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Government Notice

MINISTRY OF AGRICULTURE, WATER AND FORESTRY

No. 144

2013

ANIMAL HEALTH REGULATIONS: ANIMAL HEALTH ACT, 2011

Under section 32 of the Animal Health Act, 2011 (Act No. 1 of 2011) I -

- (a) have made the regulations set out in the Schedule; and
- (b) repeal the Regulations promulgated under the Animal Diseases and Parasites Act, 1956 (Act No. 13 of 1956), and published under RSA GN R. 1531 of 4 October 1963 as amended by Government Notices R. 428 of 26 March 1965; R. 1688 of 29 October 1965; R. 957 of 24 June 1966; R. 702 of 26 April 1968; R. 1116 of 28 June 1968; R. 55 of 17 January 1969; R. 947 of 13 June 1969; R.1924 of 25 October 1974; R. 1389 of 25 July 1975, R.2028 of 14 September 1979; R. 1684 of 15 August 1980; AG. 90 of 14 June 1982; AG. 179 of 15 December 1982; No. 22 of 1 February 1986, No. 155 of 15 September 1987 and No. 114 of 30 June 1995.

J. MUTORWA
MINISTER OF AGRICULTURE,
WATER AND FORESTRY

Windhoek, 19 March 2013

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PART 1
INTERPRETATION

Definitions

1. In these regulations a word or expression to which a meaning has been assigned in the Act bears that meaning, and unless the context otherwise indicates -

“Animal Identification Regulations” means the Animal Identification Regulations published under Government Notice No. 29 of 5 March 2009;

“approved” means approved in writing by the Chief Veterinary Officer;

“approved form” means a form approved by the Chief Veterinary Officer;

“approved dip” means a dip registered as a stock remedy under the Fertilizers, Farm Feeds, Agricultural Remedies and Stock Remedies Act, 1947, against an infectious agent and approved by the Chief Veterinary Officer;

“Chief Veterinary Officer” means a Chief Veterinary Officer referred to in section 2 of the Act;

“cleanse” means to get rid of any infectious agent;

“communal area” means a communal area as defined in section 1 of the Communal Land Reform Act, 2002 (Act No. 5 of 2002);

“de-flying station” means a de-flying station referred to in regulation 81;

“designated entry or exit point” means a place designated in terms of regulation 3 as a place of entry or exit for the purpose of these regulations;

“Fertilizers, Farm Feeds, Agricultural Remedies and Stock Remedies Act, 1947” means the Fertilizers, Farm Feeds, Agricultural Remedies and Stock Remedies Act, 1947 (Act No. 36 of 1947);

“health certificate” means a health certificate referred to in section 13 of the Act;

“import permit” means an import permit referred to in section 7 of the Act;

“import and transit permit” means an import and transit permit referred to in section 8 of the Act;

“landed property” means -

- (a) a portion of land held under a separate title deed which is registered in any deeds registry including adjoining portion of land held by the same owner;
- (b) any communal land as defined in section 1 of the Communal Land Reform Act, 2002 (Act no. 5 of 2002), forming part of a communal area; or
- (c) land situated in a local authority area;

“Medicines and Related Substances Control Act, 2003” means the Medicines and Related Substances Control Act, 2003 (Act No. 13 of 2003);

“movement permit” means a movement permit refer to in Part V of the Animal Identification Regulations;

“Nature Conservation Ordinance, 1975” means the Nature Conservation Ordinance, 1975 (Ordinance No. 4 of 1975);

“local authority area” means a local authority area as defined in section 1 of the Local Authorities Act, 1992 (Act No. 23 of 1992);

“Performing Animal Protection Act, 1935” means the Performing Animal Protection Act, 1935 (Act No. 24 of 1935);

“police officer” means a member of the Namibian police force appointed in terms of section 4 of the Police Act, 1990 (Act No. 19 of 1990);

“poultry” means all domestic varieties of ducks, fowls, geese, guinea-fowls, partridges, peafowls, pheasants, pigeons and turkeys;

“prescribed concentration” means the concentration as indicated on a label affixed to a container of an approved dip or as marked on such container, at which the dipping fluid obtained from the dip concerned is to be kept to be effective against the infectious agent;

“protected area” means an area that has been declared as a protected area under section 20(1) of the Act for the purpose of preventing the introduction into or the spread in that area of a disease;

“quarantine station” means a quarantine station referred to in section 12 of the Act;

“removal permit” means a removal permit issued by a veterinary official for the removal of an animal, animal product or restricted material;

“the Act” means the Animal Health Act, 2011 (Act No. 1 of 2011) including any regulation or rules made, or declaration, notice, directive or order issued under the Act;

“Traditional Authorities Act, 2000” means the Traditional Authorities Act, 2000 (Act No. 25 of 2000);

“vaccines” means vaccines declared by the Minister as animal products under section 1(2)(b) of the Act.

Status of declaration

2. In the case of a conflict between these regulations and a declaration made in terms of section 17, 18, 19 or 20 of the Act, the provisions of a declaration prevails.

PART 2**DESIGNATED ENTRY AND EXIT POINTS****Designated entry and exit points**

3. (1) The places listed in Schedule 1 are designated entry and exit points for purposes of importation or exportation of an animal, animal product or restricted material.

(2) An animal, animal product or restricted material in respect of which an import permit, import and transit permit or a health certificate has been issued must only be imported or exported at the designated entry or exit point.

(3) The Chief Veterinary Officer must ensure that a veterinary official is available at the designated entry and exit point for the purpose of implementing and enforcing the provisions of the Act.

PART 3**IMPORT PERMITS AND IMPORT AND TRANSIT PERMITS****Application for permit to import animals, animal products or restricted material**

4. (1) An application contemplated in section 7(3) of the Act for an import permit must be made in the approved form and be -

- (a) submitted in triplicate to a veterinary official for the attention of the Chief Veterinary Officer; and
- (b) accompanied by the appropriate fee set out in Schedule 2.

(2) The Chief Veterinary Officer must consider the application referred to in subregulation (1) and may approve or refuse the application.

(3) If the application for an import permit is approved the Chief Veterinary Officer must issue the import permit to the applicant.

Conditions applicable for importation of animals, animal products or restricted material

5. (1) An animal, animal product or restricted material imported into Namibia must be made available to a veterinary official at a point of entry on its entry into Namibia.

(2) A person may not remove an animal, animal product or restricted material in respect of which an import permit has been issued, from any conveyance or from any other means of transportation upon which it has been brought into Namibia, unless such animal, animal product or restricted material has been inspected by a veterinary official and the veterinary official has issued a removal permit.

(3) A person may not remove, from a conveyance or from any other means of transportation referred to in subregulation (2), any fittings or equipments used in connection with the animal, animal product or restricted material, unless such fitting or equipment has been inspected by a veterinary official and the veterinary official has issued a removal permit.

Application for import and transit permit for conveyance in transit through Namibia

6. (1) An application contemplated in section 8(3) of the Act for an import and transit permit must be made in the approved form, and be –

- (a) submitted in triplicate to a veterinary official for the attention of the Chief Veterinary Officer; and
- (b) accompanied by the appropriate fee set out in Schedule 2.

(2) The Chief Veterinary Officer must consider the application referred to in subregulation (1) and may approve or refuse the application.

(3) If an application for the import and transit permit is approved the Chief Veterinary Officer must issue the import and transit permit to the applicant.

Notice of intention to import animals, animal products or restricted material

7. The notice of intention to import an animal, animal product or restricted material for entry into Namibia or for conveyance in transit through Namibia, as contemplated in section 9 of the Act, must be given in the approved form.

PART 4**EXPORTATION OF ANIMALS, ANIMAL PRODUCTS OR RESTRICTED MATERIAL****Application for health certificate relating to animals, animal products or restricted material**

8. (1) An application contemplated in section 13(3) of the Act for a health certificate must be made in the approved form, and be –

- (a) submitted in triplicate to a veterinary official for the attention of the Chief Veterinary Officer; and
- (b) accompanied by the appropriate fee set out in Schedule 2.

(2) The Chief Veterinary Officer must consider the application referred to in subregulation (1) and may approve or refuse the application.

