

DEMOCRATIC REPUBLIC OF TIMOR-LESTE
THE GOVERNMENT
Decree-Law No. ____/2017
Animal Health and Quarantine

As the Democratic Republic of Timor-Leste moves towards greater integration in the international trade system, deals with the increased flow of goods into and from the country, and as the Government places an increased emphasis on food security, livestock production and trade, and the trade in aquatic animal products, this Decree-Law provides a strong and effective framework to set out mechanisms for the protection of animal health and for trade in animal products.

The objectives of this Decree-Law are to provide a clear, efficient and conducive framework for the operation of trade and business activities; to empower public officials to support the private sector and to support livestock activities; and to prevent animal diseases and risks to public health and food security.

This Decree-Law establishes a legal foundation for the import and export of animals, animal products and animal-related items and animal health measures in general. It provides stipulations for animal welfare and the prevention of cruelty to animals; sets out specific provisions relating to aquaculture and aquatic animal health; establishes roles for veterinary public health matters; creates a framework for disease control and response; regulates veterinary drugs; and provides a system for animal identification and traceability. The Decree-Law establishes the Veterinary Authority comprising veterinarians, other professionals and para-professionals, having the responsibility and competence for ensuring or supervising the implementation of animal health and welfare measures, international veterinary certification and other standards and recommendations in the whole territory of Timor-Leste.

The framework established in this Decree-Law shall be further elaborated through Government Decrees and other implementing regulations, which shall set out procedures and other technical details.

Therefore, pursuant to Article 115.1 of the Constitution of the Democratic Republic of Timor-Leste, the Government decrees the following, which shall have the force of law:

CHAPTER I - GENERAL PROVISIONS

Article 1. Objective

The objective of the present Decree-Law is to establish an animal health and welfare framework; to prevent the introduction and spread of animal diseases in Timor-Leste; to control the spread

and eradication of animal diseases; to control the movement of animals, animal products and animal-related items into, out of and within Timor-Leste; to facilitate trade; to enable animal welfare; to protect veterinary public health; to regulate veterinary products; and to create a system for animal identification.

Article 2. Scope of application

This Decree-Law shall apply to the entire national territory of Timor-Leste.

Article 3. Definitions

For the purposes of the present Decree-Law,

“AIFAESA” means the Authority of Inspection and Supervision of the Economic, Sanitary and Food Activities as established under Decree-Law No 26/2016;

“animal” means a terrestrial or aquatic animal;

“animal health status” means the status of a country or a zone with respect to an animal disease in accordance with the criteria listed in the OIE Code dealing with the disease;

“animal by-products” means any part of an animal, not intended for human consumption, which has been separated from the carcass;

“animal identification” means the combination of the identification and registration of an animal individually, with a unique identifier, or collectively by its epidemiological unit or group, with unique group identifier;

“animal products” means the derivatives of animals, intended for human or animal consumption or for pharmaceutical, agricultural, industrial or domestic use;

“animal-related items” includes animal part, animal by-products, animal fodder, litter; and any packaging, container, equipment, or other appliances used on animals, or any objects or material capable of harboring or spreading animal diseases;

“animal traceability” means the ability to follow an animal or group of animals during all stages of their lives until slaughter or death;

“aquaculture establishment” means a facility in which aquatic animals for breeding, stocking or marketing are raised or kept for farming purposes, for release into the aquatic environment or for human consumption;

“aquatic animal” means all life stages, including eggs and gametes, of fish, molluscs crustaceans and amphibians originating from aquaculture facilities or removed from the wild, for farming purposes, for release into the aquatic environment or for human consumption;

“aquatic animal health certificate” means a certificate issued by the Veterinary Authority certifying the state of health of aquatic animals, and a declaration that the aquatic animals originate from a source subject to official health surveillance according to the procedures described in the OIE Manual for the Diagnosis of Aquatic Animal Diseases;

“aquatic animal product” means non-viable aquatic animals and products from aquatic animals, and includes fresh fish, processed whole fish or edible products of fish that have been subjected to treatment such as cooking, drying, salting, brining, smoking or freezing;

“aquatic zone” means a clearly defined part of the aquatic environment of Timor-Leste containing an aquatic animal sub-population with a distinct health status with respect to a specific disease for which required surveillance, control and animal health measures are applied, including aquaculture facilities and aquaculture sites;

“Chief Veterinary Officer” or “CVO” means the Head of the Veterinary Authority, as appointed by the Minister;

“compartment” means an animal subpopulation contained in one or more establishments under a common biosecurity management system with a distinct health status with respect to a specific disease or specific diseases for which required surveillance, control and biosecurity measures have been applied for the purpose of international trade;

“containment zone” means a defined zone around and including suspected or infected establishments, taking into account the epidemiological factors and results of investigations, where control measures to prevent the spread of the infection are applied;

“disease” means the clinical or pathological manifestation of infection or infestation;

“disinfection” means the application, after thorough cleansing, of procedures intended to destroy the infectious or parasitic agents of animal diseases, including zoonoses; this applies to premises, vehicles and different objects which may have been directly or indirectly contaminated;

“early detection system” means a system under the control of the Veterinary Authority for the timely detection and identification of an incursion or emergence of diseases or infections in a country, zone or compartment;

“establishment” means premises in which animals are grown, kept or slaughtered;

“free compartment” means a compartment in which the absence of the animal pathogen causing the disease under consideration has been demonstrated by all requirements specified by the OIE for free status being met;

“free zone” means a zone in which the absence of the disease under consideration has been demonstrated by the requirements specified by the OIE for free status being met;

“import” means bringing into Timor-Leste by any means, and importation has a corresponding meaning;

“importer” means anyone by or for whom the goods any animal, animal product or animal-related item is landed or likely to be landed in Timor-Leste from a point outside Timor-Leste and includes the consignor, consignee, broker, agent or a person who is or becomes the owner of, or who is entitled to the possession of, or who is beneficially interested in such animal, animal product or animal-related item at, and from the time of importation thereof, until completion of import formalities;

“infected zone” means a zone in which a disease is diagnosed;

“inspector” means an inspector designated in accordance with article 12 of this Decree-Law;

“inspection” means official visual examination of an animal, animal product or animal-related item to determine compliance with this Decree-Law, and shall include documentary inspections of documents accompanying such animal, animal product or animal-related item;

“litter” means straw or any other substance commonly used as bedding for, or otherwise used in respect of animals;

“Minister” means the Minister responsible for agriculture;

“notifiable disease” means a disease listed by the Veterinary Authority, and that, as soon as detected or suspected, should be brought to the attention of this Veterinary Authority, in accordance with this Decree-Law;

“official control programme” means a programme which is approved, and managed or supervised by the Veterinary Authority for the purpose of controlling a vector, pathogen or disease by specific measures applied throughout Timor-Leste, or within a zone or compartment of Timor-Leste;

“occupier” in relation to any land or building, means the person in actual occupation thereof, or if there is no person in actual possession, the owner of the land or building;

“owner” in relation to anything, includes any person having for the time being the possession, custody or control thereof;

“OIE” means the World Organization for Animal Health;

“OIE standards” means the Terrestrial Animal Health Code, the Manual of Diagnostic Tests and Vaccines for Terrestrial Animals, the Aquatic Animal Health Code and the Manual of Diagnostic Tests for Aquatic Animals, as adopted and published by the OIE;

“package” means any container, box, covering wrapper or other thing in which animals, or animal-related items are or have been or, are capable of being, imported, kept or conveyed from one point to another;

“person” means a natural person or a body corporate;

“premises” includes any building, tent or other structure, permanent or otherwise, together with the land on which the same is situated and any adjoining land employed in connection therewith, used for activities carried out in relation to animals, animal products or animal-related items;

“prescribed” means prescribed by this Decree-Law or any implementing regulations made under this Decree-Law;

“quarantine station” means an establishment under the control of the Veterinary Authority where animals are maintained in isolation with no direct or indirect contact with other animals, to ensure that there is no transmission of specified pathogen outside the establishment while the animals are undergoing observation for a specified length of time and, if appropriate, tested and treated.

“regular business hours” means the established working hours as prescribed;

“risk analysis” means a process composed of hazard identification, risk assessment, risk management and risk communication in accordance with internationally accepted procedures and standards;

“risk assessment” means the processes of identifying and evaluating the risks associated with the importation of a commodity and evaluating the biological and economic consequences of those risks;

“sell” includes to offer, advertise, keep, store, display, transmit, consign, convey or deliver for sale, or to exchange or to dispose of to any person in any manner whether for a consideration or otherwise, and “sold”, “selling” and “sale” shall have corresponding meanings;

“SERVE” means Service for Registration and Verification of Entrepreneurs as established under Decree-Law No 35/2012.

“stray animal” means any animal not under direct control or ownership by a person, or not prevented from roaming;

“terrestrial animal” means mammal, bird or bee;

“this Decree-Law” means this Decree-Law and any decrees, regulations, orders or notices issued under it;

“vehicle” means an aircraft, train, marine vessel, motor vehicle, or other thing used to transport animals, animal products or animal-related items from one place to another;

“veterinary certificate” means a certificate describing the animal health or public health requirements which are fulfilled by the exported commodities;

“veterinary product” means any product, including veterinary medicinal or biological products, with approved claims to having a prophylactic, therapeutic or diagnostic effect or to alter physiological functions when administered or applied to an animal;

“zone” means,

(a) for terrestrial animals, a clearly defined part of a territory containing an animal subpopulation with a distinct health status with respect to a specific disease for which required surveillance, control and biosecurity measures have been applied for the purpose of international trade.

(b) for aquatic animals, a portion of one or more countries comprising:

(i) an entire water catchment from the source of a waterway to the estuary or lake;

(ii) more than one water catchment;

(iii) part of a water catchment from the source of a waterway to a barrier that prevents the introduction of a specific disease or diseases;

- (iv) part of a coastal area with a precise geographical delimitation; or
- (v) an estuary with a precise geographical delimitation.

“**zoonosis**” means any disease or infection which is naturally transmissible from animals to humans.

2. The definitions under this article shall be interpreted with regard to the Glossaries of the OIE Terrestrial Animal Health Code and the OIE Aquatic Animal Health Code, as may be amended from time to time.

