

Animal Health and Livestock Services Act, 2055 (1999)

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An Act Made to Provide Necessary Arrangement Relating to Animal Health and Livestock Services

Preamble: Whereas, it is expedient to systematize and develop the animal husbandry business which occupies an important place of the national economy and to provide necessary arrangement relating to healthy production; sale, distribution, export and import of animal products or animal production inputs,

Now, therefore, the Parliament has enacted this Act on the twenty seventh year of the reign of His Majesty the King Birendra Bir Bikram Shah Dev.

Chapter-1 **Preliminary**

1. **Short Title and Commencement:** (1) This Act may be called "Animal Health and Livestock Services Act, 2055 (1998)."

(2) This act shall come into force at the prescribed area and from the prescribed date as notified by Nepal Government in the Nepal Gazette.

2. **Definitions** : In this Act, unless the subject or context otherwise requires,

- (a) "Animal" means any domestic or wild animal, and this expression also includes bird and fish.
- (b) "Animal Products" means meat, blood, animal fat, bile, milk, egg, bone, skin, horn, hoof, feather, wool, fur, hair, embryo, semen, glands, dung, urine or unprocessed material made from such items.
- (c) "Animal Production Inputs" means processed or unprocessed material used in animal health or artificial insemination and other biological products.
- (d) "Biologicals" means bacterial or viral vaccines, medicines or

biological chemicals used for the development of livestock and animal health.

- (e) "Quarantine Check Post" means an Animal Quarantine Check Post established by Nepal Government under Section 3.
- (f) "Quarantine" means the process to confirm any animal, animal products or animal production inputs whether diseased or not and put such animal, animal products or animal production or inputs in isolation in specific place, together with or separately for a period of time as prescribed for their inspection.
- (g) "Quarantine Officer" means the person specified under Section 5.
- (h) "Quarantine Place" means a place to keep an animal, animal products or animal production inputs for examination with the purpose of Quarantine.
- (i) "Contagious Disease" means the disease mentioned in the Schedules and other diseases as notified by the Government of Nepal in the Nepal Gazette.
- (j) "Department" means Department of Livestock Services of Government of Nepal.
- (k) "Office Chief" means a person who acts as a chief of District Livestock Services Office or a person acting as a chief of any other prescribed Office.
- (l) "Veterinary Inspector" means an Officer appointed or designated under Section 25
- (m) "Importer" means a person who imports animal, animal products or animal production inputs from other countries into Nepal.
- (n) "Exporter" means a person who exports animal, animal products or animal production inputs from Nepal to other countries.
- (o) "Prescribed" or "As prescribed" means prescribed or as prescribed in the Rules framed under this Act.

Chapter-2
Provisions Relating to Animal Quarantine

3. **Establishment of Quarantine Check Post**: Nepal Government shall establish a temporary or permanent Animal Quarantine Check Post in any area within the country of Nepal by notification published in the Nepal Gazette.

4. **Construction of Quarantine Places**: (1) Nepal Government may construct a Quarantine place in the Quarantine check post area established under Section 3 by notification published in the Nepal gazette.

(2) Notwithstanding anything contained in Sub-section (1), Government of Nepal may also permit Private Sector to construct a Quarantine place.

(3) Anybody willing to construct a Quarantine place in the private sector pursuant to Sub-section (2) shall obtain a recommendation letter from the Department.

(4) The terms and conditions to be followed and standard to be maintained in order to construct Quarantine place under Sub-section (1) or (2) shall be as prescribed.

5. **Appointment of Quarantine Officer**: Nepal Government shall appoint a person at least with a bachelor degree in Veterinary Science as Quarantine Officer to act as a chief of the Quarantine Check Post established under Section 3.

6. **To be kept in Quarantine**: (1) An importer should keep imported animal, animal products or animal production inputs in Quarantine for a specified period of time for their inspection.

(2) The importer concerned shall arrange the feeding, watering and security for the animal in Quarantine under Section (1) at his/her own cost.

(3) In case of death of any animal under Quarantine, the Quarantine Officer shall order the importer to destroy the dead animal after completing the postmortem examination.

(4) The importer shall not claim for any kind of compensation in case of

death of animal kept in Quarantine under Sub-section (1).

(5) The examination procedure of animal, animal products and animal production inputs kept in Quarantine shall be as prescribed.

