, ship, vehicle, aeroplane or airship in or on which any animal or thing referred to in Paragraph (k) is, or has been, to cause the land or thing to be disinfected or treated in the prescribed manner and to the satisfaction of the Inspector; and
- (m) order the owner, or the occupier of, any land on which there is an animal—
  - (i) to fence the land or part of the land; or
  - (ii) if approved by the Chief Stock Inspector, to confine the animal to the land or a part of the land by herding,  
in a manner approved by the Chief Stock Inspector.

PART III.—ANIMAL DISEASES.

5. Application of Part III.

(1) In this section, "vessel" means a ship, boat, aircraft or other vessel or vehicle used in navigation by sea or air.

(2) This Part does not apply to an animal that is imported or introduced into the country or a part of the country—

- (a) while it is subject, or deemed to be subject, to quarantine or quarantine surveillance under the *Quarantine Act*; or
- (b) before it leaves or is removed from the vessel in which it arrived in the country.

6. Declaration of diseases.

(1) The Minister may, by notice in the National Gazette, declare a disease or pest affecting animals to be a disease for the purposes of this Act.

(2) In a notice under Subsection (1) or by a subsequent notice, the Minister may declare that only certain provisions of this Act apply in relation to a disease declared under Subsection (1), and thereupon the provisions of this Act, other than the provisions so declared, do not apply to or in relation to the disease.

7. Notifiable diseases.

(1) The Minister may, by notice in the National Gazette, declare a disease to be a notifiable disease.

(2) The owner of an animal, or the occupier of any land on which there is an animal, who—

- (a) knows or suspects; or

(b) ought, if he used reasonable diligence, to know or suspect, that the animal is infected by a notifiable disease, and who fails to notify an Inspector immediately, is guilty of an offence.

Penalty: A fine not exceeding K100.00.

Default penalty: A fine not exceeding K20.00.

#### 8. Order for confinement of animals.

(1) For the purpose of preventing a disease or the spread of a disease, an Inspector may, in writing, order the owner of an animal, or the occupier of any land on which there is an animal, to confine or restrain the animal in the prescribed manner.

(2) The owner of an animal or the occupier of any land on which there is an animal who fails to comply with an order under Subsection (1) is guilty of an offence.

Penalty: A fine not exceeding K100.00.

Default penalty: A fine not exceeding K20.00.

#### 9. Disease Areas<sup>1</sup>.

(1) The Minister may, by notice in the National Gazette, declare an area—

(a) in which there is, or is suspected to be, a virulent disease that, in his opinion, is of serious economic or social importance; or

(b) in which there is, in his opinion, danger of the outbreak of any such disease, to be a Disease Area in relation to the disease specified in the notice.

(2) An Inspector may, in and in relation to a Disease Area—

(a) seize and destroy, or order the owner to seize and destroy, an animal that—

(i) is diseased or suspected of being diseased; or

(ii) in the opinion of the Inspector, should be destroyed to prevent the disease or the spread of the disease; and

(b) order the owner of an animal, or the occupier of land on which there is an animal, to confine or restrain the animal in such manner as the Inspector directs; and

(c) order the owner of an animal, or the occupier of any land on which there is an animal, to produce the animal, at a time and place specified by the Inspector, for inspection by him; and

(d) destroy, or order the destruction of, all of any kind or of all kinds of animals in the Area; and

(e) disinfect or treat, or order the owner or occupier to disinfect or treat, in such manner as the Inspector directs, any building, vehicles, goods or thing that in the opinion of the Inspector should be so disinfected or treated to prevent the disease or the spread of the disease; and

(f) destroy, or order the owner or occupier to destroy, in such manner as the Inspector directs, the whole or any part of any building, vehicle, goods or thing that in the opinion of the Inspector should be destroyed to prevent the disease or the spread of the disease; and

<sup>1</sup> As to the powers conferred by this section, see Constitution, Subdivision III.3.C (*qualified rights*), and especially Sections 44 (*freedom from arbitrary search and entry*) and 53 (*protection from unjust deprivation of property*).



(g) apprehend and detain, without warrant, in such manner as seems to him advisable or as is prescribed, any person, animal or thing by whom or in respect of which an offence against this Act—

(i) has been committed; or

(ii) is about to be committed; or

(iii) is suspected to have been or to be about to be committed; and

(h) take such other measures and exercise such other powers as are prescribed.

(3) In cases of emergency, an Inspector may delegate, in writing, to a person all or any of his powers under this section.

PART IV.—NOXIOUS ANIMALS.

10. Application of Part IV.

The Minister may, by notice in the National Gazette, declare that any of the provisions of this Part do not apply in respect of a noxious animal specified in the notice in a part of the country so specified.

