

Zambia

Stock Diseases Act, 1961

Chapter 252

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Stock Diseases Act, 1961

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Chapter 252

Commenced on 27 December 1963

[This is the version of this document at 31 December 1996.]

[Repealed by [Animal Health Act, 2010 \(Act 27 of 2010\)](#) on 16 August 2010]

[8 of 1961; Act No. 13 of 1994; Government Notices 319 of 1964; 497 of 1964]

An Act to provide for the prevention and control of stock diseases; to regulate the importation and movement of stock and specified articles; to provide for the quarantine of stock in certain circumstances; and to provide for matters incidental to the foregoing.

1. Short title

This Act may be cited as the Stock Diseases Act.

2. Interpretation

In this Act, unless the context otherwise requires—

"article" includes gear, harness, seeds, grass, forage, hay, straw, manure or any other thing likely to act as a carrier of any disease;

"authorised officer" means the Director and any Veterinary Officer;

"carcass" means the carcass of any stock and includes part of a carcass, and the meat, bones, hide, skin, feathers, hooves, horns, offal or other part of any stock;

"Director" means the Director of Veterinary Services and includes the Deputy Director of Veterinary Services;

"disease" means foot and mouth disease, rabies, rinder-pest, lumpy skin disease, contagious epididymitis and vaginitis, sheep pox, swine fever, Newcastle disease, epidemic tremor, contagious bovine pleuropneumonia, anthrax, contagious abortion, quarter evil, tuberculosis, bovine vibriosis, swine erysipelas, glanders, streptothricosis, anaplasmosis, redwater, heartwater, East Coast fever, trypanosomiasis, epizootic lymphangitis, ulcerative lymphangitis, sarcoptic mange, psoroptic mange (scab) and any other disease of stock which the *Minister may, by statutory notice, specify;

"owner", in relation to any stock, includes the person for the time being having the management, custody or control of such stock;

"permit" means a permit issued under the provisions of this Act;

"railway company" means Zambia Railways and any other railway operating in Zambia;

"stock" includes cattle, horses, sheep, goats, mules, donkeys, pigs, animals of the antelope species in captivity, domestic fowls, turkeys, geese, ducks and any other domesticated or captive animal or bird which the Minister may, by statutory notice, declare;

"Veterinary Officer" means a veterinary surgeon in the service of the Government and includes a Livestock Officer when instructed by the Director to exercise or perform any of the powers and duties of a Veterinary Officer.

3. Notice of disease or suspected disease to be given

- (1) Every owner of stock affected or suspected of being affected with any disease shall—
 - (a) as far as practicable keep that stock separate from stock not so affected;
 - (b) as soon as is reasonably practicable give notice of the stock being so affected or suspected of being so affected to the nearest departmental officer, police officer or Administrative Officer.
- (2) Every person, other than a Veterinary Officer, so notified, shall forthwith notify the nearest Veterinary Officer.
- (3) For the purpose of this section, "departmental officer" means any person employed in the Department of Veterinary and Tsetse Control Services.
- (4) Any person who fails to comply with the provisions of subsection (1) shall be guilty of an offence.

4. Power to quarantine stock, etc.

Whenever at any place, whether within or outside Zambia, there exists, or is suspected to exist, any disease which is likely to affect stock, the Minister or an authorised officer may make such order as he thinks fit for all or any of the following purposes:

- (a) for prohibiting or regulating the introduction of any stock, carcass, article or vehicle from such place into Zambia or any portion of Zambia;
- (b) for prohibiting or regulating the movement of stock, carcasses, articles or vehicles within or out of any part of Zambia named in the order;
- (c) for regulating the quarantine, isolation, disinfection or treatment of stock, carcasses, articles or vehicles in any part of Zambia named in the order;
- (d) for prohibiting or regulating the sale of stock, carcasses or articles in any part of Zambia named in the order.

5. Power to order seizure of stock, etc.

Whenever—

- (a) at any place within Zambia any stock, carcass, article or vehicle is found affected or is suspected of being affected with any disease; or
- (b) any stock, carcass, article or vehicle has been introduced into any place in Zambia without such permit as may be required for such introduction, or having been introduced under a permit is moved or dealt with otherwise than in accordance with such permit;

the Minister or an authorised officer may make such order as he thinks fit for all or any of the following purposes:

- (i) for directing that such stock, carcass, article or vehicle be seized and detained;
- (ii) for directing that such stock, carcass, article or vehicle be slaughtered or destroyed;
- (iii) for directing that such stock, carcass, article or vehicle be dealt with in such manner as is deemed necessary to prevent the spread of disease.

6. Power of authorised officer when any person fails or refuses to comply with an order

- (1) Whenever any person fails or refuses to do anything which he is required to do under an order made under the provisions of section four or five, an authorised officer may do or cause such thing to be done.

- (2) The cost of anything which an authorised officer has done or caused to be done under the provisions of subsection (1) shall be recoverable by the Minister from the person who failed or refused to comply with the order.

7. Offence

Any person who fails or refuses to do anything which he is required to do, or does anything which he is prohibited from doing, under an order made under the provisions of section four or five shall be guilty of an offence.

