

I ASSENT

[L.S.]

PEARLETTE LOUISY,
Governor-General.

12th November, 2005.

SAINT LUCIA

No. 27 of 2005

AN ACT to amend the Animals Act 2003, No. 25 of 2003.

[21st November, 2005]

BE IT ENACTED by the Queen's Most Excellent Majesty, by and with the advice and consent of the House of Assembly and the Senate of Saint Lucia, and by the authority of the same, as follows :

Short title

1. This Act may be cited as the Animals (Amendment) Act 2005.

Interpretation

2. In this Act “principal Act” means the Animals Act 2003, No. 25 of 2003.

Amendment of section 2

3. The principal Act is amended in the definition of the words “authorized persons” by adding immediately after the word “Minister” the words “in writing”.

Amendment of section 23

4. The principal Act is amended in section 23 by –
 - (a) repealing subsection (1) and substituting the following –

“(1) Subject to subsection (2), a poundkeeper may, on such days as he or she thinks fit, put up for sale by public auction any animal which has been detained for more than four days, inclusive of the day of seizure, and may sell and deliver the animal to the best bidder, and, if the amount of the bid is not forthwith paid, may put the animal up for sale again.”;
 - (b) repealing the word “seven” appearing in subsection (2) and substituting the word “three”;
 - (c) inserting after subsection (3) the following subsection (3a) –

“(3a) Notwithstanding subsection (1), an owner of an impounded animal who identifies himself or herself before the sale of the impounded animal shall upon request be given possession of his or her animal, provided that the owner of the impounded animal has paid to the poundkeeper all of the costs pursuant to section 21(1).”.

Amendment of section 26

5. The principal Act is amended in section 26 by repealing –
 - (a) subsection (1) and substituting the following –

“(1) An animal found –

- (a) tied, wandering, straying, or lying in such a manner as to cause obstruction, danger, damage or injury to any user of the highway or a public place;
- (b) on any land adjacent to or adjoining a public way or highway which pose a threat of wandering unto the public way or highway;

may be seized by an authorized person and taken to an animal pound where the animal shall be impounded until its owner claims it and pays all the reasonable expenses incurred in its seizure and confinement, or until it is sold pursuant to section 23.”;

- (b) subsection (3) and substituting the following –

“(3) Where an animal cannot be seized or poses immediate danger to users of the public way or highway pursuant to subsection (1) –

- (a) a police officer in uniform may shoot or immobilize the animal; or
- (b) an authorized person may immobilize the animal.”.

Amendment of section 27

6. The principal Act is amended in section 27(1) by repealing the words “enclosed land, cultivated land or pasture” between the words “of” and “land”.

Passed in the House of Assembly this 1st day of November, 2005.

J. BADEN ALLAIN,
Speaker of the House of Assembly.

Passed in the Senate this 3rd day of November, 2005.

HILFORD DETERVILLE,
President of the Senate.