

PART TWO
LIVE-STOCK IMPORT AND EXPORT

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**PAKISTAN ANIMAL QUARANTINE
(IMPORT AND EXPORT OF ANIMALS AND ANIMAL
PRODUCTS) ORDINANCE, 1979**

ORDINANCE XLIX OF 1979

An Ordinance to regulate the import, export and quarantine of animals and animal products

(Gazette of Pakistan, Extraordinary, Part I, 17th September, 1979)

No. F. 17 (1)/79-Pub :—The following Ordinance made by the President is hereby published for general information :

Whereas it is expedient to regulate the import, export and quarantine of animals and animal products in order to prevent the introduction or spread of diseases and to provide for matters connected therewith or incidental thereto ;

And whereas the President is satisfied that circumstances exist which render it necessary to take immediate action ;

Now, therefore, in pursuance of the Proclamation of the fifth day of July, 1977, read with the Laws (Continuance in Force) Order, 1977 (C.M.L.A. Order No. 1 of 1977), and in exercise of all powers enabling him in that behalf, the President is pleased to make and promulgate the following Ordinance :—

1. Short title, extent and commencement.

(1) This Ordinance may be called the Pakistan Animal Quarantine (Import and Export of Animals and Animal Products) Ordinance, 1979.

(2) It extends to the whole of Pakistan.

(3) It shall come into force at once.

2. Definitions :

In this Ordinance, unless there is anything repugnant in the subject or context,-

(a) "animal" includes all kinds of :

(i) birds ;

(ii) cold-blooded creatures ;

- (iii) creatures by means of which any disease may be carried or transmitted ;
 - (iv) crustacean ;
 - (v) fish ;
 - (vi) four-footed beasts which are not mammals ;
 - (vii) mammals, except man ; and
 - (viii) reptiles.
- (b) "animal product" means anything originating or made, where in whole or in part, from an animal or from a carcass and includes blood, bones, casings, dairy products, eggs, fat, foodstuffs of animal origin, fish products, hair, hides, horns, hooves, hormones and their biological preparations, offals, seed materials for research purposes, semen, skins: tendons, viscera, wool and any other substance of animal origin which may be specified by the Federal Government by notification in the official Gazette ;
- (c) "carcass" means the carcass of an animal and includes any part or portion thereof ;
- (d) "diseased" means suffering from or carrying any infectious or contagious disease or such disease as may be declared by the Federal Government from time to time by notification in the official Gazette ;
- (e) "fodder" means hay, roughage, concentrate or any other substance used for feeding animals ;
- (f) "health certificate" means a certificate issued by a Quarantine Officer in respect of the health status of animals and animal products ;
- (g) "import" and "export" respectively means bringing into or taking out of Pakistan by Sea, land or air ;
- (h) "litter" means any substance used as bedding for animals or for holding or containing animals in the process of transportation ;
- (i) "prescribed" means prescribed by rules ;
- (j) "points of entry" and "points of exit" mean the Islamabad Airport, Karachi Airport, Karachi Harbour, Lahore Airport, Peshawar Airport, Quetta Airport, the Chaman, Kuh-i-tuftan, Turkham, Khokhrapar and Lahore land routes and include any other authorised land, sea or air route declared by the Federal Government from time to time by notification in the official Gazette ;
- (k) "quarantine" means a site or premises provided or approved by the Federal Government for the isolation and examination of animals and animal products intended for import or export ;
- (l) "Quarantine Officer" means any veterinarian duly authorised by the Federal Government to exercise and perform the powers and functions of Quarantine Officer under this Ordinance; and
- (m) "rules" means rules made under this Ordinance.

3. Power to regulate and prohibit import and export of animals and animal products :

- (1) The Federal Government may, by notification in the official Gazette, prohibit, restrict or otherwise regulate, subject to such conditions as it may think fit to impose, the import or export of any animal or class of animals

or animal products likely to introduce diseases to any other animal, animal product or man.

(2) A notification under this section may specify any animal or class of animals or animal products either generally or in any particular manner, whether with reference to the country of origin, or the route by which imported or otherwise.

(3) Any condition imposed under this section may require :

- (a) the examination, inspection and detention in quarantine by Quarantine Officer of the animals or animal products brought in or to be taken out ;
- (b) the obtaining of health certificate ;
- (c) the treatment or detention, confiscation and destruction of diseased animals or animal products ; and
- (d) that any animal or class of animals or animal products shall not be imported or exported except by a specified agency of the Federal Government.