CHAPTER II - VETERINARY AUTHORITY

Section I – Establishment and functions of the Veterinary Authority

Article 4. Establishment of the Veterinary Authority

1. There is hereby established a Veterinary Authority for Timor-Leste. In accordance with the organic structure legislation approved by the Government setting out the functional structure and organization of the Ministry responsible for agriculture, the Minister shall further elaborate in a Ministerial Diploma which divisions are responsible for their respective functions of the Veterinary Authority as set out in article 5 of this Decree-Law, in such manner as to establish a clear institutional framework for enforcement of this Decree-Law and to establish a clear chain of command.
2. The specific responsibilities assigned to the respective Directorates identified in subsection (1) shall be further set out in organic structure legislation for the Ministry of Agriculture as determined by the Government.

Article 5. Functions of the Veterinary Authority

The functions of the Veterinary Authority shall be to—

- (i) prevent the introduction and entry into Timor-Leste of notifiable animal diseases;
- (ii) prevent the establishment or spread of animal diseases within Timor-Leste and to eradicate animal diseases in Timor-Leste;
- (iii) develop policies and programmes aimed at the prevention and control of animal diseases in all or part of the territory;
- (iv) propose, review, prepare, implement and enforce the animal health measures established by the Minister under this Decree-Law,

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- (v) enable public consultations during the development of animal health measures;
- (vi) conduct risk analysis and risk assessment;
- (vii) inspect and test any animal, animal product, or animal-related item for the purpose of preventing the introduction and spread of animal diseases;
- (viii) carry out surveillance and detection activities and maintain up-to-date information on the animal health status of Timor-Leste;
- (ix) develop and update the list of notifiable diseases for Timor-Leste;
- (x) monitor, evaluate and establish infected areas, free zones, free compartments, infected zones, infected areas and containment zones;
- (xi) set up an early warning system;
- (xii) undertake emergency action for diseases and pathogen outbreaks;
- (xiii) distribute information to farmers, fishers, aquaculture facility owners and the public regarding notifiable animal diseases and the means of their prevention and control;
- (xiv) protect veterinary public health;
- (xv) develop and implement systems for animal identification;
- (xvi) register and control slaughterhouses, in collaboration with AIFAESA;
- (xvii) issue import permits;
- (xviii) inspect and control imports of animals, animal products and animal-related items;
- (xix) conduct pre-clearance inspections where requested;
- (xx) carry out inspection and certification of animals, animal products and animal-related items designated for export and issue a certificate relating to the health, or to any period of quarantine of any animal in Timor-Leste, and any other information as is required by any country importing an animal, animal product, or animal-related item from Timor-Leste;
- (xxi) provide information regarding import and export regulations in force, and technical requirements for animals, and animal-related items, on request from any interested organization or person;
- (xxii) ensure the disinfection, where appropriate, of consignments of animals or animal products intended for import into or export from Timor-Leste, as well as their containers, packaging, storage places and transport facilities;
- (xxiii) ensure that waste from vehicles, aircraft arriving in Timor-Leste, ships or other vessels arriving at seaports of Timor-Leste, or from premises where imported animals or animal products are processed, handled or stored does not pose a risk to human or animal health;
- (xxiv) notify the OIE of outbreaks of notifiable diseases and comply with other international reporting requirements under regional and international bodies;
- (xxv) participate in the work of the OIE and its subsidiary bodies, and other international and non-governmental and regional animal health entities;

- (xxvi) inform and collaborate with the ministry responsible for human health, and AIFAESA on any actions needed where an animal disease or other hazard may present a risk to human health;
- (xxvii) establish a system for the authorization, distribution and use of veterinary drugs and collaborate with the ministry responsible for human medicinal products on the authorisation of veterinary products;
- (xxviii) protect and promote animal welfare;
- (xxix) develop animal health diagnostic and analytical capabilities;
- (xxx) oversee the training and development of veterinary inspectors and assist with selecting, training and equipping animal health technicians and veterinary paraprofessionals in disease surveillance, control and reporting functions and ensuring their ongoing vocational development;
- (xxxi) develop Manuals, standard operating procedures and other guidelines for the effective implementation of its duties;
- (xxxii) supervise and control quarantine stations and related quarantine activities;
- (xxxiii) recommend to the Minister the quarantine stations, entry points, official and reference laboratories to be used for the purposes of this Decree-Law, and establishing procedures for the same;
- (xxxiv) communicate and coordinate with local authorities and community leaders as necessary and provide them with the necessary technical assistance and training to implement this Decree-Law at the local level; and
- (xxxv) carry out any other function that the Minister considers necessary for the purposes of this Decree-Law.

Article 6. Chain of command and reporting

The Minister shall, by Ministerial Diploma published in the *Jornal Republica*, establish a clear and efficient chain of command and reporting to be used for animal health risk detection, response and control, including veterinary certification.

Article 7. Delegation of functions of the Veterinary Authority

1. The Veterinary Authority may, by written agreement or contract, designate any public or private veterinarian, or veterinary paraprofessional, or other person or entity who has the prescribed qualifications and who has no conflict of interest in the matters to be delegated, to perform any of its duties under this Decree-Law.
2. Where required the Veterinary Authority shall carry out training to ensure that the persons carrying out delegated functions have the required expertise to effectively execute their functions.
3. The Veterinary Authority shall not delegate the following functions:

- i. official liaison duties with other Ministries or foreign authorities, or any notification responsibilities to other Ministries or foreign authorities;
- ii. approval of animal health measures or requirements; or
- iii. others functions as may be prescribed by regulations.

Article 8. Agreement or contract of delegation

The agreement or contract of delegation between the Veterinary Authority and the individual, public or private entity to whom functions shall be delegated, shall specify such functions, shall comply with other Timor-Leste contract legislation and shall include at least the following aspects:

- i. the applicable time-period;
- ii. the specific tasks covered by the delegation and any particular methodologies to be used where appropriate;
- iii. the mechanisms for control and supervision of delegated functions;
- iv. the financial remuneration for the performance of delegated functions;
- v. the competencies and skills required by the person or entity to whom the function has been delegated; and
- vi. the conditions of withdrawals of delegations.

Section II – Personnel of the Veterinary Authority

Article 9. Ministerial supervision and powers

1. The primary responsibility for the administration and implementation of this Decree-Law lies with the Minister responsible for agriculture.
2. The Minister shall, upon the advice of Chief Veterinary Officer:
 - a) designate points of entry and exit for the purposes of this Decree-Law;
 - b) designate official and reference laboratories and quarantine stations;
 - c) declare an animal disease emergency;
 - d) recommend to the Public Service Commission the appointment veterinary inspectors, and other officials for the purposes of this Decree-Law;
 - e) approve regulations under this Decree-Law; and
 - f) carry out other tasks, as prescribed by this Decree-Law.

Article 10. Chief Veterinary Officer (CVO)

The Minister shall appoint a person with the prescribed qualifications to serve as the Chief Veterinary Officer, hereafter abbreviated as CVO, and Head of the Veterinary Authority for Timor-Leste. The Chief Veterinary Officer shall serve as the chief technical adviser to the Minister on animal health matters and shall be responsible for leading, supervising and directing the Veterinary Authority.

Article 11. Designation of OIE delegate

The Minister shall appoint an official of the Veterinary Authority to serve as the OIE delegate.

Article 12. Appointment of veterinary inspectors

1. The Minister shall, upon the advice of the Chief Veterinary Officer, recommend any person that meets the prescribed qualifications to the Public Service Commission, to be appointed as a veterinary inspector under this Decree-Law.
2. Any person appointed as a veterinary inspector who has personal or commercial interest in a matter involving the Veterinary Authority shall declare such interest, and where such interest is in conflict with the impartiality and independence of the veterinary inspector, the Chief Veterinary Officer shall recommend to the Minister to recommend withdrawal of the appointment to the Public Service Commission.
3. The Minister shall, upon the advice of the Chief Veterinary Officer, prescribe the qualifications and experience required of a veterinary inspector in regulations.
4. The Veterinary Authority shall ensure its veterinary inspectors are appropriately trained.

Article 13. Designation of laboratories and analysts

1. The Minister shall, upon the recommendation of the Chief Veterinary Officer, designate any diagnostic, research or other laboratory as a:
 - (a) reference laboratory; or
 - (b) an official laboratory under this Decree-Law for the purposes of carrying out analysis of official samples and for conducting quality control analyses.
2. Any laboratory or analyst designated under this article shall meet the requirements prescribed in regulations, including the requirements of impartiality and independence.
3. The Veterinary Authority shall prescribe conditions for the classification, approval, operations and supervision of laboratories.

Article 14. Appointment and functions of animal health technicians

1. The Veterinary Authority shall make a recommendation to the Public Service Commission as to which candidates meet prescribed requirements and qualifications to serve as animal health technicians. Recommendations and selections shall be made on the basis of gender balance.
2. Animal health technicians shall be coordinated and trained by the Veterinary Authority and shall be provided with supplies, inputs and equipment, including transportation and communication, necessary to carry out their functions.
3. Animal health technicians appointed under subsection (1) of this article shall exercise the following functions:
 - (i) treat animals for a fee in accordance with prescribed guidelines;

- (ii) gather census and survey data;
- (iii) collect and report epidemiological data to the local authorities for the surveillance system;
- (iv) report occurrences of animal disease;
- (v) disseminating information to communities on awareness and recognition of notifiable diseases;
- (vi) assisting with animal identification;
- (vii) carry out initial diagnosis and control of key notifiable animal diseases; and
- (viii) execute any other functions as the Veterinary Authority may assign to achieve the objectives of this Decree-Law.

Section III. Coordination, consultation and cooperation

Article 15. Duty to assist and cooperate

1. The Ministries and other bodies that are responsible for Customs, ports and airports, airlines and shipping, post, police, local authorities, public health, the environment and other public authorities as may be relevant, shall assist Veterinary Authority inspectors and officials in the performance of their functions and exercise of their powers under this Decree-Law by providing such facilities and assistance as the Veterinary Authority may request from time to time.
2. The Minister may establish working arrangements including agreements, working committees and other mechanism to enable multi-sectoral collaboration and coordination.

Article 16. Collaboration and working arrangements with AIFAESA

The Authority of Inspection and Supervision of the Economic, Sanitary and Food Activities, hereafter AIFAESA, and the Veterinary Authority shall establish working arrangements relating to controls over foods of animal origin in order to:

- (a) enable collaboration in accordance with article 6, article 7, article 29-31 of the Decree-Law No 26/2016, in particular:
 - (i) at the border;
 - (ii) at slaughterhouses;
 - (iii) at aquaculture facilities;
 - (iv) of disposal of carcasses and animal-related waste; and
 - (v) during food production and the preparation, transportation and sale of meat;
- (b) to ensure that the goals and objectives of both the Veterinary Authority and AIFAESA are met, and that technical direction on animal health matters and a chain of command is maintained by the Veterinary Authority, particularly in response to animal health emergencies.