11. Declaration of noxious animals.

The Minister may, by notice in the National Gazette, declare an animal to be a noxious animal.

12. Destruction of noxious animals.

Any person may destroy a noxious animal.

13. Importation of noxious animals.

A person who introduces or imports a noxious animal into the country is guilty of an offence.

Penalty: A fine not exceeding K1 000.00.

14. Keeping of noxious animals.

A person who—

(a) has a noxious animal in his possession or under his control; or

(b) permits a noxious animal to be on any land or in any premises owned or occupied by him,

is guilty of an offence.

Penalty: A fine not exceeding K200.00.

Default penalty: A fine not exceeding K40.00.

15. Turning noxious animals loose, etc.

A person who turns a noxious animal loose, or wilfully or negligently permits a noxious animal to run loose, is guilty of an offence.

Penalty: A fine not exceeding K200.00.

Default penalty: A fine not exceeding K40.00.

PART V.—GENERAL RESTRICTIONS.

16. Importation and movement of animals.

- (1) The Minister may, by notice in the National Gazette, prohibit or restrict—
  - (a) the introduction or importation of any animal or kind of animal into the country; or
  - (b) the movement of any animal or kind of animal within the country.
- (2) A notice under Subsection (1) may—
  - (a) require a permit or consent to be obtained; or
  - (b) impose, or authorize the imposition of, conditions by a permit or consent,

or both.

(3) A person who is concerned in introducing, importing or moving, or in the attempted introduction, importation or movement, of an animal in contravention of a notice under Subsection (1) is guilty of an offence.

Penalty: A fine not exceeding K200.00.

Default penalty: A fine not exceeding K20.00.

(4) In a charge of an offence against Subsection (3) the burden of proof that the provisions of this section have been complied with is on the person charged<sup>1</sup>.

17. Forfeiture, etc., of animals.

- (1) An animal that is—
  - (a) introduced, imported or moved in contravention of a notice under Section 16; or
  - (b) feral; or
  - (c) subject to Subsection (2), wandering at large,

may be seized by or by order of an Inspector.

- (2) Subsection (1)(c) does not apply to pigs.
- (3) Where an animal is seized under Subsection (1)(a) or (b)—
  - (a) it is forfeited to the State; and
  - (b) it may be sold; and
  - (c) if it has not been sold within 14 days after the seizure, it may be destroyed by the Inspector.
- (4) Where an animal is seized under Subsection (1)(c)—
  - (a) it may be detained until the prescribed fees and charges are paid; and
  - (b) the Inspector shall immediately give notice of the seizure to all persons whom he knows or believes to be owners of the animal; and
  - (c) if the animal is not claimed and the prescribed fees and charges paid within 14 days after its seizure the animal may be forfeited to the State and—
    - (i) it may be sold; and
    - (ii) if it has not been sold within one week after the forfeiture, it may be destroyed by an Inspector.

<sup>1</sup> But see Constitution, Section 37(4)(a).

(5) The proceeds of a sale under Subsection (3)(b) or (4)(d)(i) shall be paid into the Consolidated Revenue Fund.

PART VI.—MISCELLANEOUS.

18. Failure to comply with order, etc.

Where a person fails to do an act or thing that he is ordered or required under this Act to do—

- (a) an Inspector may cause the act or thing to be done; and
- (b) the expenses of doing the act or thing may be recovered by the State from that person as a debt.

19. Immunity of Inspectors, etc.

An Inspector, or a person acting under the authority, direction or order of an Inspector, is not liable for damage occasioned by carrying out any of the provisions of this Act unless the damage was occasioned maliciously and without reasonable or probable cause.

20. Compensation for destruction<sup>1</sup>.

(1) Where an animal destroyed (whether by an Inspector or by a person to whom powers have been delegated under Section 9(3) or otherwise, or by the owner on the order of an Inspector or any such person) under this Act, otherwise than under Section 12 or 17, is found after its destruction not to be affected by a disease, compensation is payable by the State to the owner of the animal.

(2) In the event of a dispute between the State and the owner of an animal as to the amount of compensation payable under Subsection (1), the matter shall be submitted to arbitration.

(3) For the purposes of Subsections (1) and (2), a decision of an Inspector under Section 4(e) as to the presence of a disease is *prima facie* evidence only.

(4) Where an animal is destroyed (whether by an Inspector or by a person to whom powers have been delegated under Section 9(3) or otherwise, or by the owner on the order of an Inspector or any such person) under this Act, the Minister may, in his discretion, compensate the owner of the animal for the purpose of enabling him to replace the animal destroyed.

