

CONDOMINIUM DES NOUVELLES-HEBRIDES  
NEW HEBRIDES CONDOMINIUM

ARRETE CONJOINT 17 de 1973  
JOINT REGULATION 17 of 1973

## JOINT REGULATION

No. 17  
of 1973.

To prescribe conditions for the importation of animals into the New Hebrides, the movement of animals within the New Hebrides and to provide for animal health inspection.

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MADE by the Resident Commissioners under the provisions of Articles 2 (2) and 7 of the Anglo-French Protocol of 1914.

## PART I

## GENERAL PROVISIONS

## 1. In this Regulation—

Interpreta-  
tion.

“animal” means any living creature, with the exception of plants and human beings, and includes arachnids, birds, fish, insects and reptiles;

“country” means any territory inhabited by a community and specified geographically;

“domesticated poultry” includes fowls, ducks, turkeys, geese, pigeons, guinea fowls and pea fowls;

“foreign”, with respect to a country, means a country other than the New Hebrides, and, with respect to animals, means brought into the New Hebrides from a foreign country;

“holding” means a place where any animal is reared and kept commercially for consumption or stock-breeding purposes;

“port” includes airport;

“quarantine port” means any port thus prescribed by the Resident Commissioners under paragraph (c) of section 2;

“quarantine station” means, with respect to the New Hebrides, any area prescribed as such by the Resident Commissioners under paragraph (d) of section 2, and with respect to any foreign country, any area prescribed by the competent authorities of such country;

“stock inspector” means any person employed in the Condominium Agricultural Department who is qualified to inspect animals and who has been appointed as such by the Resident Commissioners;

“veterinary inspector” means any veterinary officer working in the New Hebrides who has been personally appointed by the Resident Commissioners.

2. The Resident Commissioners may by joint decision—
- (a) appoint veterinary inspectors and stock inspectors for the purposes of this Regulation;
  - (b) authorise the importation of particular animal species other than those permitted under section 4;
  - (c) prescribe the ports at which imported animals may be exclusively landed;
  - (d) prescribe quarantine stations;
  - (e) fix the dues and fees payable under this Regulation;
  - (f) appoint stock-breeders' representatives to be members of the valuation committee provided for in subsection (2) of section 25.

Power of Resident Commissioners to make joint decisions.

PART II

IMPORTATION OF ANIMALS INTO THE NEW HEBRIDES

3. The importation of any animal into the New Hebrides shall be carried out in accordance with the provisions of this Regulation.

Importation of animals.

4. The following animals may be imported into the New Hebrides—

Animals which may be imported.

- cage birds, other than those of the parrot family (psittacidae);
- bovines (bos bovis or bos indicus);
- porcines;
- cats and dogs;
- domesticated poultry;
- horses, asses and mules;
- rabbits and hares;
- sheep and goats;
- any other species of animal authorised by the Resident Commissioners by joint decision.

5. No animal may be imported into the New Hebrides otherwise than at a quarantine port prescribed by the Resident Commissioners.

Animals to be imported at quarantine port.

6. Any person wishing to import any animal into the New Hebrides must make a written application to the Head of the Condominium Agricultural Department stating the number, species, sex and place of origin of such animal.

Application for import permit.

7. Upon receipt of such an application, the Head of the Condominium Agricultural Department may grant a provisional import permit or may refuse the application and in the latter case, shall give reasons for his decision.

Grant of provisional import permit.

8. Upon the granting of a provisional permit, the owner shall provide the Head of the Condominium Agricultural Department with the following information—

Information to be supplied upon grant of provisional permit.

- (i) the address of the quarantine station in the country of origin;
- (ii) the estimated date of admission to the said quarantine station;
- (iii) the date of shipment;
- (iv) the name of the shipping company or airline, together with the name of the ship or the number of the flight; and
- (v) the expected date of arrival in the New Hebrides, allowing sufficient notice thereof to enable the animal to be inspected on board the ship or aircraft in which it is transported.

9. Any person to whom a provisional permit to import an animal into the New Hebrides has been granted shall, before landing such animal, produce to a veterinary inspector—

Documents required before animal landed.