Article 17. Animal Health Taskforce

1. The Veterinary Authority shall establish a Terrestrial Animal Health Taskforce comprising such members as shall be prescribed by regulation, which shall include, at minimum the

following representatives: the Ministries responsible for health, customs, environment, private veterinary associations, importers and exporters, AIFAESA and local government. The Animal Health Taskforce shall appoint members for a period not exceeding three years and shall ensure broad and representative inclusion of the private sector.

2. The Animal Health Task Force shall serve in an advisory capacity in support of the Veterinary Authority to carry out the following functions:

(a) serve as a mechanism of regular and periodic consultation, including inviting broader public and private stakeholders that may not be members of the Animal Health Taskforce, on matters relating to animal health policy and regulations, international trade and other matters related to the implementation of this Decree-Law;

(b) serve as a mechanism for coordination of relevant stakeholders and members of the Animal Health Taskforce;

(c) provide advice on animal health policies, programs and requirements;

(d) provide inputs on animal health legislation, programs, policies and emergency response plans.

(e) advise on the:

(i) development and testing of the animal identification and traceability system and the surveillance system;

(ii) information campaigns on animal disease awareness;

(iii) design of training programmes on initial response to and reporting of disease at the village level;

(iv) the drafting of priority implementing regulations; and

(v) resolution of any problems that arise in connection with implementation of any of the above functions, and suggesting alternative solutions.

3. The operational and procedural rules of the Animal Health Task Force shall be as prescribed in regulations.

Article 18. Biosecurity Working Group

The Minister shall establish a Biosecurity Working Group, which shall explore biosecurity approaches to protecting animal health and plant health with a view to enabling efficiency and effectiveness at the border.

The Veterinary Authority shall appoint officers to serve on the Biosecurity Working Group to provide expertise on veterinary matters alongside officers appointed by the National Plant Protection Organization established in Decree-Law on Plant Health and Quarantine No. __/2017.

Article 19. Duty of postal authorities and express consignment operator

1. Any officer of the postal service or employee of an express consignment operator who has knowledge of, or suspects the arrival or importation of any animal product or animal-related item into Timor-Leste, shall, in the absence of a veterinary inspector, immediately notify the arrival or importation to the Veterinary Authority.

2. The officer of the postal service shall detain the animal, animal product or animal related item for inspection by veterinary inspector and shall not release or dispose of the animal product or animal-related item unless so authorised by a veterinary inspector.
3. A detention carried out under subsection (2) shall be deemed to be an action taken by or on delegation from the Veterinary Authority.
4. The Veterinary Authority shall take custody of any item detained under subsection (2) within three days of being notified of the detention.

Section IV. Documentation, requirements, measures and regulations issued by the Veterinary Authority

Article 20. Principles for the approval and implementation of animal health measures

The animal health measures approved by the Veterinary Authority shall be:

- (a) harmonized with the international standards;
- (b) based on risk analysis or risk assessment and science-based actions;
- (c) least-trade restrictive option that achieves Timor-Leste appropriate level of animal health protection;
- (d) necessary to achieve Timor-Leste appropriate level of animal health protection; and
- (e) proportional to the risk to animal health.

Article 21. Revision and update of animal health measures and regulations

1. The Veterinary Authority shall periodically review and recommend revisions to the Minister where required, any animal health measures, requirements and regulations where new facts have become available, where there are changes to international standards and requirements, upon the basis of a risk analysis or where conditions change.
2. The Veterinary Authority shall publicize and disseminate proposed changes to this Decree-Law and any legislation issued under it through the Animal Health Taskforce and to the general public or by posting on Ministry of Agriculture websites and other means.
3. The Veterinary Authority shall provide at least sixty days for stakeholders to comment on proposed changes before approval of the proposed measure or legislation, except in emergency cases or for provisional measures.
4. The Minister shall cause any changes or modifications to animal measures and regulations to be published in the Jornal Republica and to be publicized widely by the Veterinary Authority.

Article 22. Dissemination and publication of animal health regulations

1. At the request of an interested person, the Veterinary Authority shall provide free of charge, any information relating to this Decree-Law and any legislation issued under it, and shall establish contact points to answer enquiries pertaining to animal health legislation.

2. The Veterinary Authority shall widely publicise animal health regulations, including forms and notices and shall enable broad dissemination among stakeholders and among the general public, and shall share these regulations with trading partners as prescribed.
3. The Veterinary Authority shall ensure any animal health regulations, including forms and notices, are made promptly and freely available via websites or other electronic or other media.

Article 23. Review and audit

The Veterinary Authority shall review and audit its services and the effectiveness of measures under this Decree-Law. The Veterinary Authority shall monitor and evaluate the implementation of this Decree-Law and shall provide an annual report of the findings to the Minister.

Article 24. Manuals

The Veterinary Authority shall develop detailed guidance in Manuals and Standard Operating Procedures documents to prescribe the actions, measures and procedures to be taken by its officials in implementing this Decree-Law.

Article 25. Records

1. The Veterinary Authority shall keep such records relating to imports, exports and animal health incidents as may be required to effectively manage the animal health status in Timor-Leste.
2. For the purposes of this article, the Veterinary Authority may use and have access to the record systems established by other Government authorities and shall enter into arrangements for information sharing with such Government authority and the mechanisms to ensure the protection, confidentiality and security of information related to the import, export or transit of animals, animal products and animal-related items.

Article 26. Confidentiality

Without prejudice to restrictions on disclosure under other laws of Timor-Leste, the Veterinary Authority may disclose confidential information to:

- (a) a court, where authorized or obligated to do so by a judge in connection with a legal proceeding;
- (b) the appropriate authority of the government of Timor-Leste for purposes of:
 - (i) the prevention, detection, investigation, prosecution, and punishment of offences;
 - (ii) the protection of the health and safety of members of the public;
 - (iii) the protection of animal health;
 - (iv) border security;
- (c) the appropriate authority of a foreign country pursuant to an international treaty or agreement;
or
- (d) a border authority for purposes of carrying out the functions of that authority related to the processing of the import, export or transit of goods, subject to such procedures and conditions as Veterinary Authority shall agree with such border authority to ensure the security and protection

of the information.

CHAPTER III - IMPORTS

Section I - Import requirements, restrictions and prohibitions

Article 27. Equivalence

The Veterinary Authority may negotiate bilateral and multilateral agreements for the evaluation, and where feasible, the acceptance of alternative animal health measures proposed by an exporting country's Veterinary Authority as being equivalent to the animal health measures required by the Timor-Leste Veterinary Authority under this Decree-Law.

Article 28. Import requirements

1. An animal, animal product or animal-related item may be imported into Timor-Leste only at a designated point of entry.
2. A person shall import an animal or animal product into Timor-Leste only where he or she is in possession of:
 - (a) an import permit granted under this Decree-Law, where required;
 - (b) a veterinary certificate issued by the country of export, where required;
 - (c) any other documentation that may be prescribed by this Decree-Law or its regulations or any other commercial or customs legislation; and
 - (d) where all prescribed requirements are satisfied.
3. The Veterinary Authority may require the animal product to be consigned to establishments it approves or supervises.
4. The Veterinary Authority shall not include requirements for the exclusion of animal pathogens or animal diseases which are present in Timor-Leste and not subject to any official control program.
5. The measures imposed on imports to manage the risks posed by a specific animal pathogen or animal disease should not be more stringent than those applied as part of the official control program within Timor-Leste where such program exists.
6. The Customs or other border authority shall notify the Veterinary Authority where it receives information that a shipment containing an animal, animal product or animal-related item has arrived or is due to arrive at a point of entry. The Veterinary Authority and Customs shall ensure an effective collaboration process for the purposes of this Decree-Law.

Article 29. Import restrictions and prohibitions

1. Any person who does not meet the requirements of this Decree-Law shall not import any animal, animal product or animal-related item.

2. Any import of an animal, animal product or animal-related that does not comply with the requirements established by the Veterinary Authority shall be prohibited from entry into Timor-Leste.
3. The Minister may, upon the advice of the Veterinary Authority and on the basis of risk analysis or risk assessment, prohibit or restrict the entry of any animal, animal product or animal-related item at any time where temporary measures are necessary, or declare an animal health emergency or take any other necessary action to prevent the introduction or spread of a notifiable disease.
4. The Minister shall publish in a Ministerial Diploma, upon the advice of the Veterinary Authority, a specific regime for the import of certain prescribed goods, including the requirement of post-entry quarantine or quarantine prior to release, and a list of prohibited goods.

Article 30. Special imports

Notwithstanding the article on prohibitions, the Minister may authorise, upon the recommendation of the Veterinary Authority, in the case of a natural disaster for humanitarian purposes, or for research, educational, experimental or other prescribed purposes, the import of any animal, animal product or animal-related item in prescribed quantities and subject to any prescribed conditions and safeguards as may be required.

Article 31. Animal-related item

A veterinary inspector may prohibit the import of any animal-related item which has been used in connection with any animal and which, in the opinion of the inspector, is capable of carrying any notifiable or other infectious or contagious disease affecting animals. Where the veterinary inspector is satisfied that any such animal-related item is capable of being disinfected, he or she may permit it to be landed in the country, subject to such conditions and directions he or she shall impose in writing. The Veterinary Authority may require the animal-related item to be consigned to establishments it approves or supervises.

Where any animal-related item is landed in contravention of this any condition or direction imposed, the animal-related item may be seized by a veterinary inspector and detained, destroyed or otherwise disposed of as the Veterinary Authority may direct.

Article 32. Import permit

1. Any person intending to import an animal, or a prescribed animal product shall require an import permit issued by the Veterinary Authority where so required by the Veterinary Authority. The Veterinary Authority shall prescribe the list of animal products that require an import permit.
2. Where an import permit is required under this article, an importer shall apply to the Veterinary Authority in the prescribed manner and together with the prescribed fee. In evaluating an application for an import permit, the Veterinary Authority shall apply existing international standards, and conduct a risk analysis or risk assessment. The Veterinary Authority shall approve the application where it meets prescribed or deny the application where it fails to meet prescribed

requirements, in either case informing the applicant in writing of the decision. The Veterinary Authority may include whatever conditions in the import permit as may be required.

