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THE LIVESTOCK ACT OF BHUTAN 2001

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Royal Government of Bhutan
Ministry of Agriculture

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THE LIVESTOCK ACT OF BHUTAN, 2000

Preamble

An Act to regulate livestock breeding, health and production aimed at enhancing their productivity and preventing diseases so as to enhance rural income and livelihood.

CHAPTER I PRELIMINARY

1 Title, extent and commencement

- 1.1 This Act shall be called “The Livestock Act of Bhutan, 2001”. This Act shall supercede the Livestock Act of 1981.
- 1.2 This Act shall supercede the Livestock Act of 1981.
- 1.3 It shall come into force on the 5th day of the 6th month of the Iron Female Snake Year, coinciding with 25th day of July 2001.
- 1.4 This Act shall extend to the whole of the Kingdom of Bhutan.

2 Objectives

The main objectives of this Act are:

- 2.1 To ensure that only quality and appropriate breeds of livestock, poultry and fish are introduced;
- 2.2 To ensure the units used for semen and embryo production and storage are free from diseases;
- 2.3 To ensure that the introduction and spread of diseases, particularly the notifiable and zoonotic diseases are prevented.
- 2.4 To ensure that the prescribed procedures and standards for export and import of animals, animal products, feed, drugs, animal welfare, disposal of dead carcasses are met.
- 2.5 To ensure that the safety standards are followed throughout the process of processing meat, fish, eggs, and dairy products for consumption;
- 2.6 To enable privatization of production, import and export, process, and sale of animals, animal products, feeds, drugs, and other inputs necessary for enhancing livestock products.

3 Definitions

In this Act, unless the context otherwise requires:

- 3.1 “Animal” means all ruminants and monogastric animals except man; any kind of mammals except man; any kind of four-footed beast which is not a mammal; fish, reptiles, crustaceans or other cold-blooded creatures of any species.
- 3.2 “Animal product” means any substance derived from or produced by an animal;
- 3.3 “Artificial insemination or AI” means unnatural deposition of semen into the uterus.
- 3.4 “Cattle” means bulls, cows, steers, heifers and calves, and includes buffalo and yaks of any age or sex;
- 3.5 “Carcass” means a part of or the whole body of an animal or bird which has died or been slaughtered.
- 3.6 "Container" means a crate, box or other rigid container used for the carriage of animals or animal products which is not self-propelled and which does not form part of a vehicle or aircraft;
- 3.7 "Dairy" means a place for the production, processing, distribution or selling of milk and its by-products.
- 3.8 "Disinfectant" means a chemical substance approved by the Ministry for general use or for certain diseases.
- 3.9 "Exotic disease" means a disease not previously recorded in the Kingdom of Bhutan;
- 3.10 “Feed” means any substance with a nutritive value used as a food for animals or poultry.
- 3.11 “Fish” means an aquatic, cold-blooded creature, having multiple uses mainly for food, which includes reptiles and crustaceans.
- 3.12 "Horse" includes ass and mule;
- 3.13 "Infected place" means a site declared by an authorized official of the Ministry as contaminated;
- 3.14 "Inspector" means a person authorized by the Ministry of Agriculture for the purposes of this Act.
- 3.15 "Livestock" means cattle, sheep, goats, pigs, poultry, fish and horses kept for use or profit;

- 3.16 "Migration" means seasonal movement of livestock from one place to another;
- 3.17 "Ministry" means Ministry of Agriculture or any other Ministry responsible for this Act;
- 3.18 "Occupier" means owner, manager or person for the time being in charge of the premises;
- 3.19 "Offal" means fresh meat other than that of the carcass whether or not naturally connected to the carcass;
- 3.20 "Official" means a person authorized by the Ministry for this Act or any person specially empowered by the Royal Government of Bhutan under this Act.
- 3.21 "Poultry" means domestic fowls, turkeys, geese, ducks, guinea fowls, pheasants and partridges.
- 3.22 "Premises" means land with or without buildings;
- 3.23 "Quarantine Station" means a site or premises approved and licensed by the Ministry for the isolation and examination of animals or animal products intended for import or export.
- 3.24 "Slaughter House" means an authorized place for the slaughter of animals or poultry for food.
- 3.25 "Vehicle" means in relation to the carriage of animals or animal products on land, a vehicle including a trailer of any description and the detachable body of a vehicle, which is constructed or adapted for use on land;
- 3.26 "Waste food" means food containing meat or any part of a carcass of any livestock or poultry or any product derived there from or hatchery waste, eggs or eggshells;
- 3.27 "Wholesome" means safe, hygienic and nutritious meat for human consumption;
- 3.28 "Zoonoses" means any disease transmissible between animal and man and vice-versa.