- (i) the provisional permit to import such animal;
- (ii) a health certificate in accordance with the provisions of this Regulation;
- (iii) a statutory declaration in accordance with the provisions of Part IV of this Regulation;
- (iv) a quarantine certificate in accordance with the provisions of this Regulation; and
- (v) a certificate signed by the master of the ship or the pilot of the aircraft in which such animal was transported attesting that it has not been in contact with any animal which does not comply with the conditions prescribed in this Regulation and has not been landed at any place during the course of the journey.

10. If the veterinary inspector is satisfied that the requirements of this Regulation have been satisfied and that the animal appears to be in good health, he shall issue to the owner a certificate of health inspection which shall be valid for the Customs Department as an import permit.

Import permit.

11. No animal which does not comply with the conditions laid down in this Regulation shall be permitted to be landed in the New Hebrides. If any such animal arrives by ship, it shall be sent back to its country of origin. If it arrives by aircraft, it shall be either sent back to its country of origin or slaughtered upon the instructions of a veterinary inspector. The costs of transport or of slaughtering and destruction of the carcass shall be met by the owner, without prejudice to any penalties for which he may be liable.

Consequence of landing animal contrary to Regulation.

12. Any feed accompanying an animal imported into the New Hebrides shall be examined by a veterinary inspector, who may direct it to be destroyed. All stable-litter and manure accompanying the

Examination of feed accompanying animal.

animal during transportation shall be dumped in the open sea and no other method of disposal shall be used. The straw and bundles of hay, whether graminaceous or leguminous, which accompany the animal and have not been consumed during transportation, will be landed in order to be burned in accordance with the instructions of the veterinary inspector.

13. All crates occupied by animals during transportation by sea shall be left on board. All crates used by animals during transportation from ship to shore, or during transportation by air, together with all clothing, harnesses, cords, saddlery and other equipment which has come into contact with animals during transportation shall be cleaned and disinfected or burned in accordance with the directions of a veterinary inspector.

Treatment of crates and equipment accompanying animals, etc.

14. For the purpose of ensuring compliance with the provisions of this Regulation, a veterinary inspector or any other person authorised by him for the purpose, may board any ship or aircraft and inspect every part thereof before the unloading or landing operations begin.

Power to board ships and aircraft.

15. All animals in transit shall be subject to the same conditions as animals imported into the New Hebrides and shall be placed in a quarantine station during the period of transit.

Animals in transit.

16. All agents for airlines and shipping companies, as well as all shipowners, shall, before landing any animal whether destined for a foreign country or any place within the New Hebrides, ensure that the importer or the purchaser, as the case may be, are in possession of the documents and certificates required by this Regulation.

Liability of carriers.

### PART III

#### QUARANTINE UPON LEAVING COUNTRY OF ORIGIN AND UPON ENTRY INTO THE NEW HEBRIDES

17. The following animals shall be exempt from the provisions of this Part—

Exemptions from quarantine.

animals for laboratory research;

cage birds other than those of the parrot family;

day-old chicks;

day-old turkey chicks;

day-old ducklings;

pigs which are certified by a veterinary surgeon duly authorised in that behalf by the competent authorities in the country of origin to come from a minimal disease holding or a hysterectomy produced and artificially reared herd.