(5) Where any building, vehicle, goods or thing is or are wholly or partly destroyed under this Act, the Minister may, in his discretion, compensate the owner or occupier for his loss.

(6) This section does not relate to an animal destroyed because of an outbreak or suspected outbreak, or in order to prevent or because of the danger of an outbreak, of rabies.

21. Obstruction, etc.

A person who obstructs or impedes a person in the exercise of any of the powers conferred by this Act is guilty of an offence.

Penalty: A fine not exceeding K100.00.

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<sup>1</sup> See, also, Constitution, Section 53.

**22. Regulations.**

The Head of State, acting on advice, may make regulations, not inconsistent with this Act, prescribing all matters that by this Act are required or permitted to be prescribed, or that are necessary or convenient to be prescribed for carrying out or giving effect to this Act, and in particular—

- (a) for securing the examination, seizure or submission to a system of quarantine of animals; and
- (b) for securing the carrying out of tests on animals; and
- (c) for securing the carrying out of treatment on, or the destruction of, diseased animals or animals suspected of being diseased; and
- (d) for prohibiting the feeding of waste food or refuse to animals, or for prescribing conditions under which waste food or refuse may be fed to animals; and
- (e) for prescribing the treatment to be carried out on diseased animals or animals suspected of being diseased; and
- (f) for the marking, by tattoo, earmark, brand or otherwise, of animals inspected, tested or treated for the purposes of this Act; and
- (g) for securing the reporting of the movement of animals; and
- (h) for prescribing measures to be taken in and in relation to a Disease Area to control, prevent the spread of and eradicate the disease in respect of which the Disease Area was declared, including—
  - (i) the quarantine of humans, animals and things; and
  - (ii) the prohibition or regulation of the movement of humans, animals or things into, from or within the Disease Area; and
  - (iii) the removal of humans, animals and things from one part of the Area to another; and
  - (iv) the disinfection or treatment of humans, animals and things; and
  - (v) the manner of apprehension and detention of humans, animals and things in respect of which an offence against this Act or the regulations—
    - (A) has been committed; or
    - (B) is about to be committed; or
    - (C) is suspected of having been or of being about to be committed; and
  - (vi) the forfeiture or destruction of animals and things referred to in Subparagraph (v); and
- (i) for defining the duties of Inspectors; and
- (j) for prescribing penalties of fines not exceeding K100.00, and default penalties of fines not exceeding K20.00, for offences against the regulations.

INDEPENDENT STATE OF PAPUA NEW GUINEA.

CHAPTER NO. 206.

*Animal Disease and Control Regulation.*

ARRANGEMENT OF SECTIONS.

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“quarantined area”.

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3. Prescribed treatment for control of cattle ticks.
4. Prescribed treatment for control of rabies.
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7. Movement of things used in connexion with animals.

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9. Movement of animals in quarantined areas.
10. Contact with animals in quarantined areas.
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13. Movement of animals within Disease Areas.
14. Introduction of animals into or contact with Disease Areas.
15. Movement of persons.
16. Movement of things.
17. Order to move animals within Disease Areas.
18. Production of animals for treatment.
19. Permitting unauthorized movement of animals across land.

PART VI.—MISCELLANEOUS.

20. Marking of animals by Inspector.
21. Recovery of costs of treatment, etc.
22. Fees and charges.

SCHEDULE.—Fees and Charges.

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INDEPENDENT STATE OF PAPUA NEW GUINEA.

CHAPTER NO. 206.

*Animal Disease and Control Regulation.*

MADE under the *Animal Disease and Control Act.*

PART I.—PRELIMINARY.

1. Interpretation.

In this Regulation, "quarantined area" means an area declared under Section 8 to be a quarantined area for the purposes of this Regulation.

PART II.—GENERAL.

2. Provision of yards, etc.

Where domestic animals are run on a property, the owner of the property must, if so ordered by an Inspector—

(a) erect fences, yards, crushes and handling facilities; and

(b) maintain them in good order to enable the animals to be handled at all times, to the satisfaction of an Inspector.

Penalty: A fine not exceeding K100.00.

3. Prescribed treatment for control of cattle ticks.

(1) For the purposes of Section 4(i) of the Act, the prescribed treatment that an Inspector may order for the control of cattle tick *Boophilus microplus* is as follows—

(a) the animal shall be sprayed or dipped with an insecticidal solution of—

(i) chlorinated hydrocarbon; or

(ii) organic phosphate; or

(iii) organic carbamates,

made up to a strength not less than that recommended by the manufacturer of the insecticide in his instructions relating to the destruction of cattle tick on the animal; and

(b) the spraying or dipping must result in the complete wetting of the animal with the insecticidal solution, and if the animal is treated with a power spray the spray shall give a pressure of 1 000kPa at the nozzle head; and

(c) the first treatment of an animal shall be within five days of the receipt of a notice from the Inspector ordering the treatment, and afterwards as directed by the Inspector.