3. The Veterinary Authority may review, modify or revoke an import permit for an animal or prescribed animal product on the basis of grounds that shall be prescribed by regulation.

Article 33. Border inspection facility

1. The owner or operator of a border inspection facility at a designated entry point shall, where required in writing by the Minister, provide and maintain adequate areas, offices, and other facilities, including buildings, furnishings and fixtures, for inspection or for any other purpose related to the administration of this Decree-Law.

2. Where the owner or operator of a border inspection facility at a designated entry point fails to comply with a request, made under this article, the Minister may cause the construction or repairs to be carried out and the owner or operator shall be liable for all reasonable costs incurred by the Minister.

Section II - Inspection of imports

Article 34. Requirement of inspection

1. Any animal, animal product or animal-related item imported into Timor-Leste, may be subject to inspection by a veterinary inspector, and where required samples may be taken for the purposes of testing in accordance with prescribed sampling procedures and methodologies.

2. An importer shall provide the prescribed arrival notification to the Veterinary Authority of the arrival of animal, animal product or animal-related item.

3. All imports of animals, animal products or animal-related items are under the detention of the Veterinary Authority until officially released by the Veterinary Authority.

Article 35. Place and time of import inspections

1. An import inspection shall be carried out by a veterinary inspector at the designated point of entry, at points of transshipment or at a quarantine station or other Veterinary Authority approved facility.

2. Notwithstanding subsection (1), an import inspection shall be carried out by a veterinary inspector at its final destination on application by an importer and the payment of the prescribed fee, and according to such conditions as may be prescribed.

3. An import inspection shall be carried out during regular business hours, except where the animal product is in transit or extremely perishable or where its entry has otherwise been delayed, in which case, on application by the importer and on payment of the prescribed fee, the Veterinary Authority may agree to an inspection being carried out at any other time.

4. The Veterinary Authority may establish bilateral or other agreements with trading partners to carry out pre-shipment inspections in the country of origin.

Section III - Animal health-related actions on imports

Article 36. Non-compliance actions

1. Following an inspection, where a veterinary inspector determines that the animal, animal product or animal-related item is not accompanied by the prescribed documentation, or presents any risk for the introduction or spread of disease, the veterinary inspector shall detain the item and carry out or order any of the following actions:

- (i) require the submission by the importer of the correct documentation within the prescribed time;
- (ii) testing;
- (iii) treatment or disinfection in order to remove the risk;
- (iv) transfer the item to a quarantine station or other approved facility;
- (v) re-shipment to the country of export; or
- (vi) destruction.

2. The methods and procedures for animal health related actions to be taken shall be detailed in implementing regulations.

3. Where, after its entry into Timor-Leste or after treatment, any animal, animal product or animal-related item remains unclaimed for a period of time as may be prescribed, the Veterinary Authority may take action to destroy the imported animal, animal product or animal related item.

Article 37. Written notice for non-compliance actions

1. In accordance with article 36 of this Decree-Law, any non-compliance action taken by a veterinary inspector shall be preceded by the issuance of a written notice provided to the importer providing the justifications for the selected action.

2. Notwithstanding subsection (1), the veterinary inspector may forego advance notice and carry out any of the non-compliance actions where in his or her opinion destruction of the imported animal, animal product or animal-related item is urgently required or the giving of notice is impracticable.

Article 38. Notification of non-compliance to country of export

The Veterinary Authority shall notify the exporting country of instances of non-compliance.

Article 39. Costs for actions and liability

1. Where non-compliance action is taken, the method used to calculate costs charged shall be in accordance with the prescribed procedure and shall be made on the basis of cost recovery only.

2. The costs and responsibility for any action taken under this Part shall be borne by the importer.

3. The Government of Timor-Leste shall not be liable for the confiscation, destruction or disposal of any animal, animal product or animal related item carried out in accordance with this Decree-Law.

Article 40. Release of imports

Where the veterinary inspector determines that the imported animal, animal product or animal related item does not present any risk for the introduction and spread of disease, and otherwise complies with the requirements of this Decree-Law, he or she may release the shipment by written notice served on the importer.

Article 41. Vehicles

Any road, water or aircraft vehicle may be subject to such sanitary measures as may be prescribed by implementing regulations.

CHAPTER IV - QUARANTINE

Article 42. Quarantine stations and other facilities

1. The Veterinary Authority may designate certain premises as quarantine stations where animal, animal product or animal-related item may be kept for observation, isolation, research, inspection, testing, treatment, detention or destruction.
2. The Veterinary Authority may designate certain places for the purpose of inspection and may approve facilities owned and operated by public or private third parties to be used for inspections under the supervision of Veterinary Authority.
3. A quarantine station designated under this Decree-Law shall meet the prescribed standards for the reception and quarantine of the terrestrial animals to be received there, including feeding and watering, and shall have available a veterinary inspector, or a veterinarian authorized by the Veterinary Authority, to provide veterinary attention at the station daily.
4. Quarantine stations shall be established for both international trade-related quarantine as well as internal quarantine.

Article 43. Quarantine of terrestrial animals

1. Any terrestrial animal shall be placed in quarantine by the Veterinary Authority for such period and subject to such conditions as may be prescribed, in the following cases:
 - (i) where required for pre-export isolation;
 - (ii) on the grounds of suspicion of a notifiable disease;
 - (iii) upon on being landed for import, except where exempted in writing in the import permit issued by the Veterinary Authority; or
 - (iv) where a veterinary inspector has reason to believe that the terrestrial animal may be suffering from, or has been in contact with or exposed to an animal that has or is suspected to have, a notifiable or other infectious or contagious animal disease.
2. The Veterinary Authority shall prescribe rules regarding treatment and confinement of animals under quarantine and shall specify the circumstances and grounds for which different animal health measures may be taken as required to prevent the risk of spread of disease in Timor-Leste.

Article 44. Aquatic animal quarantine

The Authority shall establish rules for the treatment and confinement of aquatic animals in quarantine facilities and shall specify the circumstances and grounds for which different animal health measures may be taken as required to prevent the risk of spread of disease in Timor-Leste.

CHAPTER V - EXPORT AND TRANSIT

Section I - Export

Article 45. Application for export

Where an importing country requires the issuance of a veterinary certificate, treatment or testing, an exporter shall apply to the Veterinary Authority for export certification of his or her animal, animal product or animal-related item that shall be covered by such veterinary certificate. The exporter shall apply to the Veterinary Authority in the prescribed manner, including all prescribed documentation and shall pay the prescribed fee.

Article 46. Inspection of export

The exporter shall make the animal, animal product or animal-related item available for inspection and the Veterinary Authority shall upon receipt of an application for export, inspect the consignment without undue delay.

Article 47. Issuance of a veterinary certificate

1. All exports or re-exports shall be certified in accordance with the requirements of the importing country.
2. A veterinary inspector may subject the animal, animal product or animal part to appropriate treatment in order to assure compliance with the importing country requirements.
3. Where the animal, animal product or animal-related item meets the documentary and other animal health import requirements of the recipient importing country and where the exporter satisfies any other requirements of applicable laws in Timor-Leste, a veterinary inspector shall issue the veterinary certificate in the prescribed form.
4. A veterinary inspector shall deny the issuance of a veterinary certificate where the animal, animal product or animal part does not meet the documentary and other import requirements of the recipient importing country or where the exporter does not satisfy any other requirements of applicable laws in Timor-Leste.
5. Following issuance of an international veterinary certificate, the exporter shall export the consignment in accordance with any Veterinary Authority instructions for handling and transport after certification and prior to export.

Section II - Transit

Article 48. Application for shipment in transit

Any person wishing to transit a shipment of an animal, animal product or animal-related item through Timor-Leste shall apply to the Veterinary Authority in the prescribed manner together with the prescribed fee.

Article 49. Issuance of transit authorisation

The Veterinary Authority shall approve a transit application where it meets prescribed requirements or shall deny the application where it fails to meet prescribed requirements, and may include any transit conditions as may be required, in the transit authorization form.

Article 50. Animal health measures for shipments in transit

1. The Veterinary Authority shall not apply animal health measures to a shipment in transit through its territory provided that:
 - (a) the shipment has been transported in such a way that there is no risk of infection by a notifiable animal disease that might be present in the shipment,
 - (b) the consignment as well as the accompanying documents comply with the requirements of the country of destination; and
 - (c) the consignment is accompanied by the veterinary certificate of the country of origin.
2. At the point of entry, the veterinary inspector may, inspect an animal, animal product or animal related-item in transit through Timor-Leste and may, upon the detection or suspicion of a notifiable disease, and may, upon the approval of the CVO, refuse entry, detain or confiscate the animal, animal product or animal related item, apply treatment, or destroy the shipment.
3. Vehicles carrying animals, animal products or animal-related items stopping at a port or airport or passing through a port situated in the territory of Timor-Leste, on their way to another country, shall comply with the conditions prescribed by the Veterinary Authority.
4. Shipments in transit through the territory of Timor-Leste shall be taken from the point of entry by a route and within a time period specified by the Veterinary Authority to the point of exit from the country, at which point a veterinary inspector shall confirm that the shipment has left the country.

CHAPTER VI - CONTROL OF ANIMAL DISEASES AND ZOOSES

Section I - Control measures

Article 51. Animal health measures - general

The Veterinary Authority may:

- (a) prohibit or regulate the movement of animals, animal products, animal-related items, persons and vehicles, within, into or out of an infected area or zone, free zone or containment zone;
- (b) provide for the establishment of compartments and varying measures of control for each compartment;
- (c) seize, treat, destroy or dispose of animals, animal products or animal-related items, or order the seizure, treatment or disposal of animals, animal products or animal-related items, and in carrying out these actions, ensure the welfare of any animal seized or destroyed;
- (d) separate, isolate, observe or quarantine any animal infected or suspected of being infected;
- (e) treat, clean or disinfect premises, equipment and means of transport, whether or not found to be infected;
- (f) prohibit animal feeding practices that could spread disease;
- (g) implement any disinfection measures, eradication measures, vaccination schemes, or official control programmes and stamping-out programmes; or
- (h) carry out any other measures necessary to control or eradicate animal diseases and to prevent the introduction or spread of animal diseases.

Article 52. Disinfection

1. The Veterinary Authority shall determine the choice of disinfectants and the procedures for disinfection taking into account the causal agents of infection and the nature of the premises, vehicles and objects which are to be treated.
2. For aquatic animals, disinfection shall be a disease management tool in aquaculture establishments as part of a biosecurity plan.