CHAPTER II
BREEDING, ARTIFICIAL INSEMINATION AND EMBRYO TRANSFER

4 Breeding

- 4.1 Livestock imported for research shall require prior approval of the authority recognized or appointed by the Ministry. The importing individual or agency shall follow the procedures of import as prescribed.
- 4.2 Unethical, socially and culturally sensitive research areas will be notified by the Ministry, for researchers to avoid.
- 4.3 Breeding stock supplied to farmers must only be used for breeding purposes.
- 4.4 The District Animal Husbandry Officer or the official authorized by the Ministry and the Gup will have the authority to enter any premise to inspect and identify such breeding stock.
- 4.5 Any person, farmers in particular, must immediately report any disease outbreak to the nearest local office of the Ministry.

5 Artificial Insemination and Embryo Transfer

- 5.1 Units for housing bulls, rams, boars or stallions used for artificial insemination purposes, or female animals used for embryo collection shall be designed, constructed and operated to the standards specified for designated farms.
- 5.2 Laboratories in these units shall maintain standards as prescribed by the Ministry. The Ministry shall approve establishment of all such units.
- 5.3 A bull, ram, boar or stallion shall be used for artificial insemination only if it is held on licensed premises, unless the semen is used in the same herd in the same unit.
- 5.4 All livestock used for artificial insemination or embryo transfer purposes must be certified for genetic merit and shall be subjected to a disease-screening test as specified by the Ministry.
- 5.5 All semen and embryo consignments entering Bhutan should have valid import license issued by the Ministry.
- 5.6 An Inspector may inspect artificial insemination units and laboratories used for semen processing and embryo storage at any time and impose such conditions necessary to prevent the spread of disease.
- 5.7 The semen and embryos shall be confiscated and disposed off without compensation if this Act is contravened.

CHAPTER III DESIGNATED FARMS

6 Genetic improvement

- 6.1 The Ministry may establish its own farms for the genetic improvement and conservation of livestock, poultry and fish.
- 6.2 The authorized officials of the Ministry shall specify location, design, standards of construction and operation of designated farms to accommodate selected breeds of livestock and poultry.
- 6.3 The Ministry may apply any other measures to prevent the entry of a disease into the designated farm or dissemination of diseases from a designated farm.

7 Private farms

- 7.1 The designated farms may be privatized or establish such farms to accommodate selected breeds of livestock, poultry and fish.
- 7.2 The Ministry may help private farms in breeding as prescribed under the rules drafted hereunder.
- 7.3 If a farm contravenes this Act, the license shall be suspended for the appeal period and will be seized or reissued depending on the outcome of the appeal.

CHAPTER IV QUARANTINE, NOTIFIABLE DISEASES AND CONTROLLED DISEASES

8 Quarantine requirements

- 8.1 These measures may apply to the whole of the country or to a particular district or part thereof.
- 8.2 All animals including animal semen, embryos, fertilized fish eggs, fish larvae, HCG, honey bees, animal feed stuff, veterinary biologicals, and therapeutic substances except animal products listed in the schedule to the regulation shall be imported only with valid import permits issued by the Ministry. The only exception to this requirement will be for Frontier Zones in respect of live animals for immediate slaughter, meat, milk and dairy products moved into these zones. A certificate that the area of origin is free from notifiable diseases must accompany these imports.
- 8.3 The Ministry shall establish, designate and approve quarantine facilities as necessary, prescribe the standards applicable to these quarantine premises and the rules under which they will operate.