(2) The Inspector may order that any number of treatments, up to a maximum of six treatments under each notice, be carried out, and shall state the intervals at which each treatment is to be effected.

(3) A person who fails to comply with an order of an Inspector under Subsection (2) is guilty of an offence.

Penalty: A fine not exceeding K100.00.

**4. Prescribed treatment for control of rabies.**

(1) For the purposes of Section 4(i) of the Act, an Inspector may, for the prevention of rabies, order the vaccination of an animal with attenuated Rabies Vaccine by the Inspector or a person authorized.

(2) A person who fails to comply with an order of an Inspector under Subsection (1) is guilty of an offence.

Penalty: A fine not exceeding K100.00.

**5. Movement of animals generally.**

A person who permits animals (other than animals owned by him) to be moved on to or across his land without first satisfying himself that permission to move the animals has been given under the Act or this Regulation is guilty of an offence.

Penalty: A fine not exceeding K50.00.

**PART III.—NOTIFIABLE DISEASES.**

**6. Isolation of certain diseased animals.**

(1) A person who—

(a) knows or suspects, or should if he displayed reasonable diligence and care know or suspect, that an animal under his control is suffering from a notifiable disease; and

(b) fails to immediately isolate the animal from all other animals in such a manner as to prevent contact with other animals,

is guilty of an offence.

(2) A person who—

(a) knows or suspects, or should if he displayed reasonable diligence and care know or suspect, that an animal is suffering from a notifiable disease; and

(b) permits animals that have been in contact with the animal to come into contact with other animals,

is guilty of an offence.

Penalty: A fine not exceeding K100.00.

**7. Movement of things used in connexion with animals.**

A person who, without the written permission of an Inspector, removes fodder, hay, chaff, grass, foodstuffs, harness or other things used in connexion with an animal from a part of the country where he knows, or should if he used reasonable diligence and care know, a notifiable disease or pest to exist is guilty of an offence.

Penalty: A fine not exceeding K100.00.

**PART IV.—QUARANTINED AREAS.**

**8. Declaration of quarantined areas.**

(1) An Inspector may, by written notice to the owner or occupier of a property, declare the property or part of the property to be a quarantined area for the purposes of this Regulation.



(2) The Chief Stock Inspector may, by notice in the National Gazette, declare an area to be a quarantined area for the purposes of this Regulation.

**9. Movement of animals in quarantined areas.**

Except where the movement takes place within the one property a person who, without the written permission of the Chief Stock Inspector, moves an animal that—

(a) is in a quarantined area; or

(b) has been in contact with an animal in a quarantined area,

is guilty of an offence.

Penalty: A fine not exceeding K100.00.

**10. Contact with animals in quarantined areas.**

A person who, without the written permission of the Chief Stock Inspector, moves an animal, or permits an animal to be moved, into a quarantined area is guilty of an offence.

Penalty: A fine not exceeding K100.00.

**11. Control of things used in connexion with animals in quarantined areas.**

A person who, without the written permission of the Chief Stock Inspector, removes fodder, hay, chaff, foodstuffs, animal products, vehicles or other things used in connexion with animals from a quarantined area is guilty of an offence.

Penalty: A fine not exceeding K100.00.

**PART IV.—DISEASE AREAS.**

**12. Removal of animals from Disease Areas.**

A person who, without the written permission of the Chief Stock Inspector, removes an animal from a Disease Area is guilty of an offence.

Penalty: A fine not exceeding K100.00.

**13. Movement of animals within Disease Areas.**

A person who, without the written permission of the Chief Stock Inspector, removes an animal from one part of a Disease Area to another is guilty of an offence.

Penalty: A fine not exceeding K100.00.

**14. Introduction of animals into or contact with Disease Areas.**

A person who, without the written permission of the Chief Stock Inspector—

(a) introduces an animal into a Disease Area; or

(b) permits an animal to come into contact with an animal in a Disease Area,

is guilty of an offence.

Penalty: A fine not exceeding K100.00.

**15. Movement of persons.**

A person who moves from one place or premises in a Disease Area—

(a) without first complying with any procedures and instructions laid down by the Chief Stock Inspector in relation to such movement; or

- (b) except in the case of movement within the one property that is within the Disease Area—otherwise than with the permission of, and on such conditions as are laid down by, the Chief Stock Inspector,

is guilty of an offence.

Penalty: A fine not exceeding K100.00.