7. **Issue of certificate**: The Quarantine Officer shall issue a certificate in a prescribed format for animal, animal products or animal production inputs kept in Quarantine, after the completion of examination.
8. **Terms and Conditions to be Followed for the Export or Import** : The terms and conditions to be followed by an exporter or importer in exporting or importing animal, animal products or animal production inputs shall be as prescribed.
9. **Import be Made Only Through the Route of Quarantine Check Post**: An importer shall import the animal, animal products or animal production inputs through the route of Quarantine check post only.
10. **Restriction on Import**: Government of Nepal may restrict the import of animal, animal products or animal production inputs found with prescribed diseases by a notification published in the Nepal gazette.
11. **Prohibition of Entry**: The Quarantine Officer may prohibit the entry of animal, animal products or animal production inputs on the following circumstances:
 - (a) If an information is received that the imported animal, animal products or animal production inputs are brought from the outbreak area of contagious diseases,
 - (b) In case of failure to submit the prescribed certificate of disease free and soundness certificate of animal, animal products or animal production inputs by the importer.
 - (c) If any animals are found dead by contagious diseases even if a certificate under Clause (b) is submitted.
 - (d) If the vehicle carrying the imported animal, animal products or animal production inputs is found contaminated with contagious diseases.
12. **Order May be Issued**: (1) The Quarantine Officer may issue an order to return the

animal, animal products or animal production inputs prohibited under Section 11 to the country of their origin.

(2) If there is a possibility of spread of contagious disease in case the animal, animal product or animal production inputs are allowed to remain as such or returned to the country of their origin, the Quarantine Officer may issue an order to the importer to remove or to destroy such animal, animal products, or animal production inputs.

- 13. May be Auctioned:** (1) If the importer concerned does not take the animal, animal products, or animal production inputs kept in Quarantine by the prescribed time, the Quarantine Officer may seize and auction such animal, animal products or animal production inputs. The condition and procedures of the auction shall be as prescribed.

(2) If it does not seem appropriate to auction or no body accepts on auctioning the animal, animal products or animal production inputs seized under Sub-section (1), the Quarantine Officer may issue an order to remove or to destroy such animal, animal products or animal production inputs.

- 14. Removal or Destruction:** The importer concerned shall remove or destroy the animal, animal products or animal production inputs once ordered by the Quarantine Officer under Section 6, 12 or 13.

(2) If the importer concerned does not remove or destroy the animal, animal product or animal production inputs pursuant to Sub-section (1), the Quarantine Officer may remove or destroy such animal, animal products or animal production inputs.

(3) The expenses incurred during removal or destruction of animal, animal product or animal production inputs under Sub-section (2) shall be reimbursed from the importer as government dues.

- 15. Arrangement for the Transport and Movement of Animals:** The Office In charge or the Quarantine Officer may restrict the movement and transport of animals from the place of Nepal where there is outbreak of contagious diseases in

animals to other places of Nepal.

Chapter-3

Arrangement for Animal Breed Improvement

16. **Notification may be Issued:** (1) Nepal Government may by a notification published in the Nepal Gazette, issue a notice to castrate the male animals in any part of Nepal other than those as specified in the notification in order to protect the extinguishing species or to improve their breed.

Provided that, if there is a need for keeping the unsaturated animals essential for traditional festival, worship, or ritual ceremony, any provision mentioned in Sub-section (1) shall not prevent to keep such male animals separately not allowing for mating.

(2) If a male animal other than as specified in Sub-section (1) is found kept, the Office In charge may issue an order requiring the person concerned to immediately castrate such male animals.

Chapter-4

Arrangement relating to the Establishment of an Industry and Export Import

17. **Recommendation letter for Establishment to be Obtained:** A person willing to establish an industry related to biological products, chicks, fingerlings (hatchery), animal feed or meat processing shall obtain a recommendation letter from the prescribed authority.
18. **Recommendation for Import or Export to be Obtained:** A person willing to import biological products, chicks, fingerlings or animal feed shall obtain a recommendation letter from the prescribed authority with a payment of fee as prescribed.
19. **License to be Obtained:** (1) A person willing to sell biological products, chicks,

fingerlings or meat processing shall obtain a license from prescribed authority paying the fee as prescribed.

(2) The quality and standard of biological products, chicks, fingerlings or meat processing mentioned in sub-Section (1) shall be as prescribed.

Chapter-5

Penalty and Appeal

20. Penalty: (1) Any importer, who imports animal, animal products or animal production inputs breaching of Section 9 shall be punished with a fine up to Rupees Twenty five thousand, and if the animal, animal products or animal production inputs so imported are found infected or with contagious diseases, the amount of fine shall be double.

(2) Any person who violates Section 10 shall be punished with a fine up to Rupees Ten Thousand.

(3) Any person who does not obey the order issued under Sub-section (1) of Section 12 shall be punished with a fine up to Rupees Twenty Five Thousand.

(4) Any person who breaches any provision, other than mentioned in Sub-section (1), (2) and (3), of this Act or the Rules framed under this Act shall be punishable with a fine up to rupees five thousand depending upon the gravity of the crime.