Article 53. Lists of notifiable terrestrial and aquatic animal diseases

1. The Veterinary Authority shall develop a list of notifiable diseases applicable to terrestrial animals and to aquatic animals based on risk analysis, and shall maintain and periodically review the list.
2. The Veterinary Authority shall communicate and publish the lists, and any subsequent amendments, in the prescribed manner to Timor-Leste trading partners, the OIE and relevant international organizations.
3. The Chief Veterinary Officer shall provide the lists of notifiable diseases to the Minister who shall publish the list by Ministerial Order in the Jornal Republica.

Section II - Surveillance system

Article 54. Surveillance and animal health status

1. The Veterinary Authority shall establish a surveillance system which enables the collection, transmission and utilisation of epidemiological data for animal diseases for which a country has susceptible species in order to demonstrate the absence of a disease, and shall ensure transparency in the planning and execution of surveillance activities and the analysis and availability of data and information.

2. The Veterinary Authority shall determine the animal health status for Timor-Leste.
3. The Veterinary Authority surveillance system shall coordinate with the Ministry of Health on epidemiological surveillance activities and data-gathering methodologies, and shall collaborate with Ministry of Health Community Health Centres and Health Posts throughout Timor-Leste.

Article 55. Emerging diseases

The Veterinary Authority shall monitor and respond to emerging diseases in Timor-Leste.

Article 56. Early detection system

1. The Veterinary Authority shall establish an early detection system to detect animal diseases or animal health hazards and shall establish requirements and lines of reporting for detection, response and reporting on terrestrial and aquatic animal diseases and animal health hazards.
2. The Veterinary Authority shall establish a training programme for veterinarians, veterinary para-professionals, livestock owners and others involved in handling terrestrial animals for detecting and reporting unusual animal health incidents.
3. The Veterinary Authority shall establish a training programme for fish inspectors and others involved in handling aquatic animals for detecting and reporting unusual animal health incidents.

Article 57. Duty to notify Veterinary Authority

1. Any person who knows or suspects an animal to be infected with a notifiable disease shall immediately report such information to the Veterinary Authority or the person in charge of the nearest police station or the person in charge of the nearest agricultural authority.
2. Where the person to whom notice under subsection (1) is not an official of the Veterinary Authority, such person shall immediately convey the information to the Veterinary Authority.
3. Any veterinarian or owner of an animal who has reason to suspect that an animal is infected with a notifiable disease shall immediately report the facts to the nearest veterinary inspector or local authority.

Section III - Declaration of infected area and infected zone

Article 58. Suspected presence of notifiable disease

1. Where an animal owner or animal health technician or other person suspects the presence of a notifiable disease he or she shall segregate the animal and take other actions prescribed in article 57 of this Decree-Law on notification of the Veterinary Authority.
2. Where a veterinary inspector, suspects a notifiable disease may be present in any area or premises, or a disease posing a serious threat to animal, human or environmental health exists in any premises or area, following an inspection, or a report under this subsection (1), or from surveillance or other data, he or she may enter such area or premises and inspect, take samples

of, or carry out any prescribed provisional animal health measure to prevent the spread of disease.

3. The veterinary inspector shall immediately inform the Chief Veterinary Officer and shall ensure immediate submission of the sample to a laboratory for analysis.

4. The Chief Veterinary Officer may place any restrictions or order the implementation of any animal health measure, including emergency actions for a prescribed period as provisional measures, to prevent the possible spread, pending confirmation of the disease.

5. A veterinary inspector may give all necessary directions to the animal owner or person in charge, in order to stop the spread of the disease, and may for the purpose of observation and treatment, seize any animal or order the removal of that animal to a quarantine station.

Article 59. Declaration of infected area

1. Where the Veterinary Authority confirms the presence of a notifiable disease in any area or premises, the Minister shall, upon the recommendation of the Chief Veterinary Officer, make a declaration of an infected area.

2. The Minister shall declare an infected area by Ministerial Diploma in the *Jornal Republica*, upon recommendation of the Chief Veterinary Officer.

3. A declaration of an infected area issued by the Minister under this article shall set out the geographical scope, the species affected, the period of duration, the animal health measures to be taken to prevent the spread of the notifiable disease, the conditions for subsequent renewals of the declaration and shall set out such other particulars as may be prescribed.

4. The declaration of an infected area and the conditions that necessitate its maintenance shall be subject to regular review by the Veterinary Authority.

5. The Veterinary Authority shall notify in writing, the owners of affected animals in the area under the declaration of an infected area of the measures in place.

Article 60. Procedures in response to notifiable disease

1. The Veterinary Authority shall establish the procedures to be followed by veterinary inspectors where a notifiable disease is suspected or confirmed and also procedures for actions to be taken in containment zones.

2. Veterinary inspectors shall provide written notice of the infected area to the owner of animals or premises where a notifiable disease has been detected or is suspected of being present, or premises in a containment zone, and such written notice may specify, in respect of the animals, animal products or animal related items affected by the notifiable disease:

- i. precisely demarcate limits of the infected area;
- ii. identify the notifiable disease and affected animal species, animal products or animal related items;
- iii. the actions that the owner or occupier must take in order to contain or eradicate the disease;

- iv. any restrictions, prohibitions or other measures to be applied in the infected area; and
 - v. the duration of the measures that must be taken;
3. The Chief Veterinary Officer may, as the case requires:
- i. inform the Veterinary Authority of trading partners, neighbouring countries, the OIE and any relevant international organizations where required;
 - ii. review the issuance of any recent veterinary certificates issued from the infected area in light of the requirements of countries to which Timor-Leste exports; or
 - iii. suspend export certification where required.
4. Where the owner or occupier of the premises does not comply with the written notice within the time specified in the notice, the Chief Veterinary Officer may authorise a veterinary inspector to enter the premises and carry out the required action to limit the spread of the notifiable disease or to eradicate the notifiable disease.

Article 61. Revocation of declaration of infected area

1. Where the Veterinary Authority determines that the notifiable disease is no longer present or that it is no longer appropriate for the declaration to be maintained in respect of part or all of the area or premises, the Chief Veterinary Officer shall advise the Minister to revoke the declaration of an infected area.
2. The Minister shall revoke the declaration of an infected area by an Order in the Jornal Republica, upon recommendation of the Chief Veterinary Officer.
3. The Chief Veterinary Officer shall provide written notice to all owners or occupiers of the animals or premises of the revocation of the declaration of an infected area, and shall inform the Veterinary Authority of trading partners, neighbouring countries, the OIE and any relevant international organizations where required of the change in status and revocation of the declaration.

Article 62. Declaration of infected zone and revocation of declaration of infected zone

Where the Veterinary Authority carries out surveillance and other measures in compliance with OIE standards, the procedures outlined in article 59 may be followed for the declaration of an infected zone and the procedures in article 61 may be followed for the revocation of declaration of an infected zone.

Section IV - Containment zones, free zones and free compartments

Article 63. Declaration of containment zones

The Minister, on recommendation of the Chief Veterinary Officer, for the purpose of preventing, controlling or eradicating a notifiable animal disease, may declare any land, premises, area or place to be a containment zone and may specify any prohibitions, restrictions and requirements that shall apply in such zone.

Article 64. Free zones and free compartments

Where the Veterinary Authority has established the necessary measures to maintain the status of free zones and free compartments, upon the recommendation of the Chief Veterinary Officer, the Minister shall by Ministerial Diploma published in the Jornal Republica, declare a free zone or a free compartment.

Section V - Disease control measures

Article 65. Movement controls

1. The Veterinary Authority may prescribe restrictions or prohibitions on the movement of animals, animal products or animal related items during emergencies, or in infected areas, compartments, containment zones or such other area or zone as may be prescribed or when there is an official control program in place for a particular disease. Any restrictions on movement shall be justified on the basis of a risk assessment

2. Where a prohibition is in place under subsection (1), no person shall,

(a) without a written permit issued by a veterinary inspector, remove from, or take into, an infected area, infected zone, or containment zone, or compartment, any animal, animal product or animal-related item or other thing covered under a movement restriction or prohibition made under this Decree-Law; or

(b) leave the infected area without having complied with such reasonable precautions for preventing the spread of an animal disease as may be required by a veterinary inspector.

3. Where a veterinary inspector believes on reasonable grounds that any animal, animal product, animal-related item has been moved in contradiction of this article, he or she may:

(a) seize such item, where there is an animal health risk;

(b) return it to, or remove it from or move it to any place, or shall require the owner to do so, specifying the period for such action;

(c) postpone the movement for a specified period; or

(d) take any other sanitary measure as necessary.

Any communication with the owner or person in charge of an animal, animal product or animal related item shall be in writing and shall be delivered in person.

4. The Veterinary Authority may seek the assistance and cooperation of the police, coastal authorities and local authorities to implement movement restrictions.

Article 66. Segregation of diseased animals

Any owner of an animal infected or suspected of being infected with a notifiable disease shall keep such animal separate from animals that are neither infected nor suspected of being infected, and cause it to be tied up, closely confined or put in an enclosed place.

Article 67. Notification of diseased animals

Any owner of an animal infected or suspected of being infected with a notifiable disease shall immediately report the suspected case of infection to the nearest animal health technician, local

authority or agricultural authority. The person to whom notice is given, shall, if not a veterinary inspector, immediately notify the Veterinary Authority.

Article 68. Killing of diseased animals

An inspector, may upon the authorisation of the Chief Veterinary Officer, cause any animal having or suspected of having a notifiable disease, or any animal which has been in the same place, group or in contact with, any animal having or suspected of having a notifiable disease to be killed according to prescribed welfare standards, in order to prevent the spread of any animal disease.

Article 69. Disposal of animals

Any animal killed for the purpose of disease control under this Decree-Law, or which dies as the result of disease, shall be destroyed, buried or otherwise properly disposed of in a manner that avoids the spread of pathogenic organisms, and as soon as practicable, in accordance with the requirements issued by the Veterinary Authority.

The Veterinary Authority shall collaborate with public health, environment and other authorities where required, in the disposal of animals.