**16. Movement of things.**

A person who moves—

- (a) any clothing, apparel, grass, hay, fodder, chaff, foodstuffs, harness, animal products or things used in connexion with animals; or

- (b) a vehicle,

from one place or premises in a Disease Area, or leaves a Disease Area—

- (c) without first complying with any procedures and conditions laid down by the Chief Stock Inspector in relation to such movement; or

- (d) except in the case of movement within the one property—otherwise than with the permission of, and on such conditions as are laid down by, the Chief Stock Inspector,

is guilty of an offence.

Penalty: A fine not exceeding K100.00.

**17. Order to move animals within Disease Areas.**

A person who, when ordered to do so, fails to move animals under his control in a Disease Area to an area specified by an Inspector within the time specified by an Inspector, is guilty of an offence.

Penalty: A fine not exceeding K100.00.

**18. Production of animals for treatment.**

(1) The owner of an animal in a Disease Area who, when he is required by an Inspector to do so fails to produce the animal to an Inspector for the purpose of vaccination or other treatment is guilty of an offence.

Penalty: A fine not exceeding K100.00.

(2) In addition to any fine imposed for an offence against Subsection (1), an Inspector may seize and destroy an animal required to be produced under that subsection that has not been produced within a reasonable time after notice of the requirement has been given.

**19. Permitting unauthorized movement of animals across land.**

A person who permits the movement of animals (other than animals owned by him) through or across his land in a Disease Area without first satisfying himself that the person in charge of the animals has complied with the Act and this Regulation in relation to the movement is guilty of an offence.

Penalty: A fine not exceeding K100.00.

**PART VI.—MISCELLANEOUS.**

**20. Marking of animals by Inspector.**

An Inspector may mark an animal, by tattoo or such other means as he thinks proper, as a means of identification and proof that an animal has been tested, inspected or treated.

**21. Recovery of costs of treatment, etc.**

If an Inspector carries out treatment or procedures on an animal, the cost of the treatment is recoverable by the State from the owner as a debt.

**22. Fees and charges.**

The fees and charges for the purposes of Section 17 of the Act are as set out in the Schedule.

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SCHEDULE.

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Reg., Sec. 22.

**FEES AND CHARGES.**

- |   |                            |
|---|----------------------------|
| 1. For every seizure and detention under Section 17 of the Act—         |                            |
| (a) cattle and horses   | K2.00 per head.            |
| (b) other animals   | K1.00 per head.            |
| 2. For sustenance of every animal detained under Section 17 of the Act— |                            |
| (a) cattle and horses   | K1.50 per head<br>per day. |
| (b) other animals   | K1.00 per head<br>per day. |
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INDEPENDENT STATE OF PAPUA NEW GUINEA.

CHAPTER NO. 206.

*Animal Disease and Control.*

SUBSIDIARY LEGISLATION.

1. Act, Section 2(1)—Ex officio appointment of Chief Stock Inspector.  
Assistant Director (Animal Industry) of the Department of Agriculture, Stock and Fisheries (office as at 11 August 1972).
2. Act, Section 3(a)—Ex officio appointment of Inspectors.  
District and Regional Agricultural Officers (offices as at 7 August 1967).
3. Act, Section 6(1)—Declaration of diseases.  
Any bacterial, viral or fungal contamination of processed animal products and of fodders.

Animal.	Disease or Pest.	
Cattle	<i>Infectious Diseases</i>	
	Anthrax	
	Brucellosis (contagious abortion)	
	Tuberculosis	
	<i>Pests</i>	
	Boophilus microplus (cattle tick)	
Dogs and Cats	<i>Diseases</i>	
	Echinococcus granulosus (hydatid tapeworm)	
	Horses, Donkeys and Mules	<i>Infectious Diseases</i>
		Anthrax
		Brucellosis (Fistulous withers, Poll evil)
		<i>Pests</i>
Boophilus microplus (cattle tick)		
Pediculosis (lice infestation)		
Pigs	<i>Infectious Diseases</i>	
	Anthrax	
	Brucellosis	
	<i>Pests</i>	
	Boophilus microplus (cattle tick)	
	Echinococcus granulosus (hydatid cyst)	
Poultry	<i>Diseases</i>	
	Salmonellosis (Pullorum Fowl typhoid and paratyphoid)	
	Tuberculosis	
Sheep and Goats	<i>Infectious Diseases</i>	
	Anthrax	
	Brucellosis (Epididymitis of rams)	

