

Animal Diseases (Amendment) Regulations 2019

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THE ANIMAL DISEASES ACT

Regulations made by the Minister under section 17 of the Animal Diseases Act

1. These regulations may be cited as the **Animal Diseases (Amendment) Regulations 2019**.

2. In these regulations —

“principal regulations” means the Animal Diseases Regulations 1925.

3. Regulation 2 of the principal regulations is amended by inserting, in the appropriate alphabetical order, the following new definitions, the full stop at the end of the definition of “Permanent Secretary” being deleted and replaced by a semicolon —

“authorised officer” means the head of Division of Veterinary Services or an officer designated by him;

“Director-General” has the same meaning as in the Mauritius Revenue Authority Act;

“effective date”, in relation to an application, means the date by which all required documents, information or samples are submitted;

“export” has the same meaning as in the Customs Act;

“guidelines” means guidelines issued by the Permanent Secretary -

(a) setting out the requirements for, the applicable law relating to, and the procedures for,

an application for a permit, an authorisation, a clearance or a certificate, as the case may be, under these regulations;

(b) listing all fees leviable under these regulations;

(c) available for consultation at the Ministry; and

(d) posted on the website of the Ministry;

“import” has the same meaning as in the Customs Act;

“TradeNet” has the same meaning as in the Customs Act.

4. Regulation 3 of the principal regulations is amended —

(a) in paragraphs (1) and (1A), by deleting the words “Head of Division of Veterinary Services” wherever they appear and replacing them by the words “authorised officer”;

(b) by revoking paragraphs (1D), (1E) and (1F) and replacing them by the following paragraphs —

(1D) On receipt of the application, the authorized officer shall process the application and may issue or refuse to issue the import permit not later than 2 working days after the effective date of receipt of the application.

(1E) Notwithstanding paragraph (1D), where verification, testing or analysis of the goods is required, the authorised officer shall issue or refuse to issue the import permit, as the case may be, not later than 2 working days —

- (a) after verification of the goods; or
- (b) on the basis of the test report,

as the case may be.

(1F) For the purpose of paragraph (1E), the authorised officer shall, in case the

goods are in Customs control, take the goods or sample of the goods, as the case may be, in accordance with section 25B(3) of the Customs Act.

(c) in paragraph (2), by deleting the words “Head of Division of Veterinary Services” and replacing them by the words “authorised officer”;

(d) by inserting, after paragraph (1F), the following new paragraphs —

(1G) The import permit shall, for the purpose of verification, testing or analysis, be issued on payment of such fees as specified in the guidelines.

(1H) The authorised officer shall notify his decision to issue or refuse the import permit to the Director-General and the importer through the TradeNet or in such other manner as the authorised officer may determine.

(e) by adding the following new paragraphs —

(5) Every person who wishes to export an animal or a by-product shall apply to the Division of Veterinary Services for an export certificate and shall comply with any condition imposed by the importing country.

(6) For the purpose of paragraph (5), an application for an export certificate shall —

(a) through the TradeNet or in such other manner as the Permanent Secretary may approve, be made in such form as the Permanent Secretary may approve;

(b) be accompanied by —

may be, in accordance with section 25B(3) of the Customs Act.

(c) in paragraph (2), by deleting the words “Head of Division of Veterinary Services” and replacing them by the words “authorised officer”;

(d) by inserting, after paragraph (1F), the following new paragraphs —

(1G) The import permit shall, for the purpose of verification, testing or analysis, be issued on payment of such fees as specified in the guidelines.

(1H) The authorised officer shall notify his decision to issue or refuse the import permit to the Director-General and the importer through the TradeNet or in such other manner as the authorised officer may determine.

(e) by adding the following new paragraphs —

(5) Every person who wishes to export an animal or a by-product shall apply to the Division of Veterinary Services for an export certificate and shall comply with any condition imposed by the importing country.

(6) For the purpose of paragraph (5), an application for an export certificate shall —

(a) through the TradeNet or in such other manner as the Permanent Secretary may approve, be made in such form as the Permanent Secretary may approve;

(b) be accompanied by —

(i) an appropriate certificate from the competent authority of the exporting country;

(ii) such document as may be required in the guidelines;

(c) be subject to the payment of such fee and such terms and conditions as may be specified in the guidelines.

(7) On receipt of an application under paragraph (5), the authorised officer

shall process the application and on being satisfied that all conditions have been fulfilled, issue the export certificate not later than 2 working days after the effective date of receipt of the application.

(8) (a) Notwithstanding subsection (1), where verification, testing or analysis of the goods is required, the authorised officer shall issue or refuse to issue the export certificate, as the case may be, not later than 2 working days —

(i) after verification of the goods; or

(ii) after receipt of the test report, as the case may be.

(b) The export certificate shall, for the purpose of verification, testing or analysis be issued upon payment of the fees specified in the guidelines.

(9) The Director-General shall clear or release the goods imported or exported under these regulations in accordance with section 25B of the Customs Act.

(10) Any fees leviable under these regulations may be paid to the Director-General through the TradeNet or in such other manner as the Director-General may determine.

(11) The Director-General shall, not later than 15 working days after the end of every month, remit the fees collected to the Permanent Secretary.

5. These regulations shall come into operation on 1 October 2019.

Made by the Minister on 1 October 2019.