Section VI - Animal disease emergency

Article 70. Emergency response plan

The Veterinary Authority shall, together with the Terrestrial Animal Disease Taskforce develop an emergency response plan for notifiable diseases and should include at least the following:

- i. the chain of command and reporting, including the administrative and logistic organization of the institutions and persons responsible for responding to disease outbreaks;
 - ii. disease-specific considerations for key susceptible species; and
 - iii. the various measures needed to address risks to human or animal health.
2. The emergency response plan shall be elaborated by the Veterinary Authority, subject to broad consultation including the participation of local authorities and community leaders, and shall be updated annually.
3. Veterinary Authority shall ensure the necessary training programmes to ensure that skills in field, and administrative and diagnostic procedures are maintained in order to maintain the state of response readiness.

Article 71. Animal disease emergency declaration

1. Where the Chief Veterinary Officer has reasonable grounds to believe there has been an outbreak of a notifiable disease in Timor-Leste, and such outbreak poses a grave threat, he or she shall recommend to the Minister to declare an animal disease emergency.

2. The Minister shall make a declaration of an animal disease emergency, upon the recommendation of the Chief Veterinary Officer, and shall publish the declaration by Ministerial Diploma in the Jornal Republica within twenty four hours.
3. The Veterinary Authority shall implement the animal disease emergency response plan upon a declaration of an animal disease emergency and coordinate assistance and response from such other Ministries, departments and persons as may be identified in the animal disease emergency response plan. The Chief Veterinary Officer shall coordinate response through the Terrestrial Animal Health Taskforce. The Minister, upon the advice of the Chief Veterinary Officer, may request and shall have the right to receive cooperation from the Ministries responsible for health, the environment, trade, disaster preparedness and response, law enforcement and other public authorities to respond to the animal disease emergency in accordance with the technical directions issued by the Veterinary Authority.
4. Any declaration made under this article shall be time-bound, be based on risk assessment, and be proportionate and limited to the extent necessary to minimize the threat. The declaration shall be subject to periodic review and evaluation by the Veterinary Authority.
5. The Veterinary Authority shall ensure information regarding the animal disease emergency declaration and the measures that shall be taken as a result, are widely published and disseminated to the general public, local authorities, animal health technicians, animal owners and to other Ministries.

Article 72. Revocation of animal disease emergency declaration

1. Where the Veterinary Authority determines that it is no longer appropriate for the animal disease emergency status to be maintained, and where the circumstances that gave rise to the threat no longer justify the continuing status of an emergency, the Chief Veterinary Officer shall advise the Minister to revoke the declaration of animal disease emergency.
2. The Minister shall revoke the declaration of animal disease emergency by Ministerial Diploma in the Jornal Republica, upon recommendation of the Chief Veterinary Officer, within three days.

Article 73. Animal Disease Emergency Response Operational Budget

1. An Animal Disease Response Operational Budget shall be administered by the Minister comprising of:
 - (a) funds allocated to the Ministry responsible for agriculture;
 - (b) funds received upon request from other national emergency funds established in Timor-Leste;
 - (c) any domestic or international donation made for the purposes of emergency response; and
 - (d) any fees, charges or penalties collected under this Decree Law;
2. Upon the approval of the Minister, the resources of the Animal Disease Emergency Response Operational Budget shall be made available to the Veterinary Authority upon declaration of an animal disease emergency under this Decree-Law, and shall be used exclusively for responses to an animal disease emergency.

3. The Minister shall ensure that the Animal Disease Emergency Response Operational Budget is managed and administered in accordance with Timor-Leste legislation on the management of public funds.

CHAPTER VII - CONTROL OF HEALTH DURING ANIMAL PRODUCTION AND ANIMAL WELFARE GENERALLY

Section I – Production

Article 74. Livestock and aquaculture establishments

The Veterinary Authority shall prescribe, based on risk assessment, the specific biosecurity and other disease prevention and control requirements, applicable to livestock establishments and aquaculture establishments.

Article 75. Animal identification system

1. The Veterinary Authority shall, with support and input from the local authorities, community leaders and animal health technicians, develop and implement a system of identification for a prescribed list of terrestrial and aquatic animals, which shall be compatible with the system for surveillance and data collection. Where possible, the identification system shall follow traditional marks and cause the least possible pain to the animal and damage to its hide.

2. The Veterinary Authority shall develop implementing regulations that include at least the following matters:

- (i) the list of animals to which this article applies;
- (ii) the officials or other individuals empowered to implement the system and, where necessary, enforce compulsory identification;
- (iii) methods, equipment and technologies to be used;
- (iv) content and format of the database;
- (v) movement tracking of species subject to the identification system;
- (vi) obligations of the Authority and animal owners;
- (vii) funding mechanisms, where required; and
- (viii) provisions for data confidentiality.

3. The Minister may, upon the advice of the Chief Veterinary Officer, designate any type of animal or any area of the country as subject to immediate identification at any time.

Article 76. Animal markets and other gatherings

The Veterinary Authority shall prescribe health measures for animal markets and other commercially or epidemiologically significant animal gatherings, including establishing a system

of veterinary checks and prescribing procedures for cleaning and disinfection, and animal welfare measures.

Article 77. Animal by-products

1. The Veterinary Authority shall approve establishments with operations dealing with animal by-products and shall prescribe relevant health requirements to be followed in such establishments, including relating to the preparation and handling of animal by-products.
2. The Veterinary Authority shall prescribe requirements for the collection, processing, use and disposal of animal by-products.

Article 78. Veterinary products

1. No veterinary product shall be imported, sold, distributed or used in Timor-Leste unless it is registered as prescribed, except in the following cases in the prescribed quantities and conditions as may be established by the Authority:
 - (i) where there are animal health emergencies;
 - (ii) there is no sufficient availability or affordability of registered veterinary products to meet a veterinary need; or
 - (iii) for research or trial purposes.

The requirement of registration does not apply to traditional animal remedies produced and administered in small quantities in accordance with customary usage. The Authority may prohibit, at any time, the use of ingredients and substances to be used as or for the production of veterinary products, and may prohibit or restrict non-therapeutic uses of antimicrobials.

2. The Veterinary Authority shall coordinate with the Ministry responsible for health on matters relating to registration and labelling of veterinary products and establishing the withdrawal periods and the maximum residue levels (MRLs) of veterinary products in food and feed.
3. The Veterinary Authority shall establish the following:
 - (i) the professionals that are entitled to prescribe veterinary products, the conditions and forms to use for the veterinary prescriptions;
 - (ii) permitted uses, with special attention to minimizing and/or phasing out non-therapeutic uses;
 - (iii) data collection, record keeping and obligations of documentation and official notification linked to the prescription and use of antimicrobials;
 - (iv) labeling, packaging and advertising of veterinary products; and
 - (v) the sale and distribution of veterinary products and feed containing veterinary products, with special attention to antimicrobials, especially those used in human medicine.
4. The Veterinary Authority shall regulate the use of coccidiostats, antibiotics, growth promoters hormones and other medication and therapeutical substances in feed.

Section II - Animal welfare

Article 79. Prevention of cruelty

1. No person shall torture, treat with cruelty any animal, or act or fail to act in any manner that causes unnecessary suffering to an animal. No person shall overload any working animal.
2. Where a veterinary inspector has grounds to believe this article is being infringed, he or she shall seize the animal or order the owner or person in charge to immediately take prescribed actions that must be carried out within the time specified in the written notice issued to the owner or the person in charge.

Article 80. Keeping and transport of animals

1. An animal owner shall be responsible for the welfare of his or her animal and shall not abandon any animal that he or she owns. Ensuring the welfare of animals shall be a condition of any license or authorisation granted in connection with any commercial activity relating to such animal. The Veterinary Authority shall establish welfare rules and requirements for terrestrial animals and aquatic animals.
2. Any person who owns, or is in charge of, a terrestrial animal shall provide such animal with humane treatment including:
 - (i) a sufficient and suitable diet;
 - (ii) access to sufficient and clean water;
 - (iii) species-appropriate shelter and housing that are appropriate for the animal's behavioral patterns; and
 - (iv) veterinary care when needed to treat and prevent suffering and disease.
3. Animal owners or persons in charge of animals or persons transporting animals shall ensure that vehicles used in the transport of animals are designed, constructed and fitted in accordance with prescribed requirements to ensure the welfare and safety of the animals and to prevent the spread of disease.
4. The Veterinary Authority shall prescribe welfare methods and procedures used in the slaughter of animals for human consumption.

Article 81. Control of stray terrestrial animals and the management of abandoned animals

1. The Veterinary Authority shall implement control and prevention measures targeting stray terrestrial animals to prevent the spread of animal diseases and zoonoses, and to ensure public safety. The seizure and, where required, the killing of any animal under this article shall be in accordance with prescribed procedures and methods.
2. The Veterinary Authority shall collaborate with the authority responsible for public health, law enforcement, local authorities, private veterinarians and other stakeholders in the enforcement of this section.

3. The Veterinary Authority shall establish centres for the management of abandoned animals or shall monitor establishments for the management of abandoned animals including enabling the transfer of ownership or any required veterinary interventions.

CHAPTER VIII - ENFORCEMENT

Section I. Veterinary inspector powers

Article 82. Conduct, rights and obligations of a veterinary inspector

1. A veterinary inspector shall carry out his or her duties with the prescribed standard of professional conduct and ethics.
2. In carrying out any duty under this Decree-Law, a veterinary inspector shall identify himself or herself as a veterinary inspector by showing his or her identification card or other proof of his or her appointment or designation as a veterinary inspector.
3. A veterinary inspector may conduct inquiries and request information or documentation upon suspicion that the provisions of this Decree-Law have been or are being violated.
4. In carrying out any duty under this Decree-Law, a veterinary inspector may request and shall have the right to receive, the assistance of such police and other law enforcement personnel as the Chief Veterinary Officer considers necessary for the effective execution of the veterinary inspector's functions. A veterinary inspector may be accompanied by a dog or may bring and use any thing to assist in the exercise of the power to inspect.
5. No person shall block or impede the work of a veterinary inspector, and any person who is subject to an inspection, or who owns or is in charge of an item that is subject to inspection, shall extend full assistance and cooperation to the veterinary inspector. A veterinary inspector may require an owner or person in charge of animals, animal-related item or premises to give assistance or carry out instructions as may be reasonably necessary to facilitate the exercise of the veterinary inspector's functions or to implement the provisions of this Decree-Law.
6. A veterinary inspector may, when authorized by the Chief Veterinary Officer, make announcements, issue a warning and provide information on veterinary matters.
7. A veterinary inspector shall carry out inspections promptly, without delay and in such manner as to facilitate the conduct of business and trade.