Animal.	Disease or Pest.
	<p><i>Pests</i>  <i>Boophilus microplus</i> (cattle tick)  <i>Pediculosis</i> (lice infestation)  <i>Echinococcus granulosus</i> (hydatid cyst)</p>
<b>EXOTIC DISEASES AND PESTS</b>	
Cattle	<p><i>Infectious Diseases</i>  Foot and Mouth Disease  Lumpy Skin Disease  Pseudorabies (Aujeszky's Disease)  Rabies  Rinderpest  Vesicular Stomatitis  Contagious Bovine Pleuropneumonia (Pleuro)  Haemorrhagic Septicaemia  Surra</p> <p><i>Pests</i>  <i>Cysticercus bovis</i> (Beef measles)</p>
Dogs and Cats	<p><i>Diseases</i>  Rabies</p>
Horses	<p><i>Infectious Diseases</i>  African Horse Sickness  Equine encephalomyelitis  Equine infectious anaemia  Rabies  Vesicular Stomatitis  Glanders (Farcy)  Strangles  Epizootic lymphangitis (Equine cryptococcosis)  Dourine  Surra</p>
Pigs	<p><i>Infectious Diseases</i>  African Swine Fever  Foot and Mouth Disease  Rabies  Swine Fever (Hog Cholera)  Teschen Disease (Porcine encephalomyelitis)  Vesicular Exanthema  Vesicular Stomatitis  Surra</p> <p><i>Pests</i>  <i>Cysticercus cellulosae</i> (Pork measles)  <i>Trichinella spiralis</i> (Trichinosis)</p>
Poultry	<p><i>Infectious Diseases</i>  Fowl Plague (Fowl Pest)  Infectious Laryngotracheitis  Newcastle Disease (Avian Pneumo-encephalitis)  Spirochaetosis  Leucocytozoon Disease</p> <p><i>Pests</i>  <i>Argas persicus</i> (Fowl tick)  <i>Echidnophaga gallinacea</i> (Stickfast flea)</p>

Animal.	Disease or Pest.
Sheep and Goats	<i>Infectious Diseases</i>
	Bluetongue
	Contagious ecthyma (Scabby mouth)
	Foot and Mouth Disease
	Foot rot
	Rabies
	Rift Valley Fever
	Scrapie
	Wesselsbron Disease
	Surra
	<i>Pests</i>
	Melophagus ovinus (Sheep Ked)
	Psorergates ovis (Itch mite)
	Psoroptes ovis (Sheep scab)

4. Act, Section 7(1)—Declaration of Notifiable Diseases.

Atropic Rhinitis (Infectious Rhinitis)<sup>1</sup>

Animal.	Disease or Pest.
Cattle	<i>Infectious Diseases</i>
	Anthrax
	Brucellosis (contagious abortion)
	Tuberculosis
	<i>Pests</i>
	Boophilus microplus (cattle tick)
	Pediculosis (lice infestation)
Echinococcus granulosus (hydatid cyst)	
Dogs and Cats	<i>Diseases</i>
	Echinococcus granulosus (hydatid tapeworm)
Horses, Donkeys and Mules	<i>Infectious Diseases</i>
	Anthrax
	Brucellosis (Fistulous withers, Poll evil)
	<i>Pests</i>
	Boophilus microplus (cattle tick)
Pediculosis (lice infestation)	
Pigs	<i>Infectious Diseases</i>
	Anthrax
	Brucellosis
	<i>Pests</i>
	Boophilus microplus (cattle tick)
Echinococcus granulosus (hydatid cyst)	
Poultry	<i>Diseases</i>
	Salmonellosis (Pullorum Fowl typhoid and paratyphoid)
	Tuberculosis
Sheep and Goats	<i>Infectious Diseases</i>
	Anthrax
	Brucellosis (Epididymitis of rams)

<sup>1</sup> *Quaere*, whether this has been declared to be a disease.

Animal.	Disease or Pest.
	<i>Pests</i> Boophilus microplus (cattle tick) Pediculosis (lice infestation) Echinococcus granulosus (hydatid cyst)
<b>EXOTIC DISEASES AND PESTS</b>	
Cattle	<i>Infectious Diseases</i> Foot and Mouth Disease Lumpy Skin Disease Pseudorabies (Aujeszky's Disease) Rabies Rinderpest Vesicular Stomatitis Contagious Bovine Pleuropneumonia (Pleuro) Haemorrhagic Septicaemia Surra
	<i>Pests</i> Cysticercus bovis (Beef measles)
Dogs and Cats	<i>Diseases</i> Rabies
Horses	<i>Infectious Diseases</i> African Horse Sickness Equine encephalomyelitis Equine infectious anaemia Rabies Vesicular Stomatitis Glanders (Farcy) Strangles Epizootic lymphangitis (Equine crypococcosis) Dourine Surra
Pigs	<i>Infectious Diseases</i> African Swine Fever Foot and Mouth Disease Rabies Swine Fever (Hog Cholera) Teschen Disease (Porcine encephalomyelitis) Vesicular Exanthema Vesicular Stomatitis Surra
	<i>Pests</i> Cysticercus cellulosae (Pork measles) Trichinella spiralis (Trichinosis)
Poultry	<i>Infectious Diseases</i> Fowl Plague (Fowl Pest) Infectious Laryngotracheitis Newcastle Disease (Avian Pneumo-encephalitis) Spirochaetosis Leucocytozoon Disease
	<i>Pests</i> Argas persicus (Fowl tick) Echidnophaga gallinacea (Strickfast flea)