4. Operation of notification under section 3 :

A notification under section 3 shall operate as if it had been issued under section 16 of the Customs Act, 1969 [IV of 1969], and the officers of customs shall have the same powers in respect of any animal or animal product in respect of which such a notification has been issued as they have for the time being in respect of any article the importation or exportation of which is prohibited or restricted under the said Act, and all the provisions of that Act shall have effect accordingly.

5. Control of animals and animal products in quarantine :

All animals and animal products detained in quarantine shall be under the control of the Quarantine Officer and shall be dealt with in the prescribed manner.

6. Powers, duties and functions of Quarantine Officer :

Subject to the provisions of this Ordinance, the Quarantine Officer shall have the power to :

- (a) inspect animals and animal products ;
- (b) detain in and release from quarantine and determine the length of the quarantine period ;
- (c) order the carrying out of the prescribed tests ;
- (d) issue health certificate ;
- (e) order destruction of such animals or animal products as may, after such examination and tests as may be prescribed, be found to be diseased ;
- (f) order disposal of clothing, dung, fittings, fodder, harness, or litter that may have been in contact with, or pertaining to, diseased animals and animal products ;
- (g) require proper disinfection of any premises or aircraft or railway wagon or carriage or vessel or vehicle of any description used for carrying animals and animal products ;
- (h) approve conditions to be observed in export quarantine ;
- (i) prohibit export of animals considered unfit to travel ;

- (j) prohibit voyage of vessels carrying animals during adverse weather ;
- (k) inspect and issue certificates in respect of animals and animal products in transit ;
- (l) deport any animal or animal product, at the expenses of the person importing such animal or animal product, the import of which is prohibited by the Federal Government ; and
- (m) carry out such functions as are necessary for the successful operation and management of quarantine stations.

7. Cognizance of offence :

No court shall take cognizance of any offence under this Ordinance, except upon complaint in writing made by an officer authorised by the Federal Government in this behalf.

8. Penalties :

(1) Whoever contravenes or attempts to contravene any of the provisions of this Ordinance or the rules or any notification issued thereunder, shall, without prejudice to any penalty to which he may be liable under the provisions of the Customs Act, 1969 (IV of 1969), as applied by section 4, be punishable with imprisonment for a term which may extend to three years, or with fine which may extend to five thousand rupees, or with both.

(2) Any import of animals or animal products not accompanied by a valid import licence and the prescribed health certificate shall, if found free from infectious or contagious disease, be disposed of by the Federal Government in such manner as may be prescribed.

9. Appointment of officers and members of staff :

The Federal Government may appoint such number of officers and members of staff as it may deem fit for carrying out the purposes of this Ordinance,

10. Revision :

(1) Any person aggrieved by an order passed by the Quarantine Officer under this Ordinance may apply for revision to the Federal Government within thirty days from the date of issue of such order, and the decision of the Federal Government shall be final.

(2) The Federal Government may, on the receipt of an application under sub-section (1), stay the operation of the order of the Quarantine Officer till the disposal of the application.

11. Indemnity :

No suit, prosecution or other legal proceedings shall lie against the Federal Government or the Quarantine Officer or any other person for anything in good faith done or intended to be done under this Ordinance, or the rules.

12. Exemption :

The Federal Government may, by notification in the official Gazette, exempt any animal or animal product from the operation of all or any of the provisions of this Ordinance, subject to such conditions, if any, as may be specified in the notification.

13. Delegation of powers :

The Federal Government may, by notification in the official Gazette, delegate to a Provincial Government, or to any officer or authority of such Government, any of its powers under this Ordinance.

14. Power to make rules :

(1) The Federal Government may, by notification in the official Gazette, make rules for carrying out the purposes of the Ordinance.

(2) In particular and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely :

- (a) the conditions to be observed before, during and after importation of animals or animal products ;
- (b) the procedure for the landing, inspection, quarantine, seizure, detention and treatment of animals and animal products ;
- (c) methods of testing for identification of diseases ;
- (d) the forms and fees for licences to import or export animals or animal products, health certificates, certificates of freedom from disease and certificates of vaccination, destruction, disinfection, onward movement and approval of export quarantine ;
- (e) the limits of the points of entry and points of exit ;
- (f) the quarantine charges and the recovery of costs of keeping animals and animal products therein ;
- (g) the method of cleaning and disinfection ;
- (h) the manner of identification of imported animals ; and
- (i) any other matter which is to be or may be prescribed.

15. Repeal :

The Livestock Importation Act, 1898 (IX of 1898) is hereby repealed.