Article 83. Written notice for animal health measures

1. Any veterinary inspector who causes any animal, animal product, animal-related item or other thing to be seized, detained, treated, disposed of or destroyed in accordance with this Decree-Law shall immediately provide the owner or person in charge with a signed written notice in the prescribed form, which includes a description of the action taken, or to be taken, or a description of the activity to be prohibited and the reasons there for, and this form shall be countersigned immediately by the owner or person in charge. If the owner or person in charge is not present at a premises, the veterinary inspector shall affix in a conspicuous place, notification for the owner or person in charge, and shall, as soon as practicable, provide the owner with the written notice.

2. A veterinary inspector may forego advising the owner of the reason for the confiscation if in the circumstances it is impractical to give reasons for the confiscation, or where the situation requires emergency action, in which case written notice shall be provided to the owner or person in charge, after the action has been carried out.
3. A veterinary inspector may notify in writing, the owner of any area or premises, or of an animal, animal product or animal related item that he or she is required to implement one or more of the animal health measures under this Decree-Law within a defined period of time.
4. If an owner fails to comply with any term of the written notice the veterinary inspector may enter upon the land or premises in question in order to carry out the requirements of the notice and, where circumstances so require, carry out any of the animal health measures in order to eradicate, contain or restrict the spread of the disease.
5. A veterinary inspector shall lodge a copy of any written notice issued, with the Veterinary Authority within seventy two hours of issuing the written notice.

Article 84. Rights of persons during an inspection

1. Any person who is subject to an inspection, or who owns or is in charge of the premises that is subject to inspection, shall have the right to accompany the veterinary inspector at all times during inspections of his or her premises.
2. Any owner or person in charge of an animal, animal product or other regulated article shall have the right to receive information regarding the reasons for the inspection.

Article 85. Sampling and animal health measures

1. A veterinary inspector may carry out any prescribed animal health measures in order to prevent the introduction or spread of diseases.
2. A veterinary inspector may enter any area or premises in order to inspect any animal, animal product or animal related item, in storage or in transport, or may inspect a shipment for import, transit or export, and may:
 - (i) inspect, examine and take samples of any animal, animal product or animal related item, and may send such samples to be tested at an official laboratory; or
 - (ii) carry out such animal health measures as shall be prescribed in inspectional manuals of the Veterinary Authority.
3. A veterinary inspector shall not enter a dwelling place without the consent of the owner under this Decree-Law unless he or she has a warrant signed by a judge.
4. A veterinary inspector may, upon the approval of the Chief Veterinary Officer where required, seize, destroy, carry out treatment on, dispose of, reship or confine in a quarantine station any animal, animal product or animal-related item.
5. An owner of an animal, animal product or animal-related item may request a second test of a sample taken under this Decree-Law and in such case, the veterinary inspector shall ensure the sampled or seized items remain under Veterinary Authority detention or are subject to such storage or quarantine as may be stipulated by the Veterinary Authority as necessary, until the second test results are available. The cost of the test, maintenance and storage shall be the

responsibility of the owner of the animal, animal product or animal-related item sampled or seized.

Article 86. Documentary inspections

During an inspection, a veterinary inspector may take photographs, or demand any information regarding any animal, animal product or animal-related item from the owner or person in charge of such area or premises, including official documents, and may examine, make copies of or take extracts from any book, statement or other document found at such area or premises, and demand from the owner or any person in charge an explanation of any information contained therein.

Section II – Enforcement actions

Article 87. Seizure of objects and disposal and other subsequent actions

1. A veterinary inspector may seize any animal, animal product or animal-related item, document or object that appears to provide proof of a contravention of any provision of this Decree-Law and shall immediately issue a written notice to the owner, which shall be countersigned by the owner. Where a veterinary inspector takes possession of a document under this subsection, he or she shall, at the request of the person otherwise entitled to the document, provide that person with a copy of the document certified by or on behalf of the notary public or other relevant authority under the mark or stamp of the notary public or other relevant authority as a true copy and every copy so certified is admissible in evidence in all courts as if it were the original.

2. The Veterinary Authority may store, treat, quarantine or dispose of the animal, animal product or animal related item at the place where it was seized or move it to any other place for storage, treatment, quarantine or disposal, or require the owner or person in charge to take the specified action.

3. An animal, animal product, animal-related item or other thing seized and detained under this Decree-Law shall not be detained after a determination by the Veterinary Authority that the animal, animal product or animal-related item or other thing is in conformity with the provisions of this Decree-Law.

4. The Veterinary Authority may destroy and dispose of a seized animal, animal product or animal-related item or other thing, or require its owner or person in charge to dispose of it, where the animal, animal product or animal-related item or other thing:

- (i) has been in contact with or in close proximity to another animal, animal product or animal-related item or other thing that was, or is suspected of having been, infected or contaminated by a notifiable disease, causative agent of a disease, or a toxic substance at the time of contact or close proximity;
- (ii) is, or is suspected of being, infected or contaminated by a disease or a toxic substance; or
- (iii) is, or is suspected of being, a vector, the causative agent of a disease or a toxic substance.

Under this article, the Veterinary Authority may be required to destroy the animal to prevent suffering or otherwise ensure the animal's welfare.

5. No person shall remove or interfere in any way with any animal, animal product or animal-related item or other thing seized and detained under this Decree-Law.

Article 88. Stop and search of vehicles and persons

1. A veterinary inspector may stop and search any person, where the veterinary inspector has reasonable grounds to believe an offence under this Decree-Law is being committed.

2. A veterinary inspector may stop and search any vehicle, on land or at sea, in which an animal, animal product or animal related item is being or is suspected of being transported or stored.

3. Where a veterinary inspector is satisfied that there has been a failure on the part of the driver or captain of any vehicle to comply with a requirement of this Decree-Law or with a condition imposed pursuant thereto, and this poses a veterinary health hazard, he or she may—

(i) detain or stop the vehicle for a maximum period of four hours and shall immediately request confirmation of this measure from the Chief Veterinary Officer, and where relevant, shall immediately inform the Customs authority;

(ii) immediately provide a written and signed notice of detention justifying the particulars of the non-compliance to the driver or captain of the vehicle.

4. Upon receipt of the communication by the veterinary inspector under this article, the Chief Veterinary Officer shall, immediately order an investigation and shall continue such detention or stopping of the vehicle for a prescribed period for the taking of such animal health measures as may be appropriate.

Article 99. Stopping distribution

1. Where a veterinary inspector considers it necessary to stop distribution for the purposes of preventing the spread of disease or otherwise in contravention of this Decree-Law, the veterinary inspector shall make a prescribed request to the CVO, and the CVO may issue a written notice suspending the distribution, sale or use of any animal, animal product or animal related item for a prescribed period.

2. Where required on animal health protection grounds, the CVO may request the Minister to prohibit permanently the distribution or sale of the animal, animal product or animal-related item and upon the Minister's approval, the CVO may issue a written notice to that effect to the owner or person in charge of the animal, animal product or animal-related item.

Article 100. Confiscation and disposal of unclaimed items

1. A Veterinary Authority may confiscate or dispose of any animal, animal product or animal related item that, after its entry into Timor-Leste, remains unclaimed for a prescribed time. In such case, the Veterinary Authority shall notify in writing the owner or person in charge, of the reason for its confiscation and disposal.

2. The Veterinary Authority shall claim the costs of actions taken under this article from the owner or person in charge of the unclaimed animal, animal product or animal-related item.

Section III - Offences and penalties

Article 101. Penalties for grave offences

1. The following constitutes an offence under this Decree-Law and is punishable by fine not exceeding ____ or imprisonment not exceeding __ years, or to both a fine and imprisonment:

- (i) selling, offering for sale, transporting or distributing in any manner any animal, animal product or animal related item knowing that it is infected with an animal disease;
- (ii) intentionally permitting, introducing or causing the introduction or spread of a notifiable disease;
- (iii) moving an animal or distributing an animal product or animal related item that has been placed under bond, or following an administrative penalty or following inspection that results in such animal, animal product or animal-related item being prohibited from distribution or movement; and
- (iv) assaulting, resisting, intimidating, threatening, abusing in any manner whatsoever, or obstructing a veterinary inspector exercising lawful powers under this Decree-Law.

2. All fines shall be paid in the national currency and within the prescribed period.

Article 102. Penalties for non-grave offences

1. The following constitutes a non-grave offence under this Decree-Law and is punishable by a fine not exceeding ____ or imprisonment not exceeding __ years, or to both a fine and imprisonment:

- (i) failing to comply with any order or direction lawfully made or given under this Decree-Law;
- (ii) importing any animal, animal product or animal related item contrary to any requirement that is prescribed;
- (iii) exporting any animal or animal product except as prescribed;
- (iv) failing to allow a search or inspection or the taking of any sample authorized under this Decree-Law;
- (v) breaking the seal on a sealed container containing an animal, animal product or animal related item except in the presence of a veterinary inspector, except where this is done by a customs officer in accordance with the provisions of the Customs legislation;
- (vi) knowingly or recklessly providing information which is false, for the purpose of obtaining any document under this Decree-Law;
- (vii) altering, forging, defacing or destroying any document issued under this Decree-Law; and
- (viii) otherwise contravening a provision of this Decree-Law.

2. All fines shall be paid in the national currency and within the prescribed period.

Article 103. Determination of penalties

A determination of appropriate penalties take into consideration the damage or threat of damage caused by the offence, the degree of intention or negligence with which it was committed, the economic situation of the offender, the estimated benefit that the offender has removed.

Article 104. Reoccurrence and doubling of penalty

Where a person commits an offence on two or more separate occasions, within a period of twelve months when already under adjudication or having received a penalty for the first offence, the prescribed fine for the second offence shall be doubled.

Article 105. Offences by public officials and penalties

1. A veterinary inspector, official analyst or other Veterinary Authority staff commits an offence if he or she:

- (i) directly or indirectly asks for or takes any personal payment or other reward in connection with any official duties;
- (ii) agrees to do, abstains from doing, permits, conceals or connives at any act or thing which is contrary to the proper execution of official duties under this Decree-Law, or otherwise contrary to the laws of Timor-Leste;
- (iii) discloses any information acquired in the performance of his or her official duties relating to any person, firm or business, except when required by his or her supervisor in the course of official duties, or where ordered to do so by any court; or
- (iv) otherwise abuses his or her powers granted under this Decree-Law.

2. If found guilty under this article by a court of law, the veterinary inspector, official analyst or other Veterinary Authority staff shall be liable to dismissal by the Veterinary Authority, shall cease to function in such capacity, may be ineligible for reappointment and shall be subject to such other penalty applicable to civil servants in Timor-Leste.