(3) If an application for a health certificate referred to in subregulation (1) is approved the Chief Veterinary Officer must issue the health certificate to the applicant.

PART 5**CONDITIONS RELATING TO IMPORTATION OF VACCINES AND THE USE, MANUFACTURE, TESTING, DISTRIBUTION, STORAGE AND SALE OF VACCINES****Manufacture of vaccines used for testing, vaccination or inoculating**

9. (1) A person may not manufacture or cause to be manufactured in Namibia a vaccine used or intended to be used for testing, treatment or inoculation of an animal for or against a disease, except upon written permit to manufacture issued by the Chief Veterinary Officer.

(2) An application contemplated in subregulation (1) must be made in the approved form, and be –

- (a) submitted in triplicate to a veterinary official for the attention of the Chief Veterinary Officer; and

(b) accompanied by the appropriate fee set out in Schedule 2.

(3) The Chief Veterinary Officer must consider the application referred to in subregulation (1) and may approve or refuse the application.

(4) If an application for a permit to manufacture referred to in subregulation (1) is approved the Chief Veterinary Officer must issue the permit to the applicant.

Dealing in vaccines

10. (1) A person may not use, sell or display for sale or distribute a vaccine used or intended to be used for testing, treatment or inoculation of an animal for or against a disease, except upon written permit by the Chief Veterinary Officer.

(2) Vaccines used for the testing, vaccination or inoculation of animals must be stored in accordance with the manufacture's direction relating to cooling, storage and expiry date.

(3) An application contemplated in subregulation (1) must be made in the approved form, and be -

(a) submitted in triplicate to a veterinary official for the attention of the Chief Veterinary Officer; and

(b) accompanied by the appropriate fee set out in Schedule 2.

(4) The Chief Veterinary Officer must consider the application referred to in subregulation (1) and may approve or refuse the application.

(5) If an application for a permit referred to in subregulation (1) is approved the Chief Veterinary Officer must issue the permit to the applicant.

(6) The prohibition referred to in subregulation (1) does not apply to a vaccine imported on the authority of an import permit or import and transit permit.

Samples of vaccines

11. The Chief Veterinary Officer may take or cause to be taken, samples and specimens of a vaccine imported into or manufactured in Namibia, and may cause such samples and specimens to be subjected to examinations and tests as the Chief Veterinary Officer may consider necessary.

PART 6 PROVISIONS RELATING TO NOTICES

Service of notice of declaration of infected place

12. (1) Service of a notice of the declaration in terms of section 17(1) of the Act may be effected in the following manner:

(a) by handing a copy of the notice -

(i) personally to the owner of the place or conveyance; or

(ii) to a person in charge of the place or conveyance;

(b) by leaving a copy of the notice at the place or conveyance and if there is no one available to receive the notice by affixing it to the main door of the premises, building, structure or conveyance concerned;

- (c) by faxing or emailing a copy of the notice to the owner of the place or conveyance's fax number or email address; or
- (d) by sending a copy of the notice by registered post to the last known address of the owner of the place or conveyance.

(2) Unless otherwise prescribed by the Act any other notices required to be served under these regulations, must be served in any manner prescribed in this regulation.

Notice of intention to construct fence

13. (1) The notice of intention to construct a fence contemplated in section 21(2) of the Act must be given in an approved form.

(2) Service of the notice referred to in subregulation (1) may be effected in the manner set out in regulation 12.

PART 7 PROVISIONS RELATING TO STRAYING ANIMALS

Reporting requirements for straying animals

14. (1) The owner or occupier of land contemplated in section 22(1) of the Act, must immediately report the presence of an animal referred to in that section, either orally or in writing, to a veterinary official or to a police officer.

(2) A police officer who receives a report referred to in subregulation (1) must inform a veterinary official of such report.

Disposal of straying animals

15. The disposal of an animal contemplated in section 22(3)(b) and section 22(5) of the Act, may be carried out in any of the following manner:

- (a) if the disposal can be done in a manner beneficial to the State, it must be effected in that manner, in which case expenditure resulting from the disposal must be defrayed from income obtained from the disposal;
- (b) the animal may be slaughtered and carcass forfeited to the State; or
- (c) if the disposal in terms of paragraph (a) and (b) is not possible, disposal must be done in accordance with the written directions of the Chief Veterinary Officer.

PART 8 PROVISIONS RELATING TO DISEASES AND NOTIFIABLE DISEASES

Duty to report notifiable disease and isolation and prevention of access to infected animal

16. (1) The notification of a notifiable disease referred to in section 15(1)(b) of the Act, may also be made to a police officer.

(2) A police officer who receives a report in terms of subregulation (1) must, without delay, inform a veterinary official of the report.

(3) The notification in terms of section 15(1)(b) may be made -

- (a) orally or telephonically in which case the person receiving it must furnish acknowledgment of receipt; or
 - (b) in writing, which includes sending it by telegram, facsimile, e-mail or by a registered letter in which case the person receiving it must furnish acknowledgment of receipt.
- (4) The owner of an animal which is infected or is suspected of being infected with a notifiable disease must, without delay, notify -
- (a) the owner of any other animal which is on the land and which animal is susceptible to a disease from the animal; and
 - (b) the owner or occupier of any adjoining land on which there is any animal which is susceptible to the disease from the animal.
- (5) If the owner of an animal knows or suspects that an animal is infected with a notifiable disease, the owner of the animal must -
- (a) immediately isolate such animal from contact with other animals which are susceptible to the disease, and must keep such animal in isolation, until its release is authorised in writing by a veterinary official;
 - (b) prevent access to the animal, place, structure, enclosure, cage or other thing, where the animal is confined, by any person other than a veterinary official or other person whose access is essential for the proper diagnosis, treatment and care of the animal; and
 - (c) prevent access of other animals to such infected animal, the excreta, discharges, carcass or any part of a dead animal.
- (6) A person who has been in contact with an animal contemplated in section 15(1) (b) of the Act or with any discharge, excreta or carcass of the animal must immediately use the best available means to disinfect himself or herself and his or her clothing and any other instrument, implement, utensil or other article, which has been used in connection with the animal, discharge, excreta or carcass.

Instructions by veterinary official in respect of notifiable diseases

17. (1) A veterinary official may give the owner of an animal which is infected or suspected of being infected with a notifiable disease or which has been in contact or could possibly have come into contact with an animal infected, instructions for the confinement, isolation, securing, muzzling, clipping, cleansing, disinfecting, inoculation, immunisation, testing and treatment of the animal as the veterinary official may consider necessary, in order to diagnose, treat and prevent the spread of the disease.

(2) A veterinary official may give written notice to the owner of an animal in an area in which the clipping, handdressing, dipping or spraying of cattle is compulsory under the Act or where an owner of an animal is required in terms of the Act to keep his or her cattle visibly free from live ticks, instructions to cleanse his or her cattle within a period specified in the notice.

Taking of smears

18. Subject to regulation 23, a veterinary official may instruct the owner of an animal which is infected or suspected of being infected with a notifiable disease or has died from any cause and is suspected of being infected with a disease, to submit to a veterinary official any smear, blood, milk, excreta, semen, specimen, organ or discharge from the animal.

Branding of infected animals

19. A veterinary official may instruct the owner of an animal which is infected or suspected of being infected with a disease or which has been isolated or inoculated under the Act or which the movement of animals of same species is prohibited or restricted under the Act, to brand or mark the animal at the time and in a manner and by a method determined by the Chief Veterinary Officer.

Release and removal of infected animals

20. (1) A person may not release or remove or cause to be released or removed, from isolation or confinement an animal detained or seized under the Act, except on authority of a removal permit issued by a veterinary official.

(2) The prohibition referred to in subregulation (1) does not apply where a fixed period of detention or confinement in a place other than a quarantine station is ordered by a veterinary official and such period has expired.

(3) If there is on any land an animal infected or suspected of being infected with a notifiable disease, a person may not move or cause to be moved into or through that land, any animal which is susceptible to that disease, except on authority of the removal permit issued by a veterinary official.

Removal of restricted material

21. A person may not move restricted material from land -

- (a) on which an animal has died or is suspected of having died of a notifiable disease; or
- (b) on which a notifiable disease occurs or is suspected of occurring,

except on authority of the removal permit issued by a veterinary official.

