

## CHAPTER 38

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## CHAPTER 38

### THE ANIMAL DISEASES ACT.

*Commencement:* 1 January, 1918.

#### An Act relating to diseases of animals.

##### PART I—INTERPRETATION.

### 1. Interpretation.

In this Act, unless the context otherwise requires—

- (a) “animals” means all stock, camels and other ruminating animals, cats and dogs, but does not include any other animal, except such as may be declared by the Minister by statutory instrument to be included in the term “animals” for the purposes of this Act;
- (b) “carcass” means the carcass of an animal and includes part of a carcass and the meat, bones, hide, skin, hoofs, horns, offal or other part of an animal separately or otherwise or any portion thereof and butter and ghee;
- (c) “cattle” means bulls, cows, oxen, heifers and calves;
- (d) “disease” means cattle plague (rinderpest), anthrax, pleuropneumonia, trypanosomiasis, tuberculosis, foot and mouth disease, rabies, sheep pox, sheep scab, goat scab, goat pox, swine fever, swine erysipelas, glanders, farcy, mange (scabies) in horses, mules and donkeys, dourine, ulcerative lymphangitis, epizootic lymphangitis and blackquarter, but does not include any other disease, except such as may be declared by the Minister by statutory instrument to be included in the term “disease” for the purposes of this Act;
- (e) “fodder” means hay or other substance commonly used for food of animals;
- (f) “inspecting officer” means any person appointed to be an inspecting officer by the commissioner of livestock and entomology by notice in the Gazette;
- (g) “litter” means straw or other substance commonly used for bedding or otherwise for or about animals;
- (h) “poultry” means all domestic or domesticated fowls, ducks, geese, turkeys, guinea fowl, peafowl, pheasants, pigeons,

- ornamental or caged birds;
- (i) “stock” means cattle, sheep, goats, horses, mules, donkeys, swine and poultry;
  - (j) “veterinary officer” means any person or class of persons declared to be a veterinary officer for the purposes of this Act by the commissioner of livestock and entomology by notice in the Gazette.

## PART II—STEPS FOR CHECKING DISEASE.

### **2. Diseased animals to be separated and reported.**

Any person having in his or her possession or charge any animal affected with disease or suspected of being affected with disease shall as soon as possible—

- (a) keep that animal separate from animals not so affected or suspected of being so affected;
- (b) cause that animal to be tied up or put in a kraal or other enclosed place; and
- (c) notify an administrative officer or veterinary officer or inspecting officer, whoever is the nearest, of the fact of the animal being affected or suspected of being affected.

### **3. Report to be forwarded to the commissioner.**

Any veterinary officer who is notified of any animal being affected or suspected of being affected by disease shall give such directions and take such steps as may be necessary for the purpose of ascertaining the existence and nature of the disease, and he or she shall on being satisfied that the disease exists forthwith report to the commissioner of livestock and entomology.

### **4. Farmers to be notified of outbreak.**

An administrative officer in charge of a district or area shall, on being satisfied as to the existence within his or her district or area of a disease affecting stock, forthwith cause all owners and occupiers of farms and owners of stock in the neighbourhood to be notified of the disease.

**5. Slaughter.**

Any administrative officer or veterinary officer may cause to be slaughtered any animal affected or suspected of being affected by any disease or any animal which has been in contact with a diseased animal or has been otherwise exposed to the infection or contagion of disease.

**6. Carcasses to belong to the Government.**

Where an animal has been slaughtered under this Act or any rule, order or direction under the Act, its carcass shall belong to the Government and shall be buried or sold or otherwise disposed of under such conditions as an administrative or veterinary officer may think fit; and any proceeds of the sale shall be paid into the Consolidated Fund.

PART III—POWERS OF OFFICERS.

**7. Burial, etc. of carcasses, etc.**

Where an animal dies of disease any veterinary officer or inspecting officer may give directions with reference to the burial, destruction or disposal of the carcass, hide, skin, hair, wool, litter, dung or fodder.

**8. Power of inoculation, disinfection, etc.**

Any veterinary officer may at any time require any animal to be examined, inoculated, sprayed, dipped, washed or otherwise disinfected or to undergo a period of quarantine if he or she considers the same to be necessary in order to prevent the spread of disease.

**9. Power to carry out blood tests.**

Any veterinary officer may, for the purpose of detecting or diagnosing disease, take or cause to be taken from any animal blood smears, or apply such other tests as he or she may consider necessary.

**10. Power to prohibit exhibitions, etc.**

The commissioner of livestock and entomology may, for the purpose of preventing the spread of any disease, prohibit in any place the holding of any exhibition of stock, or the sale of stock in open markets or in private sale

yards.

#### **11. Power to restrict slaughter.**

The commissioner of livestock and entomology may, for the purpose of preventing the spread of disease, prohibit in any place the slaughter of cattle for food and the sale of meat or carcasses or of any part of the meat or carcasses.