8. Power of entry

- (1) An authorised officer may enter on any land, farm or ranch or into any stable, pen, sty or outbuilding or any kraal, enclosure or vehicle and may take with him such persons, animals and things as he may deem necessary for the purposes of inspecting or examining any stock, carcass, article or vehicle or doing or causing to be done or supervising and inspecting the doing of anything which is required to be done under this Act or under any order made under the provisions of this Act.
- (2) Any person who prevents an authorised officer from entering on any land, farm or ranch or into any sty or outbuilding or any kraal, enclosure or vehicle or who impedes or obstructs an authorised officer in doing anything which he is empowered to do under the provisions of subsection (1) shall be guilty of an offence.

9. Power to order collection of stock

- (1) An authorised officer may instruct the owner of any stock to assemble the stock or any part thereof at any specified place for the purposes of inspection or inoculation, or for any purpose authorised under the provisions of this Act or under any order made under the provisions of this Act.
- (2) Any instruction issued in accordance with the provisions of subsection (1) to the headman of a village shall be deemed to be an instruction to every owner of stock in such village:

Provided that such notice is issued in writing and in such language or dialect as is commonly spoken by or understood among the majority of the inhabitants of such village.
- (3) The headman of a village to whom an instruction is issued in accordance with the provisions of subsection (2) shall forthwith take all reasonable steps to communicate the contents of the instruction to every owner of stock in such village.
- (4) Any person who—
 - (a) fails to comply with any reasonable instruction given under subsection (1) or (2);
 - (b) fails to communicate the contents of an instruction in accordance with the provisions of subsection (3);shall be guilty of an offence.
- (5) Proceedings in respect of an offence under this section shall not be taken without the written consent of the Director.

10. Person in control of stock in transit

- (1) Stock in transit by train within or through Zambia shall be under the control of such person as the railway company conveying the stock shall appoint, and, in default of such appointment, the guard of the train conveying such stock shall be deemed to be the person in control of the stock.

- (2) Stock in transit within or through Zambia by any road vehicle shall be under the control of such person as the transporter shall appoint, and, in default of such appointment, shall be deemed to be under the control of the driver of the vehicle.

11. Records to be kept by carriers

A railway company carrying any stock by rail or the owner of any vehicle which at any time carries stock for hire or reward shall maintain a record of all such stock carried showing the dates on which such stock was carried, the type and numbers of stock and the names and addresses of consignors and consignees and shall, during a period of six months after the date of carriage, make such record available on request to an authorised officer.

12. Indemnity

- (1) No action shall be brought against any authorised officer in respect of any act done by him in good faith in the execution or supposed execution of the powers vested in him under this Act, or in respect of any act done by him in good faith in carrying out or purporting to carry out the terms of an order made under this Act.
- (2) No action shall be brought against any person who is not an authorised officer in respect of any act done in good faith and without negligence by such person in compliance with the provisions of this Act or any direction or order given or made under this Act.

13. Compensation

Where any stock is slaughtered under the provisions of this Act or any order made thereunder, the owner shall, unless the Minister gives in writing to the owner his reasons for refusing, be paid compensation from such funds as may be appropriated by Parliament for this purpose for such stock, if he proves to the satisfaction of the Minister that the stock was not suffering from disease at the time of its slaughter.

[As amended by G.N. No. 319 of 1964]

14. Penalty

Any person guilty of an offence under the provisions of this Act or any regulation or order made thereunder shall be liable to a fine not exceeding three thousand penalty units or to imprisonment for a period not exceeding six months, or to both.

[As amended by Act [No. 13 of 1994](#)]

15. Regulations

- (1) For the purpose of carrying out the provisions of this Act, the Minister may, by statutory instrument, make regulations concerning any of the following matters:
 - (a) regulating or prohibiting the introduction into Zambia of any stock, carcass, article or vehicle;
 - (b) regulating or prohibiting the movement of any stock, carcass, article or vehicle within any portion of Zambia or providing for the compulsory branding of any stock;
 - (c) providing for the compulsory disinfection, whether by inoculation, dipping or otherwise, of any stock, carcass, article or vehicle, within any portion of Zambia;
 - (d) providing for the disinfection of any place or building suspected of being infected with any disease within any portion of Zambia;
 - (e) prescribing the circumstances under which stock, whether such stock is suspected of being affected with disease or not, may or shall, as the case may be, be destroyed and the manner

in which and by whom such destruction shall, or may, be carried out and the manner in which carcasses shall be disposed of;

- (f) regulating or prohibiting the importation into or manufacture or distribution within Zambia of any virus, vaccine, serum or analogous product used for the diagnosis or treatment of stock diseases of animals, or of any animal semen;
 - (g) generally for the prevention and control of disease;
 - (h) prescribing the fees to be paid for anything done or to be done under this Act.
- (2) Any such regulations may provide that any person who contravenes or fails to comply with such regulations shall be guilty of an offence against this Act, and may further provide that, unless some other penalty is in such regulations specifically provided therefor, such person shall be liable to a fine not exceeding three thousand penalty units or to imprisonment for a period not exceeding six months, or to both.

[As amended by G.N. No. 319 of 1964 and Act [No. 13 of 1994](#)]