Section III. Administrative penalties

Article 106. Suspension and revocation of licenses, permits and other authorisations

1. The Veterinary Authority may suspend or revoke any permit or other authorization issued under this Decree-Law. The Veterinary Authority may issue an administrative penalty either exclusively or in addition to any other penalty stipulated under this Decree-Law.

2. In cases of serious or repeated violations, including reoccurrence as prescribed in article 104 of this Decree-Law, the Veterinary Authority may recommend the revocation of the business license and a shutting down of the business, to SERVE or other the authority that issued the business license or any other license to operate.

3. Upon receipt of such recommendation, the authority issuing the business license or other

license to operate, shall revoke the license within three days.

4. Administrative penalties shall be instituted within six months of the violation.

Article 107. Fixed penalty notice for prescribed minor offences

1. This article applies to any offence as may be prescribed as a fixed penalty minor offence and where the maximum penalty, excluding any additional fines if the offence is a continuing one, is a fine that does not exceed _____.

2. A veterinary inspector may issue on the spot a fixed penalty notice to the offender which indicates that the offender shall either appear before the adjudicating body in accordance with normal procedures following written summons, or shall have the option to pay a fixed penalty fine instead at the **prescribed** authority.

3. Where the offender pays at the prescribed authority, within the prescribed time, no proceedings shall be instituted for that offence and he or she shall be treated for all purposes in law as a person who has not committed, been charged with, prosecuted for, convicted of or sentenced for the offence in respect of which payment was made.

4. Where the offender does not pay the fine within the prescribed time, the Chief Veterinary Officer shall decide whether to allow the offender an additional grace period to pay the fine, or to increase the fine to be paid through written notice, specifying a new time period for payment or to take any other action as established under this Decree-Law.

5. The particulars to be set out in a fixed penalty notice and the form to be used shall be set out in regulations.

Section IV. Procedure for offences

Article 108. Decision on penalty for offence

1. Where a veterinary inspector reasonably believes that a person has contravened any of the provisions of this Decree-Law, he or she shall provide such information to the Chief Veterinary Officer. The Chief Veterinary Officer, shall determine:

- (a) whether the matter warrants application of a criminal penalty and in such case, shall forward the case to the relevant authority for criminal prosecution;
- (b) whether an administrative penalty shall be applied; or
- (c) whether both such administrative and criminal penalties apply .

Article 109. Forfeiture

1. Where a person is convicted of an offence under this Decree-Law the adjudicating body may, in addition to any other penalty imposed, order that any item used in the perpetration of the offence be forfeited to the Government.

2. Where the court does not order the forfeiture of an animal, animal product or animal-related item or any proceeds realized from its disposition shall be returned to the owner or person in

charge at the time of its seizure, except if such return poses an animal health risk in which case the object shall be destroyed.

3. The Veterinary Authority shall determine the appropriate holding of an animal, animal product or animal-related item seized or forfeited under this Decree-Law prior to its disposition by the adjudicating body at the cost of the owner of the animal, animal product or animal-related item. The Veterinary Authority shall ensure that any decision under this article does not create a risk of the entry or spread of disease, and where such risk exists, shall apply article 87 of this Decree-Law.

4. Any animal, animal product or animal-related item forfeited following the conviction of the offender, shall if no appeal is lodged or upon the expiry of such appeal, be destroyed, sold, leased or donated to a charitable organization.

5. The proceeds of any sale of any item forfeited in accordance with this section shall be deposited with the ____ authority.

Article 110. No liability for Veterinary Authority actions and good faith defence

1. The Government shall bear no liability for loss resulting from the destruction or disposal of any animal, animal product or animal related item carried out in accordance with this Decree-Law.

2. No member of the Veterinary Authority, official analyst or official or employee of a reference laboratory or any government entity shall be liable to suit or to prosecution in respect of anything done in good faith in the performance of official functions under this Decree-Law.

CHAPTER IX - FINAL PROVISIONS

Article 111. Duty to declare

1. Any person arriving in Timor-Leste and bringing in any animal, animal product or animal related item shall make a declaration upon arrival in Timor-Leste, to a Customs or Veterinary Authority official. Where the declaration is made to a Customs official, he or she shall convey the information to the Veterinary Authority in the prescribed manner.

2. Any inbound commercial flight, ship or other forms of travel into Timor-Leste shall prior to arrival at a point of entry, inform the passengers and crew of their duty to declare any animal, animal product or animal related item upon arrival.

Article 112. Designated points of entry and exit

1. The Minister shall, upon the advice of the Chief Veterinary Officer, designate through Ministerial Diploma published in the Jornal Republica, the points of entry and exit for an animal, animal product or animal related item that requires a veterinary certificate or for which

inspections or treatment are required, from the list of existing entry and exit points established by the Customs authority.

2. Designated points of entry and exit shall be equipped with prescribed facilities and equipment.

3. The Veterinary Authority shall display veterinary import requirements at designated points of entry.

Article 113. Emergency landing

1. Where for reasons beyond the control of its captain, a vehicle calls or lands somewhere other than at a designated point of entry, or is forced to land or port in Timor-Leste though not having intended to do so owing to an emergency, the captain of the vehicle shall immediately notify the nearest Veterinary Authority or other port authority.

2. No animals or attendants on board the vehicle shall be permitted to leave the vicinity of the docking or landing place, nor shall any accompanying equipment, bedding, feedstuffs or packing material, until the measures prescribed by the Veterinary Authority have been carried out.

3. When the Veterinary Authority considers that the risk has been lowered to an acceptable level, the Veterinary Authority may authorise the vehicle to proceed to the port at which it was originally scheduled to call or land or an alternative point of entry.

4. The captain of the vehicle shall take all necessary measures to maintain the health and safety of the passengers, crew, attendants and animals on board.

Article 114. Costs of animal health measures

1. The owner of an animal, animal product, animal related item or a premises for animals or animal products shall be liable to pay the costs for any action taken on his or her item or premises, except where the Veterinary Authority determines that the Government of Timor-Leste shall take responsibility for the associated costs on such grounds as may be prescribed.

2. The costs for animal health measures under this Decree-Law and the method used to calculate the costs shall be as prescribed by regulation.

Article 115. Compensation

1. The Minister, or a court, may, on the recommendation of the Veterinary Authority, order compensation to be paid in respect of the following cases:

(a) within infected areas, infected zone or control zones or during emergency declarations, or where the owners of the animal, animal product or animal-related item are affected by disease control measures;

(b) where the economic circumstances and livelihood of the person affected require the Government to compensate the owner of the premises or animal affected by disease control measures taken under this Decree-Law.

2. Schedules and rates of compensation shall be established in a Ministerial Diploma and shall contain a reference to, the following:

- (i) which animals shall be culled and in what area(s);
- (ii) a copy of the payment schedule; and
- (iii) the form of certificate of destruction.

3. Where compensation is authorized by the Minister, the following steps shall be taken at the time of culling:

- (i) a model claim for compensation form shall be provided to each owner, together with a copy of the payment schedule; and
- (ii) owners shall indicate their agreement or disagreement with the amount of payment on the claim for compensation form, provided that a lack of agreement on the amount shall not halt or delay the culling of the animals in question or the disposal of the carcasses.

Owners contesting the amount of payment shall nonetheless be paid the amount due under the compensation schedule and within the established time frame, and shall have the option to pursue their claims through the court system at their own expense. The Ministry shall be liable for supplementary compensation for compulsory culling only pursuant to a court order.

4. Compensation shall not payable to a person who commits an offence under this Decree-Law and claims compensation in respect of any premises or thing by means of or in relation to which the offence was committed.

5. Where an animal is destroyed under subsection (1), compensation shall not exceed the fair market value of the animal immediately before destruction.

Article 116. Charging of fees

1. Subject to any general law governing cost recovery or user fees, the Veterinary Authority shall charge fees for inspections, sampling and analysis, treatment and the issuance of permits and other Veterinary Authority services as specified by this Decree-Law, and such fees shall be based on a recovery of the actual costs only.

2. The Minister shall by Ministerial Diploma published in the Jornal Republica, establish the fees chargeable under this Decree-Law.

Article 117. Documents and declarations

1. A document or declaration required to be furnished under this Decree-Law or any regulation or order made thereunder may be furnished in electronic form as shall be prescribed, in accordance with legislation governing electronic transactions.

2. The Veterinary Authority shall establish requirements relating to creating, receiving, storing, sharing and sending certificates and other documents in electronic form.

Article 118. Right to administrative appeal

DRAFT DECREE-LAW

1. Any person aggrieved by an action or decision of a veterinary inspector or an official analyst under this Decree-Law may, within the prescribed time and in the prescribed manner, appeal to the Chief Veterinary Officer.
2. Where the person, following a decision of the Chief Veterinary Officer, remains unsatisfied with the outcome, he or she may, within the prescribed time and in the prescribed manner appeal to the Minister. The Minister shall issue his or her decision within the prescribed time. The decision of the Minister is final on technical matters but shall not prejudice the right of any aggrieved party to seek recourse to the relevant adjudicatory body on matters of law.
3. Such right to an administrative appeal does not preclude the right of the Veterinary Authority to take urgent animal health action as the situation requires.

Article 119. Regulations

The Minister shall make, amend or revoke regulations which he or she considers appropriate to give effect to the provisions of this Decree-Law, upon the advice of the Chief Veterinary Officer and the Veterinary Authority. Any regulations issued under this Decree-Law by the Minister shall be published in the Jornal Republica where appropriate, on the Veterinary Authority website and disseminated through prescribed means.

Article 120. Repeal and Savings

1. The Decree-Law No. 21/2003 regulating sanitary control on imported and exported goods and the Government Decree No. 1/2006 on General Quarantine are hereby repealed together with any previous subsidiary legislation that contradicts this Decree-Law.
2. Until replaced by new regulations made under this Decree Law, all existing consistent regulations in effect on the coming into force of this Decree-Law shall continue in force as if they were issued under the present Decree-Law, except to the extent that they have provisions that conflict with this Decree-Law and such conflicting provisions shall be null and void.

Article 121. Entry into force

The present Decree-Law enters into force six months after its publication.

Approved by the Council of Ministers on the ____ of ____ of 2017.

The Prime Minister

The Minister of Agriculture, Forestry and Fisheries

Promulgated on ____, 2017.

To be published

The President of the Republic