21. Investigation of the Case and File Thereof : (1) The investigation of the crime under this Act shall be initiated by at least non Gazette first class Assistant technician of the Quarantine Check Post and upon the completion of the investigation he/she shall file the case to the Judicial Authority.

(2) The crime investigation personnel may seek an advice with Government Attorney before filing the case to the Judicial Authority.

22. Judicial Authority : (1) The concerned Judicial Authority shall have the authority to deal the case under Section 9.

(2) The Office In charge shall have the authority to deal with the cases,

other than specified in sub-section (1), under this Act.

23. **Government of Nepal shall be a Plaintiff** : Government of Nepal shall be a Plaintiff in the cases under this Act.
24. **Appeal**: A person not satisfied with the decision made by the Officer under Sub-section (1) of Section 22 may appeal to the Appellate Court within thirty five days and in case of Sub-section (2) of Section 22 one may appeal to the Director General of the Department.

Chapter-6 **Miscellaneous**

25. **Appointment of Veterinary Inspector** : (1) In order to inspect the quality and standard of veterinary drugs or biological products, Government of Nepal may appoint or designate the Veterinary Inspectors in the places or institutions as per necessity.
- (2) The functions, duties and powers of the Veterinary Inspectors appointed pursuant to Sub-section (1) shall be as prescribed.
26. **Delegation of Authority**: The Office Chief, Veterinary Doctor, Quarantine Officer or Veterinary Inspector may delegate any of the authority, other than the authority of dealing of case as conferred to him/her under this Act, to the personnel subordinate to him/her as per necessity.
27. **Prevention from Cruelty to Animals**: Government of Nepal may constitute a committee for the prevention of cruelty to animals by a notification published in the Nepal Gazette and the functions, duties and powers of such committee shall be as specified in such notification.
28. **Inquiry may be Made**: (1) If the Office Chief suspects for contagious disease, in any animal, animal products or animal production inputs he/she may examine such animal, animal products or animal production inputs by entering the places of their location.
- (2) If any animal, animal products or animal production inputs are found infected with a disease specified in the notification published in the Nepal Gazette

under Section 10 while examining under Sub-section (1), the Office Chief may remove or destroy such animal, animal products or animal production inputs.

(3) If the owner concerned does not remove or destroy the animal, animal products or animal production inputs under Sub-section (2) the Office Chief may remove or destroy such animal, animal products or animal production inputs.

(4) The expenses incurred during removal or destruction of animal, animal products or animal production inputs shall be imburshed from the concerned owner as a Government due.

29. **Procedure of Destruction**: The procedure of destruction of carcass, animal products or animal production inputs shall be as prescribed.
30. **No Objection** : Notwithstanding any thing contained elsewhere this Act, it shall not be deemed to have been objected to keep the processed animal products, under Quarantine for inspection if there is any doubt of Contagious Disease.
31. **Power to Make Changes and Alterations in the Schedule**: Government of Nepal may, by a notification published in the Nepal gazette, make changes as well as alterations in the Schedule as per necessity.
32. **To be as per Prevailing Laws**: The matters contained in this Act shall be as per this Act and the matters not provided for in this Act shall be as per prevailing laws.
33. **Power to Frame Rules**: Government of Nepal may frame necessary Rules for carrying out the objectives of this Act.
34. **Amendment**: The words "animal, bird or" used in various places of The Contagious Disease Act, 2020(1963) have been deleted.

Schedule

(Related to Clause (i) of Section 2)

1.	AO10	Foot and Mouth Disease (FMD)
2.	AO11	FMD -Virus O
3.	AO12	FMD -Virus A
4.	AO13	FMD -Virus C
5.	AO14	FMD -Virus SAT 1
6.	AO15	FMD -Virus SAT 2
7.	AO16	FMD -Virus SAT 3
8.	AO17	FMD -Virus Asia 1
9.	AO18	FMD -Virus not typed
10.	AO20	Vesicular Stomatitis (VS)
11.	AO21	VS- Virus Indiana
12.	AO22	VS- Virus New Jersey
13.	AO23	VS- Virus not typed
14.	AO24	Swine vesicular disease
15.	AO40	Rinderpest
16.	AO50	Pestes des petits ruminants
17.	AO60	Contagious bovine pleuropneumonia
18.	AO70	Lumpy skin disease
19.	AO80	Rift valley fever
20.	AO90	Blue tongue
21.	A100	Sheep pox and Goat pox
22.	A110	African horse sickness
23.	A120	African swine fever
24.	A130	Hog cholera
25.	A140	Fowl Plague
26.	A160	Newcastle Disease

Multiple Species Diseases

27.	B051	Anthrax
28.	B052	Auzesky's Disease
29.	B053	Echinococcosis / Hydatidosis
30.	B055	Heart water
31.	B056	Leptospirosis
32.	B057	Q fever
33.	B058	Rabies
34.	B059	Para tuberculosis