18. Subject to the provisions of section 17, no animal shall be imported into the New Hebrides unless it has previously undergone a period of quarantine of not less than three weeks in a quarantine station in the country of export approved by the authorities of such country.
19. All tests and treatments prescribed in Part IV shall be carried out while the animal is in such quarantine by a duly authorised veterinary surgeon who shall issue the certificates prescribed in section 9.
20. All animals shall, immediately upon their arrival in the New Hebrides, be removed by a veterinary inspector or a stock inspector to the quarantine station in such manner and by such route as he shall determine. The inspector may first require the owner to provide security or to deposit with the Condominium Treasurer a sufficient sum to meet the payment of the costs and expenses.
21. The period of quarantine of animals upon their entry into the New Hebrides shall be six weeks. This period, however, may be extended by a veterinary inspector who shall give reasons for such decision.
22. The costs of keeping any animal in a quarantine station shall be borne by the importer. The charges for keeping an animal in quarantine shall be prescribed by the Resident Commissioners by joint decision and shall cover such care and treatment as a veterinary inspector may determine for such animals while in quarantine, to promote their general condition, for shearing or clearing of parasites, or to cure any temporary ailment, lameness or minor injury.
23. If while in quarantine any animal shows symptoms of a contagious disease liable to affect the health of the other animals with which it is or may later be in contact, it shall be slaughtered and may be destroyed on the directions of a veterinary inspector. The carcass shall be burned or sold according to such directions. The owner of such animal shall be informed thereof as soon as possible but shall receive no compensation unless the carcass is sold, when the proceeds shall be paid to him subject to deduction of costs for the period of quarantine.
24. During its stay in quarantine, every animal shall be under the supervision of a veterinary inspector who shall care for its well-being and the quantity and good quality of its feed.
25. (1) If any animal dies during its stay in quarantine, whether by accident or as a result of negligence on the part of the personnel of the quarantine station, the owner shall be fully and immediately reimbursed the value of such animal, which shall be calculated on the purchase price of the animal increased by the costs

Quarantine of animals before importation.

Tests, etc. while animals in quarantine.

Quarantine of animals upon importation.

Period of quarantine before importation.

Costs of quarantine.

Introduction of diseased animals in quarantine.

Treatment of animals in quarantine.

Compensation for death or injury.

of transport, with any necessary deduction for the proceeds of the sale of the carcass.

(2) If by a similar cause any animal sustains any harm during its stay in quarantine, the owner shall be entitled to compensation, the amount whereof shall be assessed by a committee composed of two representatives of stock-breeders appointed by the Resident Commissioners and the Head of the Condominium Agricultural Department who may appoint a veterinary inspector to act for him.

26. On the expiration of the period of quarantine, every animal shall be examined by a veterinary inspector who shall, if he is satisfied that such animal is free from disease, issue a health certificate stating the examination, tests and treatment such animal has undergone. He shall give permission for the release of the animal only after payment of charges and expenses in full.

Issue of health certificate on expiry of quarantine.

27. The owner shall then remove his animal or animals from the quarantine station.

Removal from quarantine.

28. All female cattle imported for breeding purposes shall as from the day they are released from quarantine be isolated from other animals, except those imported at the same time, on the owner's holding until three weeks after their first calving. During the period between the arrival of such animals on the holding and their first calving, anti-brucellosis testing as prescribed in section 33 shall be carried out.

Isolation of female cattle imported for breeding.

29. If any owner refuses or fails for seven days after the expiry of the quarantine period to remove any animal from a quarantine station upon having received written notice to do so, it may be sold by order of the Head of the Condominium Agricultural Department. The proceeds shall be paid to the owner after deduction of the charges and expenses of quarantine.

Consequence of failure to remove animal from quarantine.

30. Any animal which is wilfully withheld from quarantine on entry into the New Hebrides or which is withdrawn from a quarantine station before the expiration of the period fixed by a veterinary inspector, may be seized and placed in quarantine by the veterinary inspector, or may be slaughtered and destroyed or sold, without prejudice to the penalties provided for in this Regulation.

Consequence of withholding or wrongfully withdrawing animals from quarantine.

#### PART IV

##### STATUTORY DECLARATIONS AND HEALTH CERTIFICATES REQUIRED FOR THE IMPORTATION OF ANIMALS INTO THE NEW HEBRIDES

31. In the case of horses, asses, mules, cattle, sheep, goats and pigs, such animal shall be accompanied by—

(a) a statutory declaration by the owner giving a description of the animal and attesting that it—

(i) has been free from contagious disease during the

Documents to accompany horses, asses, mules, cattle, sheep, goats and pigs.

twelve months prior to being sent to the quarantine station;

- (ii) has not, during the twelve months prior to be sent to the quarantine station, been in contact with any animal suffering from a contagious disease; and
  - (iii) was born and raised on and, before undergoing quarantine, never removed from the holding on which it was living at that time;
- (b) a health certificate attesting that—
- (i) the holding of origin is not within 100 miles of any area where the cattle tick *Boophilus microplus*, bacterial anthrax, symptomatic anthrax or piroplasmosis is known, suspected or shown to be present during the three years preceding quarantine;
  - (ii) the animal has, while in quarantine, undergone general treatment for external and internal parasites by a method and using preparations approved by the competent authorities of the country of origin; and
  - (iii) the animal appears to be in good health.