Slaughter of susceptible animals

22. If there is on land an animal infected or suspected of being infected with a notifiable disease, a person may not slaughter or cause to be slaughtered on such land an animal which is susceptible to the disease from such animal, except on authority of a permit to slaughter issued by a veterinary official.

Opening of carcass

23. (1) A person, other than a veterinary official or a veterinarian, may not incise or open or cause or permit to be incised or opened the carcass or any part of an animal which has died or is suspected of having died of a notifiable disease or which has been destroyed as a result of being infected or suspected of being infected with a notifiable disease.

(2) Subregulation (1) does not apply to the owner of the animal or any other person authorised by the owner to cut the ear, tail or limb of such carcass for the purpose of taking a blood smear.

Disposal of carcass

24. (1) The owner of an animal which has died or is suspected of having died of a notifiable disease or which animal has been destroyed by the owner to prevent the spread of the disease must dispose of the carcass by burning or incineration.

(2) If burning or incineration referred to in subregulation (1) is not practicable, the carcass must be disposed of by burial in quicklime at a depth of -

- (a) not less than three metres in the case of large animals and animals infected or suspected of being infected with rabies; and
- (b) not less than one and a half metres in the case of small animals.

(3) The owner of an animal referred to in subregulation (1) must bury the residue of a burned or incinerated carcass at a depth of at least one and a half metres.

(4) Despite anything to the contrary in this regulation, the owner of an animal referred to in subregulation (1) may apply on the approved form to the Chief Veterinary Officer, provided that the necessary facilities are available on the land where an animal referred to in subregulation (1) has died or has been destroyed, to dispose of the carcass by sterilization at a sterilising plant registered in terms of the Fertilizers, Farm Feeds, Seeds and Remedies Act, 1947.

Exhumation of carcass

25. A person may not uncover, dig up or remove from its burial place, a carcass or any part of an animal which has died or is suspected of having died of a notifiable disease or which has been destroyed to prevent the spread of disease, except on the authority of a permit to uncover, dig up or remove a carcass issued by a veterinary official.

Prevention of access to certain places

26. (1) If an animal infected or suspected of being infected with a notifiable disease has been confined at any place, at any time within a period of 90 days, the owner or occupier of the land or place where such animal is confined or the owner of the animal infected or suspected of being infected with a notifiable disease, must prevent access to, or confinement in such place, of any other animal until such place has been cleansed and disinfected in such manner and by such method determined by a veterinary official.

(2) A veterinary official may order the owner or occupier of the land or the owner of animal referred to in subregulation (1) to -

- (a) cleanse and disinfect the place in a manner determined by the veterinary official, if such place is or has been occupied by an animal infected or suspected of being infected with a disease, within a period of 90 days;
- (b) cleanse and disinfect anything on the place, which is infected or suspected of being infected with a notifiable disease or which in the opinion of a veterinary official is capable of transmitting the disease or which has been or could possibly have been in contact with an animal referred to in subregulation (1), in a manner and by a method determined by a veterinary official;
- (c) to disinfect and dispose of the excreta and discharges from, the bedding, litter, and fodder of an animal referred to in subregulation (1), in a manner and by a method determined by a veterinary official; or
- (d) to confine all his or her animals which are susceptible to a notifiable disease to a defined portion of his or her land or to exclude all the animals from a defined portion of his or her land for a period as the veterinary official may consider necessary in order to prevent the spread or outbreak of disease, if an animal referred to in subregulation (1) was confined for a period referred to in that subregulation.

Disinfection of public places and conveyances

27. (1) A person in charge of a public market, sale yard or other place used for the assembly or confinement of animal which are infected or suspected of being infected with a disease must cleanse, wash and disinfect the place together with all structures and enclosure used in connection with the animal, at the close of each day on which that place has been used, in a manner and by a method determined by a veterinary official.

(2) A person in charge of a conveyance or other means of transportation used for the transportation of an animal infected or suspected of being infected with a notifiable disease, must clean, wash and disinfect such conveyance or transportation used for the confinement or transportation of an animal.

Prohibition on use of infected milk

28. (1) A person may not use or cause to be used or dispose of for use, milk of an animal which is infected or suspected of being infected with tuberculosis, foot and mouth disease or brucellosis of cattle, unless such milk has been boiled, pasteurized or sterilized by efficacious method.

(2) A person may not use or cause to be used or dispose of for use milk of an animal which is infected or suspected of being infected with rabies or anthrax.

(3) A person who discovers the presence of *tubercle bacilli* in milk must without delay, report the matter together with the name and address of the person from whom the milk was obtained, to a veterinary official.

Removal of animal hair and bristles

29. (1) A person may not, except on written permit by a veterinary official -

- (a) move or cause to be moved raw animal hair or bristles to any place in Namibia, which hair or bristles have not been sterilized by a sterilizing plant registered under the Fertilizers, Farm Feeds, Seeds and Remedies Act, 1947; or
- (b) remove or cause to be removed any hair or bristles from a sterilizing plant referred to in paragraph (a), unless the hair or bristles have been subjected to an effective sterilizing or disinfecting process.

(2) The application for the permit referred to in subregulation (1) must be made in the approved form.

(3) Subregulation (1) does not apply to the removal of goat hair within Namibia or to raw animal hair or bristles imported into Namibia on the authority of an import permit or an import and transit permit.

Duties in respect of dead or abandoned animals

30. (1) If an animal dies from a disease or is abandoned on account of sickness or weakness at a public place or public road or on the land of a person who is not the owner of the animal, the owner or the person who finds the animal must without delay report the death or abandonment together with the name and address of the owner of the animal, if known, to a veterinary official or a police officer.

(2) A police officer receiving a report under subregulation (1) must notify a veterinary official.

(3) The owner of an animal which has died from a disease on a public place, public road or on land of another person, must dispose of the carcass of the animal in accordance with regulation 24, at a place in the immediate vicinity of the place where such animal died or as the owner of the place may direct and in a manner which does not cause nuisance.

(4) The owner of an animal referred to in subregulation (3) may at his or her own expense enter into an agreement with the owner or occupier of the place on which an animal died, that the owner or occupier of that land carry out the requirements of regulation 24 in respect of the animal.

(5) If the owner of an animal referred to in subregulation (3) has not disposed of the carcass within a period of 24 hours after the death of the animal, the owner or occupier or a person in charge of that land must, as soon as possible, after the expiry of 24 hours, dispose of the carcass in accordance with the requirements of regulation 24 and apply to the Chief Veterinary Officer for reimbursement.

(6) The owner or occupier or a person in charge of the land, to applies for reimbursement in terms of subregulation (5), must furnish the Chief Veterinary Officer with proof of expenses incurred in disposing a carcass in accordance with regulation 24.

Vaccination of birds

31. (1) A person who wishes to obtain a vaccine registered under the Fertilizers, Farm Feeds, Agricultural Remedies and Stock Remedies Act, 1947 or the Medicines and Related Substances Control Act, 2003 for use against newcastle disease and avian influenza, must apply in the approved form to the Chief Veterinary Officer for a clearance permit to obtain the required vaccine.

(2) The Chief Veterinary Officer may, on application made under subregulation (1), issue a clearance permit in which he or she approves the type of vaccine and number of doses of a vaccine.

(3) A supplier of the vaccine referred to in subregulation (1) may not supply a vaccine to a person unless that person produces to the supplier a clearance permit referred to in subregulation (2).

(4) A supplier of the vaccines referred to in subregulation (1) must upon the supply of a vaccine to a person record the particulars set out in the clearance permit in question in a register to be kept by the supplier for such purpose.

(5) A register referred to in subregulation (4) must at all times lie open for inspection by a veterinary official.

Movement of ostriches

32. A person may not move an ostrich from one place to another place unless a movement permit has been issued.

Register to be kept

33. (1) An owner of an animal whose animal is infected or is suspected of being infected with a notifiable disease and an owner of an animal in an area in which the movement of animals is prohibited or restricted under the Act, must maintain a register in the approved form to record the number and description of animals susceptible to the notifiable disease which exists among his or her animals or animals whose movement is prohibited or restricted under the Act.