Cattle Diseases

35.	B060	Screwworm (Cochliomyia hominivorax)
36.	B101	Anaplasmosis
37.	B102	Babesiosis
38.	B103	Bovine brucellosis (B. abortus)
39.	B104	Bovine genital campylobacteriosis

40.	B105	Bovine Tuberculosis (<i>Mycobacterium bovis</i>)
41.	B106	Cysticercosis (<i>C. bovis</i>)
42.	B107	Dermatophilosis
43.	B108	Enzootic bovine leukosis
44.	B109	Hemorrhagic septicemia
45.	B110	Infectious bovine rhinotracheitis (IBR/ IPV)
46.	B111	Theileriosis
47.	B112	Trichomoniasis
48.	B113	Trypanosomiasis
49.	B114	Bovine malignant catarrhal
50.	B115	Bovine spongiform encephalopathy (BSE)

Sheep and Goat diseases

51.	B151	<i>Brucella ovis</i> infection
52.	B152	Caprine and ovine brucellosis (<i>B. melitensis</i>)
53.	B153	Caprine arthritis/ encephalitis
54.	B154	Contagious agalactia
55.	B155	Contagious Caprine pleuropneumonia
56.	B156	Enzootic abortion of ewes
57.	B157	Pulmonary adenomatosis
58.	B158	Nairobi sheep disease
59.	B159	Salmonellosis
60.	B160	Scrapie
61.	B161	Maedi- Visna

Horse diseases

62.	B201	Contagious equine metritis
63.	B202	Dourine
64.	B203	Epizootic lymphangitis
65.	B204	Equine encephalomyelitis
66.	B205	Equine infectious anemia
67.	B206	Equine influenza (Virus type A)
68.	B207	Equine piroplasmiasis (Babesiosis)
69.	B208	Equine rhinopneumonitis
70.	B209	Glanders
71.	B210	Horse pox
72.	B211	Infectious arteritis of horse
73.	B212	Japanese encephalitis
74.	B213	Horse mange
75.	B 215	Surra
76.	B216	Venezuelan equine encephalomyelitis

Pig diseases

77.	B251	Atrophic rhinitis
78.	B252	Cysticercosis (<i>C. cellulosae</i>)
79.	B253	Porcine brucellosis (<i>B. suis</i>)
80.	B254	Transmissible gastroenteritis of pigs
81.	B255	Trichinellosis
82.	B256	Enterovirus encephalomyelitis
83.	B257	Porcine reproductive and respiratory syndrome

Poultry Diseases

84.	B301	Avian infectious bronchitis
85.	B302	Avian infectious laryngotracheitis
86.	B303	Avian tuberculosis
87.	B304	Duck virus hepatitis
88.	B305	Duck virus enteritis
89.	B306	Fowl cholera
90.	B307	Fowl pox
91.	B308	Fowl Typhoid (<i>S. gallinarum</i>)
92.	B309	Infectious bursal disease (Gumboro Disease)
93.	B310	Marek's disease
94.	B311	Mycoplasmosis (<i>M. gallisepticum</i>)
95.	B312	Psitacosis and ornithosis
96.	B313	Pullorum disease (<i>S. Pullorum</i>)

Disease of other animal

97.	B501	Leishmaniasis
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Multiple species disease

98.	C611	Listeriosis
99.	C612	Toxoplasmosis
100.	C613	Melioidosis
101.	C614	Blackleg
102.	C615	Botulism
103.	C616	Other clostridial infection
104.	C617	Other psterellosis
105.	C618	Actinomycosis
106.	C619	Intestinal salmonella infection
107.	C620	Coccidiosis
108.	C621	Distomatosis (Liverfluke)
109.	C622	Filariasis

Cattle disease

110.	C652	Mucosal disease/ Bovine viral diarrhea
111.	C653	Vibriotic dysentery
112.	C654	Warble infestation

Sheep and goat disease

113.	C701	Contagious postular dermatitis
114.	C702	Foot-rot
115.	C703	Contagious ophthalmia
116.	C704	Enterotoxaemia
117.	C705	Caseous lymphangitis
118.	C706	Sheep mange

Disease of other animals

119.	C751	Equine coital exentema
120.	C752	Ulcerative lymphangitis
121.	C753	Strangles
122.	C754	Salmonellosis (<i>S. abortus equi</i>)

Pig disease

123. C801 Swine erysipelas

Poultry disease

124. C851 Infectious coryza
125. C853 Avian encephalomyelitis
126. C854 Avian spirochaetosis
127. C855 Avian salmonellosis
128. C856 Avian leukosis

Dog and Cat disease

129. C921 Canine distemper.