32. In the case of animals of the equine and asine species, the animal shall be accompanied by a health certificate attesting—

- (i) that it comes from a country which has been free from encephalomyelitis during the three years preceding quarantine;
- (ii) that it is free from infectious anaemia (Coggins test); and
- (iii) whether or not it has been vaccinated against strangles.

Further documents to accompany horses, asses and mules.

33. In the case of animals of the bovine species, the animal shall be accompanied by a health certificate attesting that—

- (i) it comes from a country which has been free from foot and mouth disease, blue tongue and bovine plague (rinderpest) during the three years preceding quarantine;
- (ii) the holding of origin is not within 100 miles of any area where contagious bovine pleuropneumonia or paratuberculosis (Johne's disease) has been known or suspected to be present during the three years preceding quarantine;
- (iii) the holding of origin has been free from tuberculosis, paratuberculosis and brucellosis during the three years preceding quarantine;
- (iv) the holding of origin has been free from leptospirosis during the twelve months preceding quarantine;
- (v) it has while in quarantine, been tuberculin tested and has shown a negative result;
- (vi) it is less than ten months old;
- (vii) in the case of male animals, it has been treated for vibriosis;

Further document to accompany cattle.



(viii) it has been subjected during quarantine to—

- (a) the slow Wright serum agglutination test for brucellosis and has shown a result not exceeding thirty international units;
- (b) the serum agglutination tests for sero-types of leptospiriosis pomona, canicolic and australis, hyos, gripotyphos and icteroemorrhagias and has shown a negative result; and
- (c) the complement fixation Kolmer test for brucellosis and has shown a negative result.

34. In the case of animals of the ovine and caprine species, the animal shall be accompanied by a health certificate attesting that—

- (i) it comes from a country which has been free from foot and mouth disease and blue tongue during the three years preceding quarantine;
- (ii) the holding of origin has been recognised as being free from brucellosis during the three years preceding quarantine; and
- (iii) it has during quarantine been subjected and has reacted to brucellosis tests as follows—
  - (a) the slow Wright serum agglutination test for brucellosis with a result not exceeding thirty international units; and
  - (b) the complement fixation Kolmer test for brucellosis and has shown a negative result.

Further document to accompany sheep and goats.

35. In the case of animals of the porcine species, other than those defined in section 17, the animal shall be accompanied by a health certificate attesting that it—

- (i) comes from a country recognised as being free from foot and mouth disease and swine fever during the three years preceding quarantine; and
- (ii) has, while in quarantine, been subjected and has reacted to brucellosis tests as follows—
  - (a) the slow Wright serum agglutination test for brucellosis with a result not exceeding thirty international units; and
  - (b) the complement fixation Kolmer test for brucellosis and has shown a negative result.

Further document to accompany pigs.

36. In the case of animals of the canine and feline species, the animal shall be accompanied by—

- (a) a statutory declaration by the owner giving a description of the animal and attesting that it—
  - (i) has been free from disease during the twelve months preceding quarantine;

Documents to accompany dogs and cats.

- (ii) has not, during the twelve months preceding quarantine, been in contact with any animal suffering from disease; and
  - (iii) was born and raised on and, before undergoing quarantine, never removed from the holding on which it was living at that time;
- (b) a health certificate attesting that—
- (i) the country of origin has always been free from rabies;
  - (ii) the holding of origin is not within 100 miles of any area where the cattle tick *Boophilus microplus* or piroplasmiasis has been known or suspected to be present during the three years preceding quarantine;
  - (iii) it appears to be in good health;
  - (iv) it has, while in quarantine, undergone treatment for external and internal parasites by a method and using preparations which have been officially approved by the competent authorities of the exporting country;
  - (v) in the case of dogs less than two years old, it has been vaccinated against hepatitis and Carre's disease (distemper); and
  - (vi) in the case of cats it has been vaccinated against feline enteritis.