THE PAKISTAN ANIMAL QUARANTINE (IMPORT AND EXPORT OF ANIMALS AND ANIMAL PRODUCTS) RULES, 1980¹

Notification No. S.R.O. 1007(1)/80, dated the 20th August, 1980. In exercise of the powers conferred by section 14 of the Pakistan Animal Quarantine (Import and Export of Animals and Animal Products) Ordinance, 1979 (XLIX of 1979), the Federal Government is pleased to make the following rules, namely:—

CHAPTER I

PRELIMINARY

1. Short title and commencement :

(1) These rules may be called the Pakistan Animal Quarantine (Import and Export of Animals and Animal Products) Rules, 1980.

(2) They shall come into force at once.

2. Definitions :

In these rules, unless there is anything repugnant in the subject or context,:

- (a) "approved disinfectant" means a disinfectant comprising five per cent solution of standard phenol or any disinfectant approved by the Federal Government by notification in the Official Gazette;

1. The Gazette of Pakistan, Extra, Oct. 6, 1980, Part II, pp 1766-1779.

- (b) "Form" means the form appended to these rules;
- (c) "master" means a person having charge or command of a vessel;
- (d) "Ordinance" means the Pakistan Animal Quarantine (Import and Export of Animals and Animal Products) Ordinance, 1979 (XLIX of 1979);
- (e) "pilot" means the pilot or any other person having command or charge of the aircraft; and
- (f) "Schedule" means a schedule to these rules.

CHAPTER II

IMPORT OF ANIMALS AND ANIMAL PRODUCTS

3. Health certificate for import of animals and animal products :

(1) Every animal imported in Pakistan shall be accompanied by a health certificate in Form I, Form II or Form III issued by an authorised veterinary officer of the country from where such animal is imported.

(2) Every animal product imported in Pakistan shall be accompanied by a health certificate in Form IV or Form V issued by an authorised veterinary officer of the country from where such animal product is imported.

4. Duties of carrier of animals and animal products :

Immediately on arrival of a vessel, aircraft or vehicle carrying any animal or animal product at a point of entry, the master of the vessel, the pilot of the aircraft or the person in charge of the vehicle, as the case may be, shall :

- (a) inform the quarantine officer in respect of the presence of the animal and animal product on his vessel, aircraft or vehicle;
- (b) extend the Quarantine officer the facilities for inspection of the animal and animal product and the places where they are lodged;
- (c) furnish the quarantine officer such information as he may require to enable him to determine :
 - (i) the number and kinds of animals and animal products;
 - (ii) the place or places from where the animals and animal products were taken on board ;
 - (iii) the name and address of the importer ;
 - (iv) the occurrence of any infectious or contagious disease among the animals during transit ;
 - (v) the place at which the vessel, aircraft or vehicle, as the case may be, made stop-overs ;
 - (vi) the occurrence of death, if any, among animals during transit and the cause of such death; and
 - (vii) that the carcass of the dead animal, if any, was deposited outside twelve miles of the coasts of Pakistan ;
- (d) prevent the landing of any animal, animal product, carcass, clothing, dung, fitting, fodder, litter or any other thing which has been

in contact with diseased animal or animal product until the Quarantine Officer has made the inspection thereof ; and

- (e) get the vessel, aircraft or vehicle disinfected immediately after the landing of animals and animal products from such vessel, aircraft or vehicle, as the case may be.

5. Inspection of animals and animal products on board :

On arrival at a point of entry of a vessel, aircraft or vehicle carrying animals or animal products, the Quarantine Officer shall inspect on board such animals and animal products, the places where they are lodged and examine the certificates of health and other relevant documents.

6. Disposal of animals and animal products without health certificate, etc. :

(1) Where an animal or animal product is not accompanied by a valid import licence and health certificate referred to in rule 3 but is found free from any disease, the Quarantine Officer may, by an order in Form VI, :

- (a) confiscate such animal or animal product for disposal by sale through auction ; or
 (b) at the option of the importer, return it to the importer for taking it back to the country of its origin at his own expense.

(2) Where an animal or animal product is not accompanied by an import licence and health certificate and on inspection is found suffering from a disease, it shall be destroyed under the order of the Quarantine Officer made in Form VI.

7. Removal to Quarantine :

Every animal and animal product shall, immediately on landing, be removed to quarantine at the expense of the importer for such period as the Quarantine Officer may determine in writing.