Animal.	Disease or Pest.
Sheep and Goats	<i>Infectious Diseases</i>
	Bluetongue
	Contagious ecthyma (Scabby mouth)
	Foot and Mouth Disease
	Foot rot
	Rabies
	Rift Valley Fever
	Scrapie
	Wesselsbron Disease
	Surra
	<i>Pests</i>
	Melophagus ovinus (Sheep Ked)
	Psorergates ovis (Itch mite)
	Psoroptes ovis (Sheep scab)

5. Act, Section 11—Declaration of Noxious Animals.

Deer other than deer in the Western Province.

Rabbits other than rabbits introduced by the Department or for use for laboratory purposes only.

Hares.

Primates other than man.

Buffaloes when not enclosed by a fence approved by the Chief Stock Inspector.

6. Act, Section 16(1)(a)—Prohibition or Restriction of Importation.

All animals and parts and products of animals except—

(a) animals and parts and products of animals imported or originating from Australia or New Zealand; and

(b) wholly cooked, canned seafoods,

without the prior written permission of the Chief Stock Inspector and except in accordance with such conditions as are stipulated by him.

Alsatian dogs (except when imported by the Commissioner of Police or the Commissioner of Corrective Institutions with the prior approval of the Chief Stock Inspector).

Common Budgerigar (*Melopsittacus undulatus*), without the prior written permission of the Chief Stock Inspector and except in accordance with such conditions as are stipulated by him.

Deerhound dogs.

Borzoi dogs.

Doberman dogs (except when imported by the Commissioner of Police or the Commissioner of Corrective Institutions with the prior approval of the Chief Stock Inspector).

Dingoes.

Great Dane dogs.

Greyhound dogs.

Hares.

Irish Wolfhound dogs.

Kangaroo dogs.

Mastiff dogs.

Mongoose.

Monkeys.

Parrots.

Pheasants.

Pigs and parts and products of pigs from, or originating from, New Zealand or the State of New South Wales, except with the prior written approval of the Chief Stock Inspector and except in accordance with such conditions as are stipulated by him.

Rabbits (except when imported by the Department or for laboratory purposes with the prior approval of the Chief Stock Inspector).

Rhodesian Ridgeback dogs.

Staghound dogs.

7. Act, Section 16(1)(b)—Restriction of Movement of Animals.

Prohibition of removal of—

(a) any animals, other than dogs, cats, poultry, cage birds and aquarium fish, from any part of the country unless—

- (i) the person intending to remove the animals applies in writing to the nearest Inspector so that the application reaches the Inspector six weeks before it is desired to commence the movement and the movement commences within the time stipulated by the Inspector; and
- (ii) the written consent of an Inspector is first obtained; and
- (iii) the animals are first treated in such a manner as to free them of ectoparasites to the satisfaction of an Inspector and the Inspector certifies on the consent that the treatment has been executed or that it is unnecessary; and
- (iv) the treatment and testing of animals for any notifiable disease has been executed before the movement; and
- (v) the means and route by which the animals are moved are specified by the Inspector who gives the consent; and
- (vi) instructions given by an Inspector for procedures to be executed at any times or places while stock is being moved have been complied with; and
- (vii) the consent is carried at all times by the person in charge of the animals and is produced to an Inspector or commissioned officer of the Police Force on demand, and if the consent is lost or destroyed the matter shall be reported immediately to the nearest Inspector and a statutory declaration made setting out the circumstances of the loss or destruction, in which case the Inspector, if he is satisfied that the consent has been lost or destroyed, shall give a new consent; and

- (b) pigs from the Eastern Province, Western Province, Southern Highlands Province, Enga Province, Chimbu Province or West Sepik Province, or the Ramu Subdistrict of the Madang Province, to any place outside those areas without the prior consent of an Inspector and unless all pigs so removed have been vaccinated, not more than 12 months and not less than one month before their removal, with a vaccine approved by the Chief Stock Inspector; and
- (c) any animals affected by a notifiable disease.