- (2) An owner referred to in subregulation (1) must record in the register every day the -
- (a) description of an animal which has died or been slaughtered on that day;
 - (b) description of an animal born that day;
 - (c) number and description of animals moved on permit from one place to another place on that day;
 - (d) name of the place to or from which the animals were moved; and
 - (e) number and date of the permit upon the authority of which the movement of animal was effected.

(3) A veterinary official may at all reasonable times inspect a register maintained under this regulation and take extracts from the register.

(4) Every person who moves an animal on the authority of a permit or other authorisation issued under the Act, must endorse on the permit or on that authorisation, the number and description of the animals moved, the date on which the animals were moved, and the person in charge of the animals to their destination must retain the permit until such time that it has been inspected by a veterinary official.

(5) Every owner of animals who is required to maintain a register under this regulation must at the inspection of his or her animals by a veterinary official account to the veterinary official for any difference between the number of animals produced for inspection and the number produced at the last previous inspection.

(6) Despite anything to the contrary in this regulation, a veterinary official may instruct an owner of an animal to maintain a register referred to in subregulation (1) in respect of a species of animal specified by the veterinary official.

Production of animals to veterinary officials

34. (1) A veterinary official may in writing direct a traditional authority or a traditional leader as defined in the Traditional Authorities Act, 2000 to produce to a veterinary official an animal specified in the directive and present in the communal area falling under the jurisdiction of that traditional authority for the purposes of examination, testing, inoculation, immunisation, muzzling, clipping, cleansing, disinfected and treatment of the animal.

(2) On receipt of a directive under subregulation (1), the traditional authority concerned or any of its leaders must order the owners of the animals specified in the directive -

- (a) to produce the animals to a veterinary official at the place, date and time fixed by the veterinary official; and
- (b) to render all reasonable assistance required by the veterinary official in connection with the examination, testing, inoculation, immunisation, muzzling, clipping, cleansing, disinfecting and treatment of such animals.

(3) Despite anything contrary to subregulation (1) or (2), a veterinary official may in writing require the owner of an animal for the purposes of examination, testing, inoculation, immunisation, muzzling, clipping, cleansing, disinfecting and treatment of an animal -

- (a) to produce to a veterinary official the animals at the place, date and time fixed by the veterinary official; and

- (b) to render all reasonable assistance required by the official or person in connection with the examination, testing, inoculation, immunisation, muzzling, clipping, cleansing, disinfecting and treatment of such animals.

Auctioneers to supply certain information

35. A veterinary official may require any auctioneer who has disposed of any animal by public auction to furnish him or her with particulars regarding -

- (a) the name and address of the person on whose behalf the animal was sold; and
- (b) the name and address of the purchaser of the animal; and
- (c) the date of the sale of the animal.

PART 9 DIPPING AND SPRAYING OF ANIMALS

Requirements for dipping tanks

36. (1) Every owner of a dipping tank in any area in which the dipping of animals is compulsory under the Act, must within 60 days of receiving a written notice signed by the Chief Veterinary Officer, equip the tank with a gauge as described in subregulation (2), at his or her own expense.

(2) The gauge incorporated in a dipping tank referred to in subregulation (1) must be constructed in a way that shows clearly, conspicuously and permanently -

- (a) the surface level of the dipping fluid, when the tank has been filled with such fluid to the extent of one-third of its total capacity;
- (b) figures in litres indicating the quantity of dipping fluid in the tank up to that level;
- (c) the levels successively reached by the surface of the fluid from the one-third full mark on the addition of every hundred litres up to the total capacity of the tank; and
- (d) figures at each of the levels mentioned in paragraph (c) indicating in litres the quantity of fluid in the tank when its surface coincides with the level.

Register of dipping tanks

37. (1) Every owner of a dipping tank, in an area where the dipping of an animal is compulsory under the Act, must maintain a register in the approved form, in which to record on each occasion the tank used for the dipping of animals -

- (a) the surface level of the dipping fluid in the tank immediately before and after such dipping;
- (b) the increase in quantity of dipwash since the previous dipping;
- (c) the amount of dipping material added on each occasion; and
- (d) the number of animal dipped.

(2) A veterinary official may at all reasonable times inspect a register referred to in subregulation (1) and take extracts from the registers.

Repairs and improvements of dipping tank and animal spray

38. Every owner of a dipping tank or animal spray in an area in which the dipping or spraying of animal is compulsory under the Act, must within 60 days of receiving written notice signed by the veterinary official, effect at his or her own expense, additions, repairs and improvements to such tank or spray and other accessories and appurtenances as described in the notice.

Notice to dip animals

39. (1) A veterinary official must in respect of an area fix the days and times for the regular periodical clipping, handdressing, dipping or spraying of animals and must give written notice of the days and time to the owners of animals, but in cases where the tank or spray in which an animal is dipped or sprayed is situated in a communal area, a notice -

- (a) must be displayed at a suitable place at or near the tank or spray, crush or collecting pen, and
- (b) must be given to the head of the traditional authority of the area or if there is no traditional authority for the area, to other representative of the body controlling the area.

(2) It is the duty of head of the traditional authority or a representative referred to in subregulation (1) to notify owners of animals in the area concerned of the contents of a notice, and it is the duty of the owners of the animals to attend with their animals on the day and at the time fixed.

(3) If owing to any cause it is impracticable to serve a notice on owners of animals referred in subregulation (1) by means of service prescribed by subregulation (1) a notice may be served on the owners of the animals directly.

Suspension and postponement of dipping of animals

40. (1) If the regular periodical clipping, handdressing, dipping or spraying of animals is compulsory under the Act and it is considered by a veterinary official to be impracticable to clip, handdress, dip or spray animals at the prescribed intervals due to the season of the year, unsuitable weather or the general condition of animals or any other cause, a veterinary official may by written notice given in accordance with regulation 39 -

- (a) suspend the clipping, handdressing, dipping or spraying of animals for a period as he or she may consider necessary;
- (b) extend the period and animals must be clipped, handdressed, dipped or sprayed at the extended period; or
- (c) postpone the clipping, handdressing, dipping or spraying of the animal until the following day or the first suitable day after postponement.

(2) The veterinary official may carry out an act referred to in subregulation (1) at his or her own initiative or on request in writing by owner of animals.

(3) The veterinary official may amend or cancel the suspension or extension given under subregulation (1) if he or she considers it necessary to do so.

(4) A postponement, suspension or extension of clipping, handdressing, dipping or spraying of animals allowed under this regulation does not have the effect of changing the times fixed for subsequent clippings, handdressings, dippings or sprayings of animals, which continue to be in force, as if a postponement, suspension or extension has not been allowed.

Exemption of animals from dipping

41. If the regular periodical clipping, handdressing, dipping or spraying of animals is compulsory under the Act and an owner of such animals is of the opinion that any of his or her animals cannot by reason of its debility or sickness be safely clipped, handdressed, dipped or sprayed, he or she may apply to the veterinary official for exemption in respect of that animal, and the veterinary official may grant such exemption for a period and subject to conditions as he or she may consider necessary.

Maintenance of dipping tanks

42. In any area in which the dipping of animals is compulsory under the Act, a veterinary official may instruct the owner of a dipping tank in which the animals are dipped or the owner of the animals or both owner of the animals and owner of the dipping tank to clean out the tank and fill it with a fresh dipping fluid and to add an approved dip or water, as the case may be, in order to maintain it at the tank level and prescribed concentration.

Prescribed concentrates for dipping fluid for animals

43. If the dipping or spraying of animals is compulsory under the Act a person may not use or cause to be used for the dipping of animals, any dipping fluid obtained from an approved dip if it is below the prescribed concentration.

Taking of samples from dipping tanks

44. A veterinary official may take samples of the dipping or spraying wash in the dipping tank or spray, for tests or examination to determine whether the wash complies with the requirements of these regulations.

Manner of dipping and spraying of cattle

45. (1) If the regular periodical dipping or spraying of cattle is compulsory under the Act, the cattle must be -

- (a) dipped in a tank which has been approved by the Chief Veterinary Officer and unless other methods are prescribed in the Act, such dipping must be done in accordance with the method described in subregulation (2); or
- (b) sprayed by means of an approved spraying appliance and unless some other methods are prescribed in the Act, such spraying must be done with an approved freshly prepared dipping fluid thoroughly and evenly mixed at a prescribed concentration.