37. In the case of birds, the bird shall be accompanied by—

- (a) a statutory declaration by the owner that it comes from a holding free from pullorosis, fowl plague (Newcastle disease), infectious bronchitis, fowl pox, Marek disease or any other infectious or contagious bird diseases during the twelve months preceding quarantine and has never visited an area where any of those diseases has been known or suspected to be present during such period; and
- (b) a health certificate signed by a veterinary surgeon employed in an official capacity in the country of origin attesting that he has examined such bird within one week preceding quarantine and found it to be free from disease.

Documents  
to accom-  
pany birds.

38. In the case of rodents, the animal shall be accompanied by—

- (a) a statutory declaration by the owner that, before undergoing quarantine, it has never been removed from the holding on which it was born and raised and that it has never suffered from disease or been in contact with an animal suffering from disease; and
- (b) a health certificate attesting that the holding or origin is not within 100 miles of any area where, in the case of hares, tularemia has been known or suspected to be present, and,

Documents  
to accom-  
pany rodents.

in the case of rabbits, myxomatosis has been known or suspected to be present in each case during the three years preceding quarantine.

## PART V

### MOVEMENT OF ANIMALS WITHIN THE NEW HEBRIDES

39. Permission from a veterinary inspector shall first be obtained before any animal of the equine, bovine, and ovine species may be moved within the New Hebrides, whether from one island to another or within the same island.

Restriction on movement of horses, cattle and sheep.

40. The owner or the person in charge of the animal or animals concerned shall submit an application to the Head of the Condominium Agricultural Department not less than ten days before the intended date of movement stating—

Application for permission for movement of animals.

- (i) the species, sex and number of animals to be moved;
- (ii) the place where they are at the time of application;
- (iii) their intended destination;
- (iv) the means of transport to be used;
- (v) the date of the movement, if it is to be done by land; and
- (vi) the places, dates and times of loading and unloading the animals if the movement is between islands.

41. Upon receipt of such application, the Head of the Condominium Agricultural Department shall advise in writing the owner or person in charge of the animals—

Notice of inspection of animals.

- (i) the date and time of an inspection by a veterinary inspector; and
- (ii) the list of the necessary arrangements for the inspection and the carrying out of tests.

42. The veterinary inspector shall—

Examination of animals to be moved.

- (i) ensure that the animals appear to be in good health;
- (ii) ensure that they are freed from external and internal parasites not more than forty-eight hours before being moved; and
- (iii) in the case of animals of the bovine species, administer the brucellosis tests and the test for bovine tuberculosis, during the week prior to their being moved.

These examinations and tests shall be carried out on the holding of the owner or person in charge of the animal or animals.

43. If the veterinary inspector is satisfied with the results of the examinations and tests, he shall issue a health certificate stating the examinations and tests the animal has undergone and authorising the movement of the animal or animals.

Issue of health certificate.

44. If the veterinary inspector refuses to issue a health certificate he shall so advise the owner or person in charge of the animal or animals, in writing, giving his reasons.

Refusal of health certificate.

45. If the veterinary inspector finds that any of the animals is suffering from a contagious disease, he shall have the animal slaughtered and shall take any necessary health measures. He shall then issue a certificate stating—

Destruction of diseased animals.

- (i) the species, sex and age of the animal;
- (ii) the date on which the animal was slaughtered; and
- (iii) the number and weights of fore and hind quarters and the full list and weight of offal destroyed.

The owner of such animal shall be entitled to compensation equivalent to the market value of the carcass and offal destroyed.

## PART VI

### ANIMAL HEALTH INSPECTION

46. A veterinary inspector may at any time if he thinks fit carry out a health inspection in any part of the New Hebrides and for this purpose may enter any private property, visit any buildings or installations intended for the use of animals and carry out any tests, take biological samples and make examinations as he may consider necessary.

