



SUPPLEMENT No. 2
TO
THE SOVEREIGN BASE AREAS GAZETTE

No. 829 of 23rd November, 1988.

L E G I S L A T I O N

ORDINANCE 22 OF 1988.

AN ORDINANCE

TO PROVIDE FOR THE PREVENTION OF INTRODUCTION
SPREADING AND COMBATING OF CONTAGIOUS OR INFECTIOUS
DISEASES OF ANIMALS.

J P W FRIEDBERGER

17th November, 1988.

ADMINISTRATOR

BE it enacted by the Administrator of the Sovereign Base Areas of Akrotiri and Dhekelia as follows:—

1. This Ordinance may be cited as the Contagious Diseases (Animals) Ordinance, 1988. Short title.

2. In this Ordinance unless the context otherwise requires— Interpretation.

“animal” means all mammalia, birds, reptiles, insects, fish, testacea and mollusca ;

“infected area” means an area declared to be infected by a notifiable disease by Order of the Administrator under Section 3 of this Ordinance ;

“notifiable diseases” means the infectious and contagious animal diseases which are declared as such in a Notice issued by the Chief Officer and published in the Gazette ;

“practitioner” means a practitioner as defined in the Veterinary Surgeons Ordinance, 1964;

Ordinance 21
of 1964.

“Republican law” means the Contagious Diseases (Animals) Law, 1987 of the Republic or any Republican law amended or substituted for the same.

Rep. Law 319
of 1987.

3. The Administrator may from time to time, in any manner he deems expedient, declare by Order either or both Sovereign Base Areas or any place within the Sovereign Base Areas as an area infected by a notifiable disease.

Infected area
to be declared.

Powers of the
Administrator.

4.—(1) The Administrator may from time to time issue such general or specific orders for publication in the Gazette, as he deems fit for all or any one of the following purposes :—

- (a) to prohibit or regulate the movement of persons and animals within or without the infected area ;
- (b) to prescribe and regulate the isolation or separation of animals being in an infected area ;
- (c) to confiscate, slaughter or put to death, any animal being within an infected area ;
- (d) to prohibit or regulate the movement of animal products, carcasses, hides, horns, bones, eggs, entrails or the contents thereof, animal products, by-products, hair, wool and any other object being within or without an infected area ;
- (e) to prescribe and regulate the elimination, burial, destruction, disposal or handling of slaughtered animals, carcasses, animal products or by-products, fodder, litter, dung and any other things which are liable to spread disease being within or without an infected area or which have been removed from such area, or from any part of the Republic which has been declared to be an infected area under the provisions of the Republican law ;
- (f) to prescribe and regulate the cleansing and disinfecting of infected areas or parts thereof ;
- (g) to prohibit or regulate within any infected area the placing or keeping of animals on common or unenclosed lands or in fields, or other places insufficiently fenced or on the sides of highways ;
- (h) to prohibit or regulate the holding of markets, fairs or sales of animals in public or private places where animals may be exposed for sale ;
- (i) to prohibit or regulate the carrying, leading or driving of animals on highways or thoroughfares or elsewhere ;
- (j) to prohibit or regulate the moving, driving a consignment, or transportation of animals, animal products or by-products, dung or other things which are liable to spread disease ;
- (k) to prohibit or regulate the importation and the landing from a vessel or aircraft of any animals, carcasses, animal products, by-products and preparations of biological products relating to the health of animals, fodder of either animal or vegetable origin, litter, dung and any other objects which are liable to spread a contagious or infectious disease, deriving from any country or port or airport in the Areas, and to regulate the inspection of all the above also to fix charges payable for the inspection thereof ;
- (l) generally for the purpose of in every manner preventing the introduction into the Areas or the spreading therein, of any contagious or infectious disease affecting animals ;

(m) to regulate the duties of persons to be charged with the application of any provisions or orders made by virtue of this Ordinance.

(2) (a) The Administrator may from time to time issue notifications by which he shall prescribe and regulate the confiscation, the assessment of the reproduction value of animals, the slaughtering, putting to death, the burial, destruction, disposal or handling of the carcasses of such slaughtered animals and of others which may have died from any one of the notifiable diseases, also the fixing of a maximum reproduction value of animals;

(b) The Administrator may from time to time issue notifications whereby he shall prescribe and regulate the measures that are required to be taken for the prevention of the introduction or spreading of notifiable contagious or infectious diseases;

(3) In order to achieve the effective application of the measures provided by this Ordinance, the Chief Officer or a person authorised by him in that behalf, may make use of Police assistance or any servants or agents of the Crown in any capacity.

5. The Administrator may from time to time declare in such manner as he may think fit, any infected area or place within any infected area, as being no longer infected and thereupon, unless otherwise by such notification provided for, any general or special order that may have been given under the provisions of this Ordinance, shall so far as it affects that area or place, cease to have effect.

Declaration of freedom from infection.

6. The Administrator may from time to time, by writing under his hand, delegate to the Chief Officer all or any one of the powers and authorities vested in him by this Ordinance.

Administrator may delegate his powers.

7. The Chief Officer may by notice to be published in the Gazette specify the animal diseases which are notifiable.

Specifying notifiable diseases.

8.—(1) (a) Where any practitioner confirms or suspects the existence of a notifiable disease he must forthwith inform the Chief Officer or the appropriate Area Officer of such confirmation or suspicion;

Notification of a disease.

(b) Failure to comply with the provisions of subsection (a) of this Section by a practitioner constitutes an offence in contravention of the provisions of this Ordinance and such failure without prejudice to the generality of the said Section may justify the Administrator in suspending from practice under the provisions of Section 11 of the Veterinary Surgeons Ordinance, such practitioner, if he is a recognised practitioner as defined in the said Ordinance, or issuing a reprimand or warning in any manner he thinks fit, to any such practitioner whether he is a recognised practitioner or not.