(2) Dipping must be carried out by causing the cattle to plunge into and swim through a dipping fluid in which an approved dip is thoroughly and uniformly mixed at the prescribed concentration.

Period for dipping or spraying of cattle

46. (1) If the regular periodical dipping or spraying of cattle every 30, 14, 10, 7, 5 or 4 days is compulsory under the Act, the cattle must be dipped or sprayed, as the case may be, on every 31st, 15th, 11th, 8th, 6th, or 5th day respectively, counting from and including the day of the first dipping or spraying or the last previous day of dipping or spraying, as the case may be.

(2) For purposes of subregulation (1), if the first dipping of a 7 day dip takes place on the 1 March, the second dipping must take place on the 8 March, the third on the 15 March, the fourth on the 22 March and so on.

Clipping and handdressing of cattle

47. (1) If the regular periodical clipping and handdressing of cattle is compulsory under the Act, the hair on the inside of the ears and on the brushes of the tails of the cattle must be clipped to a length of not more than five millimetres from the skin and the handdressing must be effected immediately after the cattle has emerged from the dipping tank or have been sprayed.

(2) The handdressing referred to in subregulation (1) must, unless some other method is prescribed in the Act or by a declaration or a notice, consist of an application to the inside surface of the ears and to the hairless anal region under the root of the tail of a preparation containing an approved dip thoroughly and evenly mixed at the prescribed concentration.

Movement of cattle and buffalo with ticks

48. Subject to conditions imposed under the Act in relation to the movement of cattle or buffalo, a person may not move or cause any cattle or buffalo to be moved, which are not visibly free from live ticks, from any land on which the cattle or buffalo are kept to any other destination, unless -

- (a) the cattle or buffalo concerned have been dipped or sprayed with an approved dip in the manner set out in regulation 45, within a period of three days prior to them being moved; or
- (b) the cattle or buffalo concerned are being moved to a dipping tank or spraying appliance for purposes of being dipped or sprayed.

Manner of dipping of sheep and goats

49. If the dipping of sheep or goats is compulsory under the Act, sheep or goats must be dipped -

- (a) in an approved dipping tank and which is filled to the necessary tank level with a dipping fluid of the prescribed concentration which is obtained from an approved dip; and
- (b) by keeping each sheep or goat in a dipping fluid for at least one minute, during which period such sheep or goat must be completely submerged at least three times.

PART 10 **PROVISIONS RELATING TO PARTICULAR DISEASES**

Application of this Part

50. The regulations in this Part dealing with particular diseases are supplementary to, and not in substitution for the regulations in the other Parts, and must be read together.

Division 1 Newcastle disease

Duties of poultry owners

51. (1) If newcastle disease appears or is suspected on any land, owners of poultry on such land must -

- (a) immediately confine all their poultry in poultry-houses, pens, crates or enclosed runs; and

- (b) when instructed by a veterinary official, disinfect all poultry-houses, pens, crates or enclosed runs referred to in paragraph (a) and all food and water containers, bags and other articles and things, with which poultry have been or could possibly have been in contact.

(2) Disinfection referred to in subregulation (1) must be carried out by saturation through spraying with a 5 percent aqueous solution of carbolic acid or a 2 percent aqueous solution of formalin or other disinfectant of equal efficacy or by total immersion for 10 minutes in water kept boiling for that period or in the solution of carbolic acid or formalin or other disinfectant of equal efficacy.

Removal of poultry

52. (1) A person may not move or cause to be moved any poultry from any land upon which any poultry have been inoculated with a live virus vaccine against newcastle disease, unless a period of at least 30 days has elapsed since the latest date on which such vaccine has been used on poultry on such land.

(2) If within the period referred to in subregulation (1), any symptoms of illness shows among the poultry inoculated as contemplated in that subregulation, a person may not move or cause to be moved any poultry from the land referred to in that subregulation, unless a period of at least 30 days has elapsed since the last symptom have disappeared.

Poultry at shows or exhibitions

53. A person may not move or cause to be moved, poultry from land to any place at which poultry are assembled for the purposes of a show, exhibition or an egg-laying competition, if within a period of 30 days prior to such removal, symptoms of newcastle disease shows amongst the poultry on the land where the poultry is to be moved from.

Seizure and destruction of poultry

54. (1) If a poultry which is required to be isolated or confined under the Act, strays or is unlawfully moved from the land on which it has been required to be isolated or confined and is found in a public place or a different place, a veterinary official may seize or cause such poultry to be seized.

(2) If a poultry has been seized as contemplated in subregulation (1) it must be dealt with in accordance with the provisions of the Act.

Division 2 Rabies

Treatment of animals infected with rabies

55. A person, other than a veterinary official or veterinarian, may not in any manner treat an animal infected or suspected of being infected with rabies or cause it to be treated.

Duty to isolate or destroy animals infected with rabies

56. The owner of an animal which is infected or suspected of being infected with rabies, must -

- (a) isolate and securely confine the animal to prevent it from attacking human beings or other animals; or

- (b) immediately destroy it.

Permit to move carnivore or ground-squirrel

57. (1) A person may not move or cause to be moved from one place to another place a carnivore or a ground-squirrel, except on the authority of a movement permit.

(2) Subject to the provisions of regulation 60, the prohibition in subregulation (1) does not apply to the movement of -

- (a) cats and dogs, into an area or from an area into or from which the movement of cats and dogs is prohibited or restricted in terms of the Act;
- (b) any carnivore or ground-squirrel -
- (i) whose owner is in possession of a licence issued under the Performing Animals Protection Act, 1935;
- (ii) moving from one place to another within the area of jurisdiction of a local authority; or
- (iii) moving from one place to another if both such places are within the same landed property.

Disposal of carcass of animals infected with rabies

58. If an animal infected or suspected of being infected with rabies, dies or is destroyed and has not been examined or tested by a veterinary official prior to its death or destruction, the owner of the animal or the person who destroyed the animal, must isolate its carcass and protect it from the weather and other animals, until the owner or such person has obtained instructions from a veterinary official regarding the disposal of the carcass.

Disposal of contact animals

59. (1) The owner of an animal, whose animal has been in contact with an animal infected with rabies, must destroy the animal unless a veterinary official is satisfied that effective isolation and confinement of the animal is practicable.

(2) If a veterinary official is satisfied that effective isolation and confinement of an animal referred to in subregulation (1) is practicable, the veterinary official may authorise the isolation and confinement of the animal at the place and for a period and subject to conditions as the veterinary official may impose.

Isolation of animals infected with rabies

60. (1) If a dog, infected or suspected of being infected with rabies, is at large, and a veterinary official is of the opinion that the dog is the source of infection of other animals, the veterinary official may by a notice in a newspaper circulating in the area concerned or by a written notice served on the owners of animals, order the owners to keep their animals isolated and securely confined for a period fixed by a veterinary official in a notice.

(2) If the owner or occupier of land find on such land an animal which is at large and which is infected or which the owner or occupier of land suspects of being infected with rabies or which the owner or occupier of land knows or suspects must be isolated and confined under the Act, the owner or occupier of land must seize the animal and place it in isolation and confinement on such land and report the matter without delay to a veterinary official.

Compulsory vaccination of dogs

61. (1) A person who own or has custody, control, charge or care of a dog, must cause such dog to be vaccinated with an approved rabies vaccine -

- (a) before the dog attains the age of seven months but not before it is three months old; and
- (b) within a period of 12 months after the vaccination referred to in paragraph (a) and at least once every three years.

(2) A person who takes ownership, custody, control, charge or care of a dog which has not been vaccinated as contemplated in subregulation (1) or in respect of which no certificate referred to in regulation 62 can be submitted, must cause such a dog to be vaccinated within a period of three months after he or she takes custody, control, charge or care of the dog.

Certificate of vaccination

62. (1) A veterinary official or a veterinarian who in terms of these regulations or for any other purpose vaccinates a dog or cat with an approved rabies vaccine must issue to the person who owns, has the custody, control, charge or care of a dog or cat, a certificate of vaccination containing particulars referred to in subregulation (2).