Power of entry to conduct health inspection.

47. When a veterinary inspector decides to carry out a health inspection, he shall notify the owner or the person in charge of the animals and shall then fix by agreement with that person the date and time of the inspection and the manner thereof. He shall also ensure that the necessary physical conditions exist for such health inspection.

Notice to owner of intended health inspection.

48. The owner or person in charge of the animals shall not defer the date proposed by the veterinary inspector for the health inspection by more than one month. After such period, the veterinary inspector shall send a registered letter to that person stating the date and time on which the health inspection will be conducted and the animals shall be presented for inspection on the date and time so fixed.

Owner not to defer inspection by more than one month.

49. In the case of serious danger of an epidemic, the Resident Commissioners or District Agents may authorise a veterinary inspector to enter any private property, inspect any buildings or installations intended for use by animals and carry out any necessary examinations without obtaining permission to do so from the owner or the person in charge of the animals.

Power of entry on property on danger of epidemic.

50. Any owner or person in charge of any animals required to undergo a health inspection shall—

Owner to facilitate inspection.

- (a) produce such animals individually to the veterinary inspector within an enclosure which is completely fenced off; and
- (b) furnish the veterinary inspector with all the necessary means for the health inspection of the animals to take place.

51. The veterinary inspector shall not be liable for any loss or injury caused to the animals during the health inspection, unless such loss or injury results from serious negligence on his part.

Restrictions on liability for loss or injury during inspection.

52. If the veterinary inspector discovers that an animal is suffering from a contagious disease, he shall arrange for the animal to be slaughtered and shall take any necessary health measures.

Destruction of diseased animals.

53. Where such health examination cannot be carried out for any reason whatever, the veterinary inspector may, without prejudice to the penalties laid down in this Regulation, place the property under quarantine. Such decision, which shall take immediate effect, shall be published and communicated wherever necessary and shall prohibit any animal whether alive or dead from leaving the property, wherever its destination may be.

Power to quarantine properties.

54. Every person owning or having charge of any animal who suspects it to be suffering from a contagious disease shall inform a veterinary inspector thereof as soon as possible.

Duty of owner to report diseased animal.

## PART VII

### OFFENCES AND PENALTIES

55. Any person who imports any animal into the New Hebrides in contravention of the provisions of this Regulation shall be guilty of an offence punishable upon conviction by a fine not exceeding 100,000 FNH or the equivalent in Australian dollars at the official rate of exchange or by imprisonment for a term not exceeding six months or by both such fine and imprisonment. In the case of a second or subsequent offence, the said term of imprisonment may be doubled.

Offence of importing animals contrary to Regulation.

56. Any person who commits any other breach of this Regulation or wilfully obstructs or hinders any officer of the Joint Administration in the exercise of the powers conferred on him by this Regulation shall be guilty of an offence punishable upon conviction by a fine not exceeding 50,000 FNH or the equivalent sum in Australian dollars at the official rate of exchange or to a period of imprisonment not exceeding three months or to both such fine and imprisonment. In the case of a second or subsequent offence, the said penalties may be doubled.

Other offences against Regulation.

57. The Head of the Agricultural Department, all veterinary inspectors and stock inspectors and the district agricultural officers shall be responsible for the enforcement of this Regulation and shall be personally appointed for the purpose by joint decision of the Resident Commissioners.

Enforcement  
of  
Regulation.

58. Any contravention of this Regulation shall be verified on oath by any of the persons mentioned in the preceding section.

Verification  
of offences  
on oath.

59. The Joint Importation of Animals Regulation No. 37 of 1964 is hereby repealed.

Repeal.

60. This Regulation may be cited as the Joint Animal Importation and Health Regulation No. 17 of 1973 and shall come into operation on the date of its publication in the Condominium Gazette.

Citation  
and com-  
mencement.

Made at Vila this fifth day of May, 1973.

LANGLOIS

COLIN H. ALLAN

The Resident Commissioner  
for the French Republic.

Her Britannic Majesty's  
Resident Commissioner.