Where a notifiable disease occurs in the course of movement the movement must be halted, the nearest Inspector notified immediately and the movement not recommenced until the Inspector approves.

8. Reg., Section 8(2)—Declaration of Quarantine Areas.

- (a) Land comprised of D.A. 835, Milinch Granville, Fourmil Moresby (description as at 25 March 1959).
- (b) Land comprised of Portion 484, Milinch Granville, Fourmil Moresby (description as at 25 March 1959).
- (c) Land comprised of Papuan Lowlands Livestock Station, Moitaka, parts enclosed by fencing (description as at 25 March 1959).
- (d) Land comprised of Portion 73, Milinch Granville, Fourmil Moresby (description as at 25 March 1959).
- (e) Land known as Tiaba Estates, being Portions 104, 115, 158B, 160, 349 and 536, Milinch Granville, Fourmil Moresby (description as at 15 September 1959).
- (f) Land comprised of Portion 152, Milinch Granville, Fourmil Moresby (description as at 26 February 1964).
- (g) Land comprised of Portion 11, Milinch Granville, Fourmil Moresby (description as at 26 February 1964).
- (h) Mushu Island, East Sepik Province.
- (i) Finschhafen Subdistrict, Morobe Province.
- (j) Land under the control of Dumpu Pastoral Company contained in Portions 1, 4, 5, 6, 7 and 8, Milinch Dumpu, Fourmil Madang (description as at 11 December 1967).
- (k) Land under the control of New Guinea Industries, being Portions 26, 333, 334, Milinch Erap, Fourmil Markham (description as at 15 May 1968).
- (l) Land under the control of R. Watson, being Portion 30, Milinch Buso, Fourmil Huon (description as at 15 May 1968).
- (m) Land under the control of T. Leahy, being Portions 6 and 9, Milinch Erap, Fourmil Markham (description as at 15 May 1968).
- (n) East Sepik Province.
- (o) Land comprised in Sheet 6147-1, Lelet Plateau, New Ireland, Edition 2, Series T.795 of the Royal Australian Survey Corps Map (description as at 3 November 1971).



INDEPENDENT STATE OF PAPUA NEW GUINEA.

CHAPTER NO. 206.

*Animal Disease and Control.*

APPENDIXES.

APPENDIX 1.

SOURCE OF THE ANIMAL DISEASE AND CONTROL ACT.

Part A.—Previous Legislation.

*Animal Disease and Control Act* 1952 (No. 7 of 1953)  
as amended by—

*Animal Disease and Control Act* 1953 (No. 35 of 1953)  
*Animal Disease and Control Act* 1954 (No. 19 of 1954)  
*Animal Disease and Control Act* 1957 (No. 58 of 1957)  
*Animal Disease and Control Act* 1958 (No. 52 of 1958)  
*Animal Disease and Control Act* 1966 (No. 67 of 1966)  
*Animal Disease and Control Act* 1967 (No. 86 of 1967)  
*Animal Disease and Control (Amendment) Act* 1967 (No. 87 of 1967)  
*Animal Disease and Control (Amendment) Act* 1972 (No. 30 of 1972).

Part B.—Cross References.

Section, etc., in Revised Edition.	Previous Reference <sup>1</sup> .	Section, etc., in Revised Edition.	Previous Reference <sup>1</sup> .
1	5	12	17
2	6	13	15
3	7	14	16
4	8	15	18
5	9	16	21, 23
6	10	17	22
7	11	18	24
8	12	19	25
9	13	20	26
10	19	21	27
11	14	22	28

<sup>1</sup> Unless otherwise indicated, references are to the Act set out in Part A.

## APPENDIX 2.

## SOURCE OF THE ANIMAL DISEASE AND CONTROL REGULATION.

## Part A.—Previous Legislation.

*Animal Disease and Control Regulations* 1955 (Regulations No. 34 of 1955)

as amended by—

Statutory Instrument No. 17 of 1967

Statutory Instrument No. 32 of 1967

Statutory Instrument No. 25 of 1968.

## Part B.—Cross References.

Section, etc., in Revised Edition.	Previous Reference <sup>1</sup> .	Section, etc., in Revised Edition.	Previous Reference <sup>1</sup> .
1	2	12	12
2	3	13	13
3	11A	14	14
4	11B	15	15, 16
5	9	16	18, 19
6	10	17	17
7	8	18	20A, 20B
8	4	19	20
9	5	20	20C
10	6	21	11
11	7	22	22
		Schedule	Schedule

<sup>1</sup> Unless otherwise indicated, references are to the regulations set out in Part A.