

OBJECTS AND REASONS

This Bill would amend the *Livestock (Control of Strays) Act*, Cap. 139A, to make better provision for the control of stray livestock and other matters related thereto.

Arrangement of Sections

1. Short title
2. Amendment of section 2 of Cap. 139A
3. Repeal and replacement of section 5 of Cap. 139A
4. Insertion of section 5A into Cap. 139A
5. Repeal and replacement of section 13 of Cap. 139A
6. Repeal and replacement of section 14 of Cap. 139A
7. Amendment of section 16 of Cap. 139A
8. Insertion of section 20A into Cap. 139A
9. Amendment of section 21 of Cap. 139A

BARBADOS

A Bill entitled

An Act to amend the *Livestock (Control of Strays) Act*, Cap. 139A.

ENACTED by the Parliament of Barbados as follows:

Short title

1. This Act may be cited as the *Livestock (Control of Strays) (Amendment) Act, 2014*.

Amendment of section 2 of Cap. 139A

2. *Section 2 of the Livestock (Control of Strays) Act, in this Act referred to as the principal Act, is amended by*

(a) deleting the definition of "authorised person" and substituting the following:

““authorised person” means a person designated as such pursuant to section 5;”; and

(b) inserting in alphabetical order, the following:

““public road” has the meaning assigned to it by section 2 of the *Road Traffic Act*, Cap. 295.”.

Repeal and replacement of section 5 of Cap. 139A

3. *Section 5 of the principal Act is deleted and the following is substituted:*

“Authorised persons

5. The Minister may, in writing, designate persons to be authorised persons for the purposes of this Act.”.

Insertion of section 5A into Cap. 139A

4. *The principal Act is amended by inserting immediately after section 5, the following section:*

“Livestock on or near a public road

5A.(1) Any person who tethers livestock near a public road or a public place in a manner that is likely to cause obstruction, damage or injury to any user of the public road is guilty of an offence and is liable on summary conviction to a fine of \$5 000 or to imprisonment for a term of 2 years or to both.

(2) Where livestock is found

- (a) tethered near;
- (b) straying near or on; or
- (c) lying near or on,

a public road or a public place, a pound-keeper, a constable or an authorised person may seize the livestock and take it to the livestock pound.”.

Repeal and replacement of section 13 of Cap. 139A

5. *Section 13 of the principal Act is deleted and the following is substituted:*

“Release of impounded livestock

13. Any person who

- (a) releases any livestock while the livestock is in or is being taken to any livestock pound, having been lawfully seized for the purpose of being impounded;
- (b) breaks or damages any livestock pound; or
- (c) does any act whereby any livestock that is impounded may escape,

is guilty of an offence and is liable on summary conviction to a fine of \$2 000 or to imprisonment for 1 year or to both.”.

Repeal and replacement of section 14 of Cap. 139A

6. *Section 14 of the principal Act is deleted and the following is substituted:*

“Ill-treating or impounded injuring livestock

14.(1) Any person who, while taking any livestock to the pound,

- (a) cruelly beats, wounds or otherwise ill-treats; or
- (b) wilfully injures or damages,

any of the livestock in his charge, is guilty of an offence and is liable on summary conviction to a fine of \$2 000 or to imprisonment for 1 year or to both.

(2) Any pound-keeper who, in impounding any livestock under this Act,

- (a) fails to treat with reasonable care;
- (b) fails to supply with sufficient quantity of fit and wholesome food and water;
- (c) cruelly beats, wounds or otherwise ill-treats; or
- (d) wilfully injures or damages,

any of the livestock in his charge, is guilty of an offence and is liable on summary conviction to a fine of \$5000 or to imprisonment for 2 years or to both.”.

Amendment of section 16 of Cap. 139A

7. Section 16 of the principal Act is amended

(a) by deleting subsection (1) and substituting the following:

“(1) Any pound-keeper may, on such days as he thinks fit, put up for sale by public auction any livestock which has been detained for more than 10 days, exclusive of the day of seizure and of sale, and the auctioneer shall sell and deliver the livestock to the best bidder, and, if the amount of the bid is not forthwith paid, the pound-keeper may put up the livestock again for sale.”; and

(b) in subsection (2), by deleting the words "The keeper of a pound" and substituting the words "The pound-keeper".

Insertion of section 20A into Cap. 139A

8. The principal Act is amended by inserting immediately after section 20, the following section:

“Obstruction

20A. Any person who obstructs

- (a)* a pound-keeper;
- (b)* a constable; or
- (c)* an authorised person,

in the execution of his duties under this Act, is guilty of an offence and is liable on summary conviction to a fine of \$5000 or to imprisonment for 2 years or to both.”.

Amendment of section 21 of Cap. 139A

9. *Section 21(3) of the principal Act is deleted and the following is substituted:*

“(3) Nothing in this Act shall be construed as being in derogation of the *Prevention of Cruelty to Animals Act*, Cap. 144A or the *Airports Act*, Cap. 285.”.