- 8.4 The Ministry may designate a Frontier Zone and impose such movement restrictions into, within and out of the Frontier Zone as are necessary to prevent the introduction and spread of disease.
- 8.5 The import of canned meat and other animal products shall follow the prescribed procedure and standards to avoid import of diseases.
- 8.6 In all cases where animals or commodities have been imported illegally or moved illegally from a Frontier Zone, the animal or the consignment shall be confiscated and disposed off as decided by the Ministry without the payment of compensation. The means of illegal transport may be detained as per the rules drafted hereunder.
- 8.7 The Ministry may revoke or change an import license at any time.
- 8.8 The designated official with proper uniform and identification shall inspect and enforce quarantine regulations at any place and time as prescribed.
- 8.9 The Ministry may apply any other measures it so decides to prevent the entry of diseases into the country.

9 Notifiable and controlled diseases

- 9.1 The Ministry shall designate those diseases, which are subject to official control measures.
- 9.2 When a notifiable disease is suspected and confirmed, actions shall be taken as prescribed by the Ministry or its designated authority.
- 9.3 The Ministry shall have the authority to compulsorily destroy animals, animal products or feed that it considers to be risky and pay compensation as prescribed by the Ministry.
- 9.4 The Ministry may ban shows and sales of livestock, poultry, fish and their products as measures for prevention and control of diseases.
- 9.5 The Ministry shall restrict or identify migratory routes for those herds if they require isolation and vaccination.
- 9.6 Any person who suspects the presence of a notifiable disease must immediately report to the nearest local office of the Ministry.
- 9.7 The Ministry shall specify the actions to be taken when a notifiable disease is suspected and confirmed and impose necessary control measures.

- 9.8 Disease control measures shall be carried out according to procedures laid down by the Ministry.
- 9.9 The requirements for the treatment of waste food, which is fed to animals, may be specified by the Ministry to prevent the spread of disease.
- 9.10 The notification of animal disease outbreaks in Bhutan shall be made as required by the Ministry.
- 9.11 Fees shall be administered as per the rules drafted hereunder.

CHAPTER V INSPECTION AND CERTIFICATION

10 Inspection

- 10.1 All establishments related to production, storage, and marketing of livestock and livestock products, veterinary drugs as well as feed shall be inspected; documents and records examined and samples taken for examination at any time by the Inspector.
- 10.2 Food of animal origin, dairy products and animal feed irrespective of their origin should meet the prescribed standards for quality, nutritional value and safety.
- 10.3 Sub-standard products and feed or the constituents thereof shall be disposed off as prescribed by the Ministry
- 10.4 The Ministry may suspend the operation in a premise if the prescribed rules or this Act is contravened.
- 10.5 The Ministry may approve only an authorised agency to import or manufacture, and distribute the veterinary biological and therapeutic substances.
- 10.6 Disposal of outdated veterinary biologicals and therapeutic substances will be done following standard methods and guidelines as prescribed by the Ministry.

11 Certification Agency

- 11.1 The Ministry shall, by notification, establish a certification agency for livestock and its products to carry out the functions empowered by this Act.

12 Grant of certificates

- 12.1 A person selling, keeping for sale, exchanging or supplying livestock and its products may apply to the Certification Agency as prescribed for the grant of a certificate.

13 Revocation of certificates

- 13.1 A certificate is revoked if the Certification Agency has enough justification to believe that:
- (i) The certificate granted was based on the false information submitted; and
 - (ii) The certificate holder has failed to comply with the conditions under which the certificate was granted.

14 Recognition of foreign Livestock Certification Agencies

- 14.1 The Ministry may, by notification, recognize a livestock certification agency established in a foreign country for the purpose of this Act.

CHAPTER VI EXPORT OF ANIMALS, GENETIC MATERIALS AND ANIMAL PRODUCTS

15 Export

- 15.1 All animals and genetic materials except breeding stock, semen and embryo originating from indigenous species, unless otherwise prescribed, may be permitted for export.
- 15.2 The Ministry shall examine and test all export consignments and shall levy fees for the service rendered.
- 15.3 The Ministry shall examine a certification required by an importing agency or country and the decision will depend on the outcome of the examinations.

CHAPTER VII FRESH MEAT HYGIENE AND INSPECTION

16 Inspection

- 16.1 The Ministry shall establish appropriate standards for the slaughter of livestock and poultry birds for their inspection before and after slaughter.

