

ANGUILLA

No. 2020

PUBLIC POUNDS (AMENDMENT) ACT, 2020

An act to amend the Public Pounds Act, R.S.A. c. P160

[Gazette Dated: _____, 2020] [Commencement: Assent under section 57 of the Constitution]

ENACTED by the Legislature of Anguilla

Interpretation

1. In this Act, “principal Act” means the Public Pounds Act, R.S.A. c. P160.

Amendment of section 1

2. The principal Act is amended by inserting the following definition in the appropriate alphabetical order—

““electronic tag” means a sterile, sealed microchip transponder that is implanted underneath the dog’s skin””

Amendment of section 3

3. The principal Act is amended in section 3 by inserting the following new subsection immediately after subsection (2)—

(2a) For the purposes of subsection (2), “tag” includes electronic tags

Amendment of section 4

4. The principal Act is amended—

(a) in section 4(1) by deleting “persons” and substituting it with “Animal Control Officers”

(b) in section 4(2) by deleting “person” and substituting it with “Animal Control Officer”

(c) in section 4(4) by deleting “Commissioner of Police” and substituting it with “Chief Veterinary Officer”.

Amendment of section 12

5. The principal Act is amended by deleting section 12 and substituting it with the following—

“12. If, at the expiration of 24 hours after any animal has been impounded, the pound-keeper is unable to ascertain who is the owner of the animal, the pound-keeper shall cause a notice of the impounding of the animal to be—

(a) posted at some conspicuous part of the pound;

(b) announced on a local radio station;

(c) published in a local newspaper;

(d) posted on a social media platform; or

(e) posted at any other place or published in any other manner which the Director may specify.

Amendment of section 14

6. The principal Act is amended by deleting section 14 and substituting it with the following—

“14. (1) The owner or occupier of any land, or any person authorised, including an Animal Control Officer or a police officer, may shoot or otherwise destroy any sheep, pig, goat, or feathered stock found at large and doing actual damage to on such land.

(2) If the owner of the animal or feathered stock referred to in subsection (1) does not claim the same within 6 hours after it is killed, the person who shot or killed the animal or feathered stock may bury the carcass.”

Amendment of section 16

7. The principal Act is amended in section 16 by deleting “Commissioner of Police” wherever it occurs and substituting it with “Director”.

Amendment of section 17

8. The principal Act is amended by deleting section 17 and substituting it with the following—

“ Disposal of animals by pound-keeper

17. (1) If an animal is offered for sale and no offer is made for it, or the offer made is, in the opinion of the pound-keeper, trifling, or if the animal is diseased or is in such a state or condition that it is unfit to be sold, the pound-keeper shall apply to the Magistrate to have such animal disposed of.

(2) The owner shall, in addition to any other fees to which he may be liable, repay to the pound-keeper the costs, charges, and expenses attending the disposal of the animal.”

Amendment of section 18

9. The principal Act is amended in section 18 by deleting “Commissioner of Police” wherever it occurs and substituting it with “Director”.

Amendment of section 20

10. The principal Act is amended in section 20 by deleting “\$500” and substituting it with “\$1000”.

Amendment of Schedule 1

11. The principal Act is amended by deleting Schedule 1 and substituting it with the following—

“SCHEDULE 1
(Sections 4(3) and 15)
POUND FEES

	\$
For receiving any horse, cattle, ass or mule	180.00
For receiving any sheep, pig or goat	120.00
For receiving any feathered stock	50.00
For giving any notice under section 11	50.00
For the daily upkeep of each horse, cattle, ass or mule	200.00
For the daily upkeep of each sheep, pig or goat	100.00
For the daily upkeep of each feathered stock	22.50”

Amendment of Schedule 2

12. The principal Act is amended by deleting Schedule 2 and substituting it with the following—

“SCHEDULE 2
(Sections 6(b) and 15)
SEIZURE FEES

	\$
For seizing any horse, cattle, ass or mule	150.00
For seizing any sheep, pig or goat	100.00
For seizing any feathered stock (each)	10.50”

Citation

13. This Act may be cited as the Public Pounds (Amendment) Act, 2020

Barbara Webster-Bourne
Speaker

Passed by the House of Assembly this day of , 2020.

Lenox J. Proctor
Clerk of the House of Assembly

OBJECTS AND REASONS**(The objects and reasons do not form part of the Bill)**

The objects and reasons of this Bill are to amend the Public Pounds Act.

Clause 1 is the interpretation.

Clauses 2 and 3 make provision for the insertion of microchips in animals as a means of electronic tagging. This is taking place in other jurisdictions.

Clause 4 authorises the Governor to appoint animal control officers as pound keepers and authorizes the pound keeper to dispose of an injured or sick animal, rather than impounding them, on the advice of the Chief Veterinary Officer rather than the Commissioner of Police.

Clause 5 allows for the notice of impounding to be disseminated by various media as specified by the Director responsible for agriculture.

Clause 6 allows the animal control officer and a police officer to dispose of animals found doing damage to land.

Clauses 7 and 9 substitute the role of the Commissioner of Police with the Director responsible for agriculture as the involvement of the Commissioner is impractical and unnecessary.

Clause 8 provides for a judicial process for the disposal (other than by sale) of impounded animals where the magistrate will have to give the authorization.

Clause 9 doubles the fines for offences.

Clause 10 amends the schedules to increase all fees related to seizure and impounding of animals.

Dwight Horsford
Attorney General of Anguilla