- (2) A certificate of vaccination referred to in subregulation (1) must -
- (a) indicate whether the dog or cat concerned is a male, a female, castrated or spayed;
 - (b) furnish the name, age, breed, colour and distinguishing marks of the dog or cat concerned;
 - (c) include the name and residential address of the person who, at the vaccination, owns or has the custody, charge, control or care of a dog or cat;
 - (d) state the type and batch number of the vaccine used for the vaccination concerned;
 - (e) indicate whether that vaccination is the first vaccination or a re-vaccination of the dog or cat concerned;
 - (f) furnish the date on which the dog or cat concerned was vaccinated or re-vaccinated; and
 - (g) state the name and address of the person who administered the vaccine concerned.

(3) Provision may be made on a certificate of vaccination referred to in subregulation (1) for the first and subsequent re-vaccinations of the dog or cat described on the certificate as well as the names and residential addresses of successive persons who may own or have the custody or control of the dog or cat.

- (4) A certificate of vaccination referred to in subregulation (1) issued in respect of -
- (a) a dog or cat older than three months which is vaccinated for the first time is valid for 10 months, after 60 days from the date on which the dog or cat concerned was vaccinated;
 - (b) a dog which is re-vaccinated, is valid for three years from the date on which the dog concerned was re-vaccinated; or

- (c) a cat which is re-vaccinated, is valid for 12 months from the date on which the cat was re-vaccinated.

Veterinary official may issue notice of vaccination

63. Despite regulation 58, a veterinary official may by notice served in the manner set out in regulation 12 or by notice in a newspaper circulating in Namibia or in a part of Namibia, order an owner or occupier of land in Namibia or any portion of Namibia as the veterinary official determines, that all dogs and cats on such land must be -

- (a) kept isolated, secured or confined for such a period as the veterinary official may specify in a notice; and
- (b) produced to a veterinary official for inspection and vaccination at a place, date and time specified in a notice.

Division 3 Sheep scab

Sheep scab

64. For the purposes of this division “sheep scab” means a disease which is caused by the sheep scab mite *psoroptes ovis*, and is characterised in sheep by one or more signs of discomfort and itching such as scratching, fluffing and loss of wool or the forming of serum scabs on the affected parts of the skin.

Importation of sheep or goats

65. (1) A person may not import a sheep or goat or cause sheep or goat to be imported into Namibia except -

- (a) on the authority of an import permit or import and transit permit; and
- (b) if such sheep or goat is free from sheep scab as contemplated in subregulation (2).

(2) A sheep or goat is free from sheep scab if it has been dipped in the presence and to the satisfaction of a veterinary official in accordance with the manner prescribed under regulation 49 within a period of four days before importation into Namibia.

(3) A sheep or goat which is free from sheep scab contemplated in subregulation (2) must be kept in isolation for the period from its being dipped under subregulation (2) until it has reached Namibia.

Restriction on movement of sheep or goats

66. (1) Except under the authority of a permit issued under Part V of the Animal Identification Regulations, a person may not move a sheep or goat or cause such sheep or goat to be moved from one landed property to another, if the sheep or goat have during the preceding six weeks been -

- (a) in contact or intermixed with sheep or goats infected with sheep scab;
- (b) depastured during that period on the same pasture as sheep and goats infected with sheep scab; or

- (c) kept or confined in any kraal, sleeping place or similar enclosure in which a sheep or goat infected have been kept and which after the removal of the infected sheep or goats the place or kraal is not declared by a veterinary official to be free from infection with sheep scab.

(2) The owner of sheep or goats at a landed property and which such sheep or goats under this regulation may not be moved without a permit, must prevent such sheep or goats from straying from the landed property.

Compulsory dipping of sheep

67. (1) Every owner or occupier of a landed property in Namibia must during the period specified in writing by a veterinary official, dip or cause to be dipped all sheep which are kept or depastured at the landed property.

(2) If, upon application, the veterinary official is of the opinion that the circumstances and facilities on a landed property referred to in subregulation (1) comply with the requirements for efficient isolation, the veterinary official may, issue a written authorisation that the sheep on such landed property, be dipped before the period referred to in subregulation (1).

(3) The dipping of sheep in terms of subregulation (1) must take place on a date and time which the veterinary official determines after consultation with the owner or occupier of landed property.

(4) An owner or occupier of a landed property who has dipped sheep in terms of subregulation (1) or caused sheep to be dipped must after having been requested by a veterinary official provide proof of such dipping by producing the empty containers of the approved dip which was used, as well as the invoices confirming the purchase of the approved dip.

(5) If a veterinary official is satisfied that sheep were dipped in terms of subregulation (1), he or she may issue a certificate confirming that the sheep have been dipped.

Movement permit not required in certain cases

68. (1) Despite regulation 66, a permit referred to in that regulation is not required for the moving of sheep which have -

- (a) not been dipped, to an abattoir to be slaughtered at the abattoir, if sheep is moved by an enclosed conveyance or other enclosed transportation;
- (b) already been dipped, from one landed property to another landed property.

(2) When sheep are moved in terms of subregulation (1)(a), the person in charge of the sheep being moved must be in possession of a written statement by the owner, containing the followings:

- (a) the name and address of the owner of the sheep concerned;
- (b) the name of the person supervising and in charge of the sheep;
- (c) the name of the landed property from which the sheep concerned are moved;
- (d) the name of the abattoir to which the sheep are moved;
- (e) the breed of the sheep;

- (f) the number of sheep being moved;
- (g) the sex of the sheep concerned and the number of each sex;
- (h) the colour of the sheep;
- (i) the identification mark of the sheep prescribed in terms of the Animal Identification Regulations.

(3) The written statement referred to in subregulation (2) must on demand be produced to a veterinary official or a police officer.

(4) When sheep are moved in terms of subregulation (1)(b), the person in charge of the sheep being moved must be in possession of a certificate issued in terms of regulation 67(5), and such certificate must on demand be produced to a veterinary official or a police officer.

Sheep scab in driven sheep or goats

69. If an outbreak of sheep scab occurs among sheep and goats while they are being driven from one landed property to another landed property, the owner of the sheep and goats must, in addition to making the report required under regulation 16, immediately seek instructions from the veterinary official, regarding the isolation, treatment and further movement of the sheep and goats.

Powers of veterinary officials regarding dipping of sheep or goats

70. (1) When sheep or goats on a landed property are infected or suspected of being infected with sheep scab, a veterinary official may in writing order the owner or occupier of the landed property to dip all the sheep and goats on the landed property on the dates and intervals specified in the order.

(2) The dates and intervals specified in the order referred to in subregulation (1) must provide at least eight days but not more than 10 days, to pass between the consecutive dips.

(3) The owner or occupier of a landed property to whom an order has been issued in terms of subregulation (1) must dip all sheep and goats on the landed property or cause them to be dipped on the dates specified in the order, and the dipping must be done under the supervision of a veterinary official.

(4) Despite subregulation (3), a veterinary official may approve that the dipping of sheep or goats under an order in terms of subregulation (1), be postponed, upon application by the owner of the sheep or goats, if the veterinary official is satisfied that the dipping of the sheep or goats is not practicable due to the poor condition, unsuitable weather condition or the sheep or goat being heavy in lamb or due to the long wool or hair which has to be sheared prior to dipping.

(5) If the postponement in terms of subregulation (4) is likely to result in the interval between two consecutive dips exceeding 10 days, the sheep or goats concerned must be dipped anew on two consecutive dates determined in accordance with subregulations (1) and (2).

(6) Despite subregulation (1) the owner or occupier of a landed property must disinfect sheep and goats on the landed property which are infected or suspected of being infected with sheep scab, if the owner or occupier of a landed property is for some other reason unable to dip the sheep or goat under the supervision of a veterinary official, within 10 days from the date of an order referred to in subregulation (1).

(7) The disinfection of sheep or goats in terms of subregulation (6) must be done by the daily manual application of an approved dip to all scab lesions and parts of the body where the

sheep scab mite (*psoroptes ovis*) may be present, in a manner which destroy all such mites which are associated with the lesions concerned.

When dipping of sheep or goats not compulsory under the Act

71. Except under the written authority issued by a veterinary official, a person may not, if the dipping of sheep or goats is not compulsory under the Act, dip or cause sheep or goats to be dipped.