- 16.2 The Ministry shall categorize slaughtering facilities and license only those that meet the required standards.
- 16.3 All livestock should be examined by an Inspector or a representative, trained in meat hygiene and meat inspection, both before and after slaughter.
- 16.4 The Ministry will specify the identification and type of animals to be slaughtered at the slaughter premises.
- 16.5 The Ministry shall prohibit slaughter of animals and sale of meat on the auspicious days of 8th, 15th and 30th; on the 4th day of the 6th month; on the descending day of Lord Buddha and during the whole of 1st and 4th months of the Bhutanese calendar.

17 Medical certificates

- 17.1 All employees of slaughterhouses or retail outlets shall require medical certificates to handle fresh meat, fish or blood as prescribed by the Ministry.

CHAPTER VIII VETERINARY DRUGS

18 Veterinary biological and therapeutic substances

- 18.1 The Ministry may register and issue licenses to control importation, production and distribution of veterinary biological and therapeutic substances.
- 18.2 The Ministry shall establish the optimum standards for veterinary biological and therapeutic substances.
- 18.3 Veterinary biological and therapeutic substances may require testing for safety, efficacy and potency.
- 18.4 Products intended for diagnosis or prevention or treatment of animals shall be handled by stores or dispensaries licensed by the Ministry or its authorized officials.

19 Disposal

- 19.1 The Pesticides Act of Bhutan 2000 and any other related legislation of the country will govern the disposal of obsolete veterinary biological and therapeutic substances.

CHAPTER IX ZOOZOSES MANAGEMENT

20 Zoonotic diseases

- 20.1 Any person having suspicion that an animal or carcass is infected with rabies or other zoonotic diseases must report to the Ministry or its local offices.
- 20.2 The pets must be registered, identified, and vaccinated against rabies or other diseases following the rules prescribed by the Board.
- 20.3 An animal, which poses a proven threat to human health, may be destroyed following the procedures laid down by the Ministry.
- 20.4 The Ministry may vaccinate breeding livestock against rabies and other zoonotic diseases.
- 20.5 In the event that an infected animal has bitten or otherwise caused injury to a human being, the nearest health authority should be informed

21 Death from zoonoses

- 21.1 Any carcass or parts thereof or animal product not certified as fit for human consumption shall be disposed as prescribed. The responsibility for disposal of dead animals rests with the Municipal and Dzongkhag authorities. The concerned Inspector shall be responsible to co-ordinate this task.
- 21.2 The death of all registered breeding animals shall be reported to the nearest local office of the Ministry.
- 21.3 In case of mortality of people, the nearest authority should be informed.

CHAPTER X WELFARE OF ANIMALS

22 Welfare standards

- 22.1 The Ministry shall prescribe a set of minimum standards for animal welfare.
- 22.2 Livestock shall be kept, cared for and transported with due attention paid to their health and welfare.
- 22.3 Livestock shall not be subjected to any unnecessary suffering or injury.

22.4 All livestock and poultry must be provided with adequate feed and water and shelter.

23 Welfare inspection

23.1 All livestock and poultry must be inspected regularly and treated appropriately if suffering from diseases or ill health.

23.2 An Inspector may stop and detain any vehicle or enter any premises to inspect and examine livestock to ensure that welfare provisions are met.

23.3 Failure to comply with the minimum standards of animal care shall be liable for punishment in accordance to the rules prepared under this Act.

CHAPTER XI ENFORCEMENT AND PENALTIES

24 Inspectors

24.1 An Inspector shall be a public servant and shall be officially subordinate to such authority as the Ministry may notify.

25 Powers of Inspectors

An Inspector may:

25.1 require a person to:

- (i) answer any question and provide any information relating to this Act;
- (ii) produce for inspection any license, permit or other documents required to be kept under this Act;
- (iii) produce for inspection any animal, poultry, fish, animal product, poultry product, food or feedstuff in his possession or under his control.
- (iv) permit entry by the Inspector to any location where animals are kept.