Ordinance 21 of 1964.

(2) Where the existence of a notifiable disease has been publicly declared by publication in the Gazette, any person who has in his possession or under his charge an animal, for which there may be reason to suspect that it has been infected by any notifiable disease, must as far as practicable, keep such animal separate from

animals not so affected and must with all practicable speed give notice of the fact to either the Chief Officer, the Area Officer or the nearest Police Station in the Areas or the Republic. If without lawful excuse, proof whereof shall lie on him, he fails to keep the animal so affected, or supposed to be, separate from all others not affected or to give such notice as is required to be given, he shall be deemed to have committed an offence.

Provisional measures where a notifiable disease is diagnosed or suspected.

9. The Chief Officer or a person authorised by him in that behalf may, where it is clinically or by laboratory testing diagnosed or suspected that a notifiable disease exists, impose the following measures :—

He may—

- (a) prohibit or regulate the movement of persons and animals either within or without an infected or supposed to be, landed property, place or area ;
- (b) isolate or separate the animals being in an infected or supposed to be, landed property, place or area ;
- (c) prohibit or regulate the movement of animal products, carcasses, hides, horns, bones, eggs, entrails or the contents thereof, animal derivatives, by-products, hair, wool and any other object ;
- (d) regulate the cleansing and disinfecting of infected or supposed to be, landed properties, places, areas or parts thereof :

Provided that the above measures shall remain in force until the issue of an Order made by the Administrator under Section 3 of this Ordinance, but in all circumstances shall be recalled automatically, if such Order were not issued within fifteen days from the date on which the measures were imposed.

Compensation.

10.—(1) In circumstances where—

- (a) an animal should die as a result of vaccination, diagnostic testing or because of any treatment conducted in the course of taking precautionary measures for either diagnosing or combating a notifiable disease by virtue of this Ordinance ;
- (b) an animal should be put to death for diagnostic reasons, in the course of diagnosing a notifiable disease by virtue of this Ordinance ;
- (c) an animal which either being infected by a notifiable disease or not so infected, should be either slaughtered or put to death in the course of combating a notifiable disease by virtue of this Ordinance ;
- (d) an animal should die evidently by reason of having been infected by a notifiable disease, the checking of which would necessarily require putting to death and destroying all the animals of either the breeding stock or of the area wherefrom the animal had come ;

- (e) any object might have been destroyed in the course of the carrying out of the measures required for combating a notifiable disease by virtue of this Ordinance,

compensation shall be awarded to the proprietor of the animal or object, in accordance with the provisions of this Section.

(2) The amount of such compensation shall be calculated at the rate of 75 per centum of the assessable reproduction value of the animals which had been slaughtered or put to death or the assessable value of destroyed objects (based on their natural condition, not their replacement value) and at the rate of 50 per centum of the assessable reproduction value of the dead animals.

(3) Any sum of money ensuing from any productive use made of the said slaughter or destruction of an animal, shall accrue to the Crown.

(4) Where it may be proved that the forfeiture, slaughter or destruction of an animal or object became advisable or necessary as a result of the proprietor's wilful contravention of the provisions of this Ordinance or of any regulations or orders made thereunder, compensation shall not be awarded to the aforesaid proprietor.

- (5) (a) Compensation shall be awarded for the following categories of animals:—

Bulls, cows, oxen, heifers, calves, sheep, goats, swine poultry (either meat or egg productive), horses, mules, asses (used in agricultural labour);

- (b) Compensation under this Section shall not be awarded in respect of imported animals where their infection with the notifiable disease, their death or compulsory killing occurred during the quarantine period provided by legislation or where the animals were imported without the issue of a relevant licence having been issued by the competent authority;
- (c) Where the animals are covered by an insurance policy, any sum of money payable to the proprietor of an animal by the insurance company, shall be deducted from the sum payable as compensation by virtue of this Ordinance.

11. Any person who—

- (a) contravenes, or fails to comply with, any of the provisions of this Ordinance,
- (b) impedes any officer or person appointed for the purpose of applying the provisions of this Ordinance,

Offences and penalties.

shall be guilty of an offence and if convicted shall be liable to imprisonment for a period not exceeding six months or to the payment of a fine not exceeding four hundred and fifty pounds in relation to a first offence, to imprisonment for a period not exceeding one year or to a fine not exceeding one thousand pounds in relation to a second offence and to imprisonment for a period of two years or to a fine not exceeding one thousand five hundred pounds in relation to a third or any subsequent offence or to both imprisonment and fine in respect of any of the offences.

Remedy for neglect to comply with this Ordinance.

12. In every case where the Chief Officer or a representative authorised by him in that behalf, should establish that any of the provisions of this Ordinance are not complied with, he may himself do or cause to be done all things necessary for giving full effect thereto; and all expenses thereby incurred in the process shall be recoverable from the person by whose neglect or default they were occasioned.

Repeal and Savings.
Cap. 45 (Laws of Cyprus) and Ordinances 3 and 6 of 1969.

13.—(1) The Contagious Diseases (Animals) Ordinance is hereby repealed.

(2) Any regulations, orders or notifications issued under the provisions of the Ordinance hereby repealed, are deemed to have been issued under the provisions of this Ordinance and apply as though they had been issued under the provisions of this Ordinance.

(3) Any act done under the provisions of the Ordinance hereby repealed, shall be deemed to have been done by virtue of this Ordinance.

17th November, 1988.

A J H ADAMS,
Chief Officer.

(195/1)