#### **12. Powers of entry.**

Any veterinary officer or inspecting officer may enter any lands, building, shed, place, carriage, van or truck containing, or suspected to contain or used for the purpose of containing or carrying animals, carcasses, hides, skins, hair, wool, butter, ghee, litter, dung or fodder and may examine the same and any animals, carcasses, hides, skins, hair, wool, butter, ghee, litter, dung, or fodder found therein for the purpose of ascertaining whether any such animal is suffering from any disease or whether any such animal, carcass, hide, skin, hair, wool, butter, ghee, litter, dung or fodder is capable of transmitting any disease or for the purpose of ascertaining whether any rules, orders or directions in respect to the cleansing and disinfection of the building, shed, place, carriage, van or truck made or given under this Act have been properly carried out.

#### **13. Power to inspect.**

The owner or person in charge of any animals, carcasses, hides, skins, hair, wool, butter, ghee, litter, dung or fodder shall produce the same for inspection when called on to do so by any veterinary officer or inspecting officer.

#### **14. Power to carry out requirements.**

Where any person is required by this Act or by any rule, order or direction lawfully made or given under it to do any act or thing and fails to comply with the requirement, any administrative officer, veterinary officer, inspecting officer or police officer may cause the act or thing to be done at the expense of the person so failing.

#### PART IV—COMPENSATION.

##### **15. Compensation to be paid for slaughter.**

Subject to section 16, any person whose animal is slaughtered under this Act shall be paid compensation by the Government of an amount equal to the market value of the animal as assessed by a veterinary officer.

##### **16. Where compensation may be withheld.**

Compensation in respect of any animal slaughtered under this Act may be wholly or partially withheld where the owner or person in charge of the animal has been guilty of any breach of this Act or of any rule, order or direction made or given under it, and no compensation shall be payable in respect of any animal slaughtered if the animal was affected by disease when imported into Uganda or became affected before it was passed by the inspecting officer, if any, at the port or place of entry into Uganda, or if the animal was imported into Uganda in breach of this Act or of any rule, order or direction made or given under this Act.

#### PART V—INFECTED AREAS.

##### **17. Minister may declare infected areas.**

(1) The Minister may at any time by statutory order declare any area within Uganda to be an infected area for the purposes of this Act.

(2) Notwithstanding subsection (1), in cases of urgency the commissioner of livestock and entomology may declare any area provisionally infected pending such order and upon that declaration sections 18 and 19 shall immediately apply to the area.

##### **18. Rules for infected areas.**

The following provisions shall, in the absence of other provision made by rules under this Act, apply to all infected areas—

- (a) no stock or carcass shall be moved in or from any such area without the written permission of the commissioner of livestock and entomology or the veterinary officer or inspecting officer in charge of the area;
- (b) no other animal or carcass shall be moved from any such area

unless previously disinfected in the manner directed by the veterinary officer or inspecting officer in charge of the area, if that officer shall order disinfection;

- (c) all stock in the area shall be herded as far as possible from any public road;
- (d) the commissioner of livestock and entomology or the veterinary officer or inspecting officer in charge of the area may require the owner or person in charge of any animal or animals within the area to isolate the animal or animals from other animals within the infected area or to move the animal or animals in or from the infected area to such other place as he or she may direct within a stated period;
- (e) the commissioner of livestock and entomology or the veterinary officer or inspecting officer in charge of the area may cause any animal or carcass in the area to be branded with such mark as he or she may think fit;
- (f) no person shall leave any such area without having complied with such precautions for preventing the spread of disease as may be required by the veterinary officer or inspecting officer in charge of the area;
- (g) the carcasses of all animals dying from disease shall forthwith be either buried at a depth of not less than four feet below the surface of the ground or burnt at the expense of the owner if so directed by a veterinary officer.

#### **19. Negligently allowing escape from infected area.**

Any person negligently allowing an animal to escape from an infected area shall be deemed, for the purposes of section 18, to have moved the animal from the area.

### PART VI—RULES.

#### **20. Rules.**

The Minister may make rules for the prevention of the introduction into and spread of disease in or from Uganda and generally for carrying out the purposes and provisions of this Act.



**21. Some purposes for which rules may be made specified.**

(1) Rules made under section 20 may include, among other matters, rules for all or any of the following purposes—

- (a) the control, detention, custody, isolation, inoculation, disinfection, removal or slaughter of animals suffering or suspected to be suffering from any disease, or of any animals exposed to infection, or of any animals or any particular species of animals especially liable to become infected with any disease;
- (b) the burial, destruction or disposal of carcasses;
- (c) prescribing ports and places for the importation into or the exportation from Uganda of animals, carcasses, hides, skins, hair, wool, litter, dung or fodder;
- (d) prohibiting or regulating the movement of animals, carcasses, hides, skins, hair, wool, butter, ghee, litter, dung or fodder within Uganda;
- (e) prescribing quarantine for imported animals or diseased animals or animals suspected of disease, or animals which have been in contact with animals suffering from disease, or for animals or any particular species of animals especially liable to become infected with disease;
- (f) prohibiting or regulating the importation into or the exportation from Uganda of animals, carcasses, hides, skins, hair, wool, litter, dung or fodder, and prescribing the conditions under which that importation or exportation may take place;
- (g) prescribing the cleansing and disinfection of buildings and places in which animals have been stalled or in which hides, meat, offal and litter have been kept;
- (h) prescribing the cleansing and disinfection of public markets, private auction or sale yards, railway premises, railway vans, trucks or carriages in which any animal shall have been placed, kept or carried;
- (i) providing for the periodical dipping of animals;
- (j) prescribing the disinfection of persons and their clothing and personal effects coming into contact with or employed about animals suffering or suspected to be suffering from disease or being in an infected area;
- (k) prohibiting or regulating the movement of vehicles into, through or out of areas in which tsetse flies (*glossinae*) are known to exist and directing and providing for the disinfection of vehicles which have passed through such areas and directing and providing for