8. Test and examination of animals and animal products in quarantine:

An animal or animal product detained in quarantine shall undergo such further test or tests as specified in Schedule I or as the Quarantine Officer may determine.

9. Release from quarantine :

(1) After the expiry of the quarantine period, every animal and animal product found free from disease shall be returned to the importer.

(2) Where an importer, after one week from the expiry of the quarantine period, fails to collect his animal or animal product, it shall be disposed of by sale through auction.

10. Payment of sale proceeds to importer :

An importer shall, on an application in writing to the Quarantine Officer, be entitled to payment of the amount received by sale of his animal and animal products after deduction of quarantine charges, costs of keeping

the animal or the animal product in quarantine, fees for examinations and tests and cost of auction:

Provided that in the case of death of an animal in quarantine, the importer shall be charged only the cost of feeding the animal.

11. Certificate of freedom from disease :

An importer may, on payment of fee fixed by the Federal Government by notification in the official Gazette, obtain a certificate that an animal or animal product has been subjected to a test or tests specified in Schedule I with negative results and has been found free from the diseases specified in Schedule II.

CHAPTER III

EXPORT OF ANIMALS AND ANIMAL PRODUCTS

12. Regulation of export :

Every export of animals or animal products shall, as far as may be, be regulated in accordance with the rules, regulations and zoo-sanitary conditions of the country where such animals and animal products are exported.

13. Quarantine of animal before export :

All animals shall, before their export, be kept in quarantine for such period and manner as the Quarantine Officer may determine for carrying out tests and examinations and providing rest to such animals before their transportation for export :

Provided that the period of rest shall not be less than ten hours which shall include three consecutive hours between sunrise and sunset :

Provided further that if during the rest period of an animal, any other animal is brought into quarantine, then the rest period of first animal detained in quarantine shall commence from the time of arrival of the last animal in quarantine.

14. Health certificate of an animal and animal product :

(1) Where after the examination of an animal or animal product and expiry of the rest period, the Quarantine Officer is satisfied that such animal and animal product are free from disease, he shall issue a health certificate in Form VII, Form VIII, Form IX or in any other form as may be specified by the country where such animal and animal product are intended to be exported.

(2) No animal or animal product shall be exported unless it is accompanied by a health certificate referred to in sub-rule (1).

15. Disembarkation of certain animals :

Where an animal is injured during transportation for export or loading in a vessel, aircraft or vehicle, or is found unfit to travel due to illness, or where calving or lambing of the animal during transit is reasonably probable, or where adverse weather conditions are likely to cause serious injury or suffering to such animal, the Quarantine Officer may, under notice

to the exporter, require the master of the vessel, pilot of the aircraft or the person in charge of the vehicle, as the case may be, to unload the animal and remove it to quarantine for rest and treatment.

CHAPTER IV

GENERAL

16. Disinfection of aircraft, vehicle, etc. :

(1) Before transportation of an animal or animal product, the Quarantine Officer shall cause the cleaning and disinfection of a vessel, aircraft or vehicle to be used for transportation for such animal and animal product by an approved disinfectant.

(2) No vessel, aircraft or vehicle shall be used for transportation of an animal or animal product unless it has been properly cleaned, disinfected and certified by the Quarantine Officer in Form X.

17. Quarantine charges and fees etc., to be notified :

The rate of quarantine charges, costs of keeping animals and animal products in quarantine, including feeding charges, fees for examination, tests and certificates shall be fixed by the Federal Government, from time to time, by notification in the official Gazette.

18. Destruction and disposal of diseased animals, etc. :

(1) Any diseased animal or animal product ordered to be destroyed under clause (e) of section 6 of the Ordinance or under these rules shall be destroyed in accordance with the directions of the Quarantine Officer.

(2) The carcase and destroyed animal product shall be disposed of by burying, burning, cremated or incinerated.

(3) No compensation of an animal or animal product ordered to be destroyed shall be paid to the owner.

(4) The items of any clothing, fittings or harness which had been in contact with a diseased animal or animal product and not taken back by the importer after disinfection shall be sold through auction.

19. Sale proceeds to be deposited in Government treasury :

All sale proceeds received under these rules by sale or auction shall be deposited in the Government treasury under the head "1260-Receipt from Economic Services—1261-Animal Husbandry—Others."

20. Application of rules to animals and animal products in transit :

(1) These rules shall, mutatis mutandis, apply to all animals and animal products in transit by a vessel, aircraft or vehicle.

(2) Where the Quarantine Officer examines any animal or animal product landed in Pakistan during transit to another country, he shall make a health report in Form XI.