Use of other remedies to prevent sheep scab

72. (1) An owner of sheep or goats may, if he or she is required in terms of regulation 67, to dip or disinfect his sheep or goats, use a remedy that is registered as a stock remedy in terms of the Fertilizers, Farm Feeds, Agricultural Remedies and Stock Remedies Act, 1947 for use in connection with the prevention or treatment of sheep scab and that is approved by the Chief Veterinary Officer for such use instead of an approved dip.

(2) The provisions of regulations 65(2) or 70(2) to (5), apply with necessary changes, to the use of a remedy referred to in subregulation (1).

Division 4 African swine fever

Definitions for regulations on African swine fever

73. For the purpose of this division -

- (a) “cooked animal product” means any animal product which has been exposed to boiling water for at least 20 minutes, or which has been sterilised in an approved manner and includes a farm feed registered in terms of the Fertilizers, Farm Feeds, Agricultural Remedies and Stock Remedies Act, 1947;
- (b) “infectious thing” means any infectious agent and includes any animal product derived from a pig;
- (c) “pig” include a bushpig, warthog or wild pig.

Restrictions on introduction of pigs in certain areas

74. (1) A person may not introduce or cause a pig or infectious thing to be introduced into the area specified in Part B of Schedule 3 or move or cause a pig or infectious thing to be moved from any landed property in the specified area to any other landed property whether within or outside the specified area, except upon authority of an import permit, import and transit permit or movement permit.

(2) A permit referred to in subregulation (1) is not necessary for the movement of an infectious thing within the area of jurisdiction of a local authority in the specified area.

(3) Every owner of pigs in the area specified in Part B of Schedule 3 must confine such pigs, excluding bushpigs, warthogs and wild pigs, which have not been domesticated, in pig proof camps, sty's, pens or runs.

Restrictions on feeding of pigs in certain areas

75. A person may not feed or cause pigs in the area specified in Part B of Schedule 3 to be fed with -

- (a) any animal product unless such product -
 - (i) is a cooked animal product; or
 - (ii) was derived from an animal not susceptible to african swine fever, provided the animal is slaughtered on the landed property on which the pigs to be fed are kept; or
- (b) any garbage, refuse or swill obtained from another landed property unless such garbage, refuse or swill is cooked.

Division 5
Trypanosomiasis (Nagana)

Establishment of de-flying stations

76. (1) For purposes of this division, the word “place” when used as a noun means any game reserve, forest, lake, bay, river, marsh or other locality where *tsetse* flies are known or suspected to exist.

(2) The Chief Veterinary Officer may establish de-flying stations on public roads at such points and distances as the Chief Veterinary Officer may determine and cause gates to be erected at such public roads where de-flying station are established, to prevent the spread of the disease *nagana* by *tsetse* flies in any conveyance or other form of transportation.

(3) A person may not open or remove or otherwise render ineffective any gate across a public road at a de-flying station referred to in subregulation (2), except with the permission of a veterinary official or a person in charge of the station.

(4) A veterinary official at a de-flying station referred to in subregulation (2) may require any person in charge of a conveyance or other transportation arriving at such station from the direction of the place, to bring the conveyance or transportation to a standstill at the station and to render the assistance in the inspection and de-flying of the conveyance or other transportation.

(5) A veterinary official, in inspecting the presence of *tsetse* flies on a conveyance or other transportation arriving at a de-flying station referred to in subregulation (2) from the direction of the place, may spray or fumigate the conveyance or other transportation with pyrethrum-in-oil or other approved insecticide.

Authority required to spray tsetse flies

77. A person, other than a veterinary official, may not with the intention to combat *tsetse* flies (*glossina* species), spray a place, or cause a place to be sprayed, except under written authority issued by the Chief Veterinary Officer.

Division 6
Anthrax

Compulsory vaccination

- 78.** (1) Every owner of cattle in Namibia must -
- (a) vaccinate or cause all cattle older than three months to be vaccinated once every 12 months against anthrax with an approved anthrax vaccine; and
 - (b) present proof to a veterinary official that all cattle older than three months have been vaccinated with an approved anthrax vaccine.

(2) If a veterinary official considers it necessary, he or she may fix the place, date and time of vaccination referred to in subregulation (1)(a).

Division 7
Brucellosis

Restriction on importation of bovines

79. (1) A person may not introduce any bovine or cause or permit any bovine to be introduced into Namibia, except -

- (a) on the authority of and in accordance with the conditions contained in an import permit or import and transit permit; and
 - (b) if the bovine is free from brucellosis as contemplated in subregulation (2).
- (2) A bovine is free from brucellosis if -
- (a) a bovine originates from a herd in respect of which a valid certificate declaring the herd to be an accredited brucellosis free herd has been issued;
 - (b) a bovine is a heifer younger than 18 months and in respect of which proof can be presented that the heifer has been vaccinated between the ages of 3 months and 11 months with an approved brucellosis vaccine;
 - (c) a complement fixation test for brucellosis carried out on the bovine has produced a negative result for brucellosis; or
 - (d) a bovine is a castrated male bovine.

(3) After the test referred to in subregulation (2)(c), a bovine tested must be kept in isolation for the period from the time it is tested up to and until the arrival of a bovine on the landed place in Namibia to which it is introduced or permitted to be introduced.

Compulsory vaccination of heifers

80. (1) Every owner of cattle in Namibia must -

- (a) vaccinate or cause all heifers to be vaccinated with an approved brucellosis vaccine before the heifers have attained the age of 11 months but not before they are 3 months old; and
- (b) present proof that all heifers between the ages referred to in paragraph (a) have been vaccinated with an approved brucellosis vaccine.

(2) When a veterinary official considers it necessary, he or she may fix the date, place and time for vaccination referred to in subregulation (1)(a).

(3) When a veterinary official has supervised a vaccination referred to in subregulation (1), he or she may mark such vaccinated heifers with an approved earmark.

(4) A person may not vaccinate any cattle of eleven months of age and older against brucellosis, except with the written approval of a veterinary official.

Division 8
Bovine Tuberculosis

Restriction on importation of bovines

81. (1) For the purposes of this division a “tuberculosis-free bovine” means a bovine -

- (a) originating from a herd for which a valid official certificate of freedom from infection with bovine tuberculosis exists; and
- (b) which has shown negative results for bovine tuberculosis in two successive tuberculin tests, which were conducted not less than 6 weeks and not more than 3 months apart, provided that the bovine tested is kept in isolation for the period from the first test up to and until the second test.

(2) A person may not introduce or cause a bovine to be introduced into Namibia, except by virtue of an import permit or import and transit permit and only if the bovine is free from tuberculosis.

(3) A tuberculosis-free bovine must -

- (a) be kept in isolation up to and until its arrival on the landed property in Namibia;
- (b) be kept in isolation for the period from the first negative tuberculin test up to and until the arrival on the landed property in Namibia to which it is introduced; and
- (c) be introduced within 14 days of the second negative tuberculin test referred to in subregulation (1)(b).

Division 9
Foot and Mouth Disease

Restrictions on importation of cloven-hoofed animal

82. (1) A person may not import any cloven-hoofed animal or cause cloven-hoofed animal to be import into Namibia, except on the authority of an import permit or import and transit permit.

(2) A person may not move any cloven-hoofed animal or cause any cloven-hoofed animal to be moved from any landed property within Namibia to any other landed property within or outside Namibia, except on the authority of an import permit, import and transit permit or movement permit.

(3) A person may not move an animal product derived from a cloven-hoofed animal, as well as grass, grass-hay, straw, lucern, maize and sorghum stalks, jute bags, riems, ropes, meat cloths or other material, utensil or equipment used in connection with the slaughter, feeding, upkeep, movement or transportation of a cloven-hoofed animal from any landed property in the areas mentioned in Part C of Schedule 3 to any other landed property within or outside the said areas, except on the authority of an import permit, import and transit permit or movement permit.

(4) A permit is not required for the movement of animal products referred to in subregulation (3) within local authority area of a local authority within the areas mentioned in Part C of Schedule 3.