the disinfection of persons, whether travellers in vehicles or otherwise, who have passed through such areas;

- (1) prescribing fees and charges for the examination, inoculation, testing, disinfecting or slaughtering of animals and for the feeding and stabling of animals detained in quarantine and providing generally for the payment and recovery of expenses incurred by the Government under this Act.

(2) Nothing in this section shall limit or shall be construed so as to limit the powers conferred upon the Minister by section 20.

#### PART VII—LEGAL PROCEEDINGS, AND OFFENCES AND PENALTIES.

### **22. Saving of acts done under Act.**

No action shall lie against the Government or any officer of the Government for any act done in good faith under this Act or any rule, order or direction made or given under this Act, and, except as hereinbefore provided, no compensation shall be payable to any person for any act done under this Act, unless the Minister otherwise directs.

### **23. Obstruction.**

Any person obstructing or impeding or assisting to obstruct or impede a person in the lawful exercise of his or her duties under this Act commits an offence under this Act and may be arrested without warrant by a police officer.

### **24. Improperly altering permits.**

Any person improperly altering a permit given under this Act or under any rules made under this Act commits an offence under this Act.

### **25. Offences and penalties.**

Any person guilty of an offence under this Act or committing any breach of the Act or of any rules made under it or failing to comply with any rule, order or direction lawfully made or given under the Act is liable to imprisonment for a period not exceeding twelve months or to a fine not exceeding six thousand shillings or to both such imprisonment and fine.

## **26. Detention and arrest.**

(1) Where a person is seen or found committing or is suspected of being engaged in committing an offence or breach as described in section 25, an administrative, veterinary or police officer may, without warrant, stop and detain him or her; and if his or her name and address are not known to the official, and he or she fails to give them to the satisfaction of the official, the official may arrest him or her without warrant.

(2) Where the official arresting is not a police officer, he or she shall without unnecessary delay make over the offender to a police officer, or, in the absence of a police officer, take the offender to the nearest police station.

## **27. Seizure of animals, etc.**

(1) A veterinary officer or police officer or inspecting officer may seize and examine any animal, carcass, hide, skin, vehicle, boat or thing with regard to which he or she suspects that any such offence or breach as described in section 25 has been or is being committed and may order it to be taken back forthwith to or into any area or place from which it may be suspected to have been unlawfully removed, or he or she may remove the same to any pound, enclosure or other place selected by a veterinary officer and there detain it subject to the orders of a magistrate.

(2) Any seizure and detention made under this section shall, with all practicable speed, be reported by the official making it to a magistrate having jurisdiction in the area within which the seizure has been made.

## **28. Forfeiture on conviction.**

(1) Whenever any person has been convicted of an offence or breach as described in section 25, the court convicting the person may in addition to or in lieu of imposing any other punishment authorised by law order that the animals or things or any of them in respect of which the offence or breach has been committed shall be forfeited.

(2) Whenever it is reported to a magistrate that any animal or thing has been seized and detained under section 27 but that the person who is alleged to have committed an offence or breach in respect of the animal or thing is unknown or cannot be found, the magistrate may, if satisfied by evidence on oath that there is reason to believe that the offence or breach has

been committed, order the animal or thing to be forfeited; but no order shall be made unless the owner, if his or her name and whereabouts are known, of the animal or thing shall have had an opportunity of appearing before the magistrate to show cause why the order should not be made.

(3) A magistrate, whenever he or she is satisfied that there is reason to believe that an offence or breach as described in section 25 has been committed in respect of any animal or thing seized and detained under section 27 may order that its owner shall pay to the commissioner of livestock and entomology such sum as he or she may consider reasonable to cover the expenses connected with the removal of the animal or thing to the place of detention and, in the case of an animal, the cost of its keep during the detention and that unless the sum is paid within a time to be specified in the order the animal or thing shall be forfeited.

(4) Whenever any animal or thing is forfeited under this Act, it shall be slaughtered, sold or otherwise dealt with as the Minister may by any general or special order direct, and the proceeds of sale, if any, shall be paid into the Consolidated Fund.

## **29. Powers of police saved.**

Nothing in sections 26, 27 or 28 shall take away or abridge any power or authority that a police officer would have had if the sections had not been enacted.

**History:** Cap. 218.

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