25.2 search and seize any vehicle, tools, weapons, animal or poultry, which the official believes is used to commit an offence under this Act, and shall give a receipt for anything seized;

25.3 enter and search any premise, without a search warrant, only if he believes that the evidence of an offence committed would be destroyed in the process of obtaining a warrant;

25.4 stop, search and detain any person whom he suspects of committing an offence under this Act.

25.5 having detained a person or seized illegal goods shall notify the Head of the concerned agencies and alternatively report the case to the nearest police station.

26 Power to compound the offence

26.1 An Inspector may fine a person who commits an offence under this Act, as prescribed, in addition to either:

- (i) confiscation of anything illegally taken or the proceeds thereof, or
- (ii) payment of compensation for anything illegally taken, damaged or destroyed.
- (iii) On payment of such money, the offender, if in custody, shall be discharged and given a receipt, and the seized property, if any, may be confiscated.

27 Obstruction of justice

27.1 Any person who resists, assaults, obstructs or falsely accuses an Inspector of wrongdoing; knowingly makes a false or incorrect statement to an Inspector; or refuses to give the Inspector any information or produce for inspection any animal, poultry, fish, animal product, poultry product, food, feed, veterinary product or other thing for which any permit or license is required under this Act, is punishable as prescribed.

28 Liability of Inspectors

28.1 An Inspector when exercising any power under this Act shall, if not in uniform, declare his office and shall, on demand, produce identification card as prescribed.

28.2 It shall not be an offence for a person to refuse the Inspector who fails to declare his office and refuses to produce his identification.

28.3 An Inspector shall not be liable for anything done by him in good faith for the purpose of enforcing this Act or otherwise acting in the course of duty.

28.4 An Inspector who wrongfully and without good cause seizes any property or detains any person is punishable in accordance with the Royal Civil Service Rules.

29 Subsequent offences

29.1 Anyone who commits an offence under this Act is liable for fines or punishable with imprisonment through a court process, which may extend from six months to one year. The penalty for repeated offences will be proportionately increased as per the rules drafted hereunder.

30 Confiscation

- 30.1 If a person is convicted, through a court process, of an offence under this Act or any rule hereunder, the subject of the offence or proceeds from the sale, along with any vehicle, tools, or weapon that were used to commit the offence shall be confiscated.

31 Cancellations or suspension of permits

- 31.1 A license holder if charged with an offence under this Act, the license will be suspended for the appeal period. The final decision on the appeal shall result into either cancellation or dropping the suspension.

32 Duty to report offences

- 32.1 A person must immediately inform the nearest local office of the Ministry, of any information on the offences committed under this Act.

33 Dues to Government

- 33.1 Payments due to the Government under this Act, if not paid on time or if not covered by the proceeds of sale of anything confiscated, will be recovered through the court.

34 Exclusion of liability

- 34.1 The Government will not be liable for destroying, damage done and delays incurred during quarantine of any material brought into Bhutan in violation of this Act, or the rules issued hereunder. All expenses incurred pertaining to the above actions shall be borne by the offender.

35 Appeal

- 35.1 A person aggrieved of any decision taken under this Act may appeal to the Minister or the designated authority, within ten working days from the day the decision is communicated. The decision made on the appeal will be final.

CHAPTER XII MISCELLANEOUS

36 General powers of the Royal Government

- 36.1 The Ministry may make or amend rules consistent with this Act for effective implementation of this Act.
- 36.2 The Ministry will designate an agency, appoint Inspectors or authorize officials to exercise any of the powers conferred on them.

- 36.3 The Ministry shall enforce the requirements and conditions in any certificate, permits and licenses referred to in this Act and in the regulations.
- 36.4 The Ministry shall collect the fees and fines due to the Royal Government under the provisions of this Act.
- 36.5 The Ministry shall identify quarantine stations to check flow of diseases into the country and institutions for conducting laboratory tests to ensure standards are maintained.
- 36.6 The Ministry shall prescribe rules for export of animals and genetic materials except for breeding stock, semen and embryo originating from indigenous species.
- 36.7 The authorized officials of the Ministry shall examine all export consignments and levy fees for the service.
- 36.8 The Ministry shall examine requests for certification by importing agencies and may issue certificates if the standards and procedures prescribed are not contravened.