Division 10
Bont Tick

Restrictions on movement of animals due to Bont Tick

83. (1) For the purposes of this regulation “bont tick” means the larval, nymphal or adult stage of the ticks of the order *Acarina* and the genus *Amblyomma* and especially the species *amblyomma hebraeum* and all the other species of this genus.

(2) A person may not introduce or cause any bovine, equine, sheep, goat or wild animal from any landed property in the area listed in Part D of Schedule 3 to be introduced into any other area or part of Namibia, except on authority of the movement permit and provided that the bovine, equine, sheep, goat or any wild animal is free from bont tick.

PART 11
RESTRICTIONS ON MOVEMENT OF ANIMALS

Restrictions on movement of animals from certain abattoirs

84. (1) Subject to subregulation (2) a person may not move or cause to be moved, bovines, equines, goats, pigs or sheep from an abattoir listed in Part A of Schedule 3, except by means of written authorisation by a veterinary official and subject to the conditions specified in the authority.

(2) Subregulation (1) does not apply to equines harnessed to a conveyance or other transportation, used for the transportation of goods into, in or from abattoirs.

Restrictions on movement of animals at harbours

85. (1) Subject to subregulation (2) a person may not move or cause an animal to be moved out of or through any harbour listed in Part E of Schedule 3 except by means of a movement permit by a veterinary official.

(2) Subregulation (1) do not apply to equines originating from an area in Namibia outside the defined harbours and which are harnessed to a conveyance or other transportation used for the conveyance or transportation of goods into in or from harbours.

Restrictions on movement of wild animals

86. (1) For the purposes of this regulation “wild animals” means all animals which are not dogs, cats, cattle, horses, mules, donkeys, sheep, goats, pigs, amphibia, reptiles and birds, but does not include animals in respect of which the owner is the holder of a licence issued under the Performing Animals Protection Act, 1935.

(2) A person may not move or cause a wild animal to be moved from a landed property in Namibia to any other landed property in Namibia, except by means of a movement permit issued by the veterinary official.

(3) A permit is not required for the movement of wild animals within a local authority area.

PART 12
PROVISIONS RELATING TO ASIAN WATER BUFFALO IN PROTECTED AREAS

Duties of persons in relation to Asian water buffalo in protected area

87. Any person who occupies a land in a protected area on which there occurs Asian water buffalo (*Bubalus bubalis*), must –

- (a) within 3 months after the date of commencement of the Act and every 12 months after that date, notify the Chief Veterinary Officer in an approved form of -
 - (i) the number of Asian water buffalo in his or her possession;
 - (ii) the gender of such Asian water buffalo; and
 - (iii) the farm name and farm number and the magisterial district where the buffalo are kept;
- (b) within 3 months after the date of commencement of the Act and every 12 months after that date, test or cause the buffalo to be tested under the supervision of the Chief Veterinary Officer for foot and mouth disease, corridor disease and bovine tuberculosis, and such person must -
 - (i) if a buffalo is infected with foot and mouth disease, corridor disease or bovine tuberculosis notify the Chief Veterinary Officer immediately after the result of the tests are known in an approved form; or
 - (ii) if no buffalo is infected with foot and mouth disease, corridor disease or bovine tuberculosis, provide the Chief Veterinary Officer in an approved form with the results of the tests within 14 days after the results of the tests are known;
- (c) keep the buffalo on the land where they occur enclosed with a game-proof fence as defined in section 1 of the Nature Conservation Ordinance, 1975.

Keeping and maintaining of registers

- 88.** (1) A person referred to in regulation 87 -
- (a) must keep and maintain a register in an approved form in which he or she must record –
 - (i) when he or she notifies the Chief Veterinary Officer of the particulars referred to in regulation 87(1)(a);
 - (ii) description of any buffalo which has died or has been born on that day;
 - (iii) particulars of any buffalo on his or her possession infected with foot and mouth disease, corridor disease or bovine tuberculosis;
 - (iv) particulars if the results of tests have shown that no buffalo is infected with foot and mouth disease, corridor disease or bovine tuberculosis.
- (2) A veterinary official may at all reasonable times inspect the register kept and maintained under this regulation and take extracts from such register.

(3) An owner who is required to keep and maintain a register under this regulation must, at an inspection of the register referred to in subregulation (2), account to a veterinary official for any difference between the number and gender of buffalo then produced for inspection and the number and gender produced at the last previous inspection.

PART 13
OFFENCES AND PENALTIES

Offences and penalties

89. A person, who contravenes or fails to comply with provisions of these regulations, or who fails to comply with any order, directive or instruction, given by a veterinary official commits an offence and is liable on conviction to a fine not exceeding N\$ 100 000 or to imprisonment for a term not exceeding five years or to both such fine and such imprisonment and in the case of a continuing offence, to a further fine not exceeding N\$ 1000 for each day during which the offence continues.

SCHEDULE 1

Designated entry and exist points

Region	Name of border post	Location	Responsible authority
Karas	Ariamsvlei	Namibia-South Africa	veterinary services, MAWF
Karas	Noordoewer	Namibia-South Africa	veterinary services, MAWF
Karas	Oranjemund	Namibia-South Africa	veterinary services, MAWF
Omaheke	Buitepos/Transkalari	Namibia-Botswana	veterinary services, MAWF
Khomas	Hosea Kutako International Airport	International	veterinary services, MAWF
Khomas	Eros Airport	International	veterinary services, MAWF
Ohangwena	Oshikango	Namibia-Angola	veterinary services, MAWF
Omusati	Mahenene	Namibia-Angola	veterinary services, MAWF
Omusati	Kasamane	Namibia-Angola	veterinary services, MAWF
Omusati	Ruacana	Namibia-Angola	veterinary services, MAWF
Kunene	Oroditis	Namibia-Angola	veterinary services, MAWF
Kunene	Swartbooidrift	Namibia-Angola	veterinary services, MAWF
Kavango	Katwitwi	Namibia-Angola	veterinary services, MAWF
Kavango	Muhembo	Namibia-Botswana	veterinary services, MAWF
Caprivi	Wenela	Namibia-Zambia	veterinary services, MAWF
Caprivi	Ngoma	Namibia-Botswana	veterinary services, MAWF
Caprivi	Singalamwe	Namibia-Zambia	veterinary services, MAWF
Otjozodjupa	Dobe	Namibia-Botswana	veterinary services, MAWF
Erongo	Walvis Bay Port	International	veterinary services, MAWF
Erongo	Walvis Bay International Airport	International	veterinary services, MAWF

SCHEDULE 2

Fees

Application	Regulation	Permit fees
Import Permit- Animals, animal products or restricted material	4	50.00
Import and transit permit	6	50.00
Health certificate	8	50.00
Permit to manufacture vaccine	9	50.00
Permit to deal in vaccines	10	50.00

SCHEDULE 3

Matters prescribed under Part 10 and 11**Part A****Abattoirs from which movement of certain animals is restricted**

1. Meatco at Windhoek.
2. Meatco at Okahandja.
3. Meatco Eloo at Oshakati.
4. Farmers Meat Markets at Mariental.
5. Meatco at Katima Mulilo.
6. Brukarros Meat Processors at Keetmanshoop.
7. Witvlei Meat at Witvlei.
8. Natural Namibia Meat Producers at Aranos.
9. Namaqua North at Otjiwarongo.
10. Any other abattoir.

Part B**African swine fever areas**

The magisterial districts of Bushmanland, Damaraland, Eastern Caprivi Zipfel (including the Western Caprivi Zipfel), Gobabis, Grootfontein, Hereroland East (including the Rietfontein Block), Hereroland West, Kaokoland, Karibib, Kavango, Okahandja, Omaruru, Otjiwarongo, Outjo, Ovambo, Rehoboth, Swakopmund, Tsumeb, Walvis Bay and Windhoek.

Part C**Foot and Mouth disease areas**

The Western Caprivi Zipfel and the magisterial districts of Bushmanland, Damaraland, Gobabis, Grootfontein, Hereroland East (including the Rietfontein Block), Hereroland West, Kaokoland, Kavango, Eastern Caprivi, Otjiwarongo, Outjo, and Tsumeb.

Part D**Bont Tick restricted areas**

The Eastern and Western Caprivi Zipfel.

Part E**Harbours at which movement of animals is restricted**

Walvis Bay
