



VIII CONSTITUTIONAL GOVERNMENT

Decree-Law No. ____/20__ Animal Health and Quarantine

The legal framework for animal health was previously established in the *Decree-Law No 21/2003, of 31 of December 2003 on Quarantine and Sanitary Control on Imported and Exported Goods*. This Decree-Law adopted a biosecurity approach that combined plants and animals and their products within one legislative instrument. 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 seeks to provide an improved and effective framework to set out mechanisms for the protection of animal health and for trade in animal products in a manner that aligns its practices with that of international trading standards. This Decree-Law provides a distinct legal regime for the trade of animals and animal products, separate to that for plants and plant products, and provides for a comprehensive system that addresses animal health and quarantine risks within the territory of Timor-Leste as well.

The primary goals of this Decree-Law are to protect animal health and ensure safe animal products, from diseases that may harm these resources, the economy, and negatively impact food security, and also to enable and ensure animal welfare. Its objectives are further to provide a clear, efficient and conducive framework for the operation of trade and business activities, and to facilitate the activities of the private sector; to empower public officials and to support livestock production activities; and to prevent animal diseases and quarantine 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.

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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.

Accordingly, pursuant to paragraph article 115(1)(o) and article 116(d) of the Constitution of the Republic, the Government decrees, as a law, the following:

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

1. For the purposes of the present Decree-Law,
 - a) “AIFAESA” means the Authority of Inspection and Supervision of the Economic, Sanitary and Food Activities as established under Decree-Law No 26/2016 of 29 June 2016;
 - b) “risk analysis” means a process composed of hazard identification, risk assessment, risk management and risk communication in accordance with internationally accepted procedures and standards;
 - c) “animal” means a terrestrial or aquatic animal;
 - d) “terrestrial animal” means mammal, bird or bee;
 - e) “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;
 - f) “stray animal” means any animal not under direct control or ownership by a person, or not prevented from roaming;

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- g) “animal-related items” includes animal part, animal by-products, animal fodder, litter or animal wastes; and any packaging, container, equipment, or other appliances used on animals, or any objects or material capable of harboring or spreading animal diseases;
- h) “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;
- i) “litter” means straw or any other substance commonly used as bedding for, or otherwise used in respect of animals;
- j) “veterinary certificate” means a certificate describing the animal health or public health requirements which are fulfilled by the exported commodities;
- k) “aquatic animal health certificate” means a certificate issued in accordance with the OIE Aquatic Animal Health Code, with regard to the the state of health of the aquatic animal intended for export;
- l) “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;
- m) “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;
- n) “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;
- o) “disease” means the clinical or pathological manifestation of infection or infestation;
- p) “emerging disease” means either a new infection resulting from the evolution or change of an existing pathogen or parasite resulting in a change of host range, vector, pathogenicity or strain; or, the occurrence of a previously unrecognised infection or disease.
- q) “notifiable disease” means a disease listed by the Veterinary Authority and published by the Minister by Ministerial Diploma, and that, as soon as detected or suspected, should be brought to the attention of this Veterinary Authority, in accordance with this Decree-Law;
- r) “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;
- s) “establishment” means premises in which animals are grown, kept or slaughtered;
- t) “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;
- u) “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

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establishment while the animals are undergoing observation for a specified length of time and, if appropriate, tested and treated.

- v) “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;
- w) “prescribed” means prescribed by this Decree-Law or any implementing regulations made under this Decree-Law;
- x) “exporter” means the person by, or for whom the animal, animal product or animal-related item is taken out of Timor-Leste and includes the person who is or becomes the owner, or the holder of the possession, or has control over, or is the beneficiary interested in such animal, animal product or animal-related item at the time, or after the declaration of export and before they are exported;
- y) “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;
- z) “import” means bringing into Timor-Leste by any means, and importation has a corresponding meaning;
- aa) “importer” means any person by or for whom any animal, animal product or animal-related item is landed in Timor-Leste and includes the consignor, consignee, broker, agent or the person who is or becomes the owner or the holder of the possession or the beneficiary interested in such animal, animal product or animal-related item from the time of importation until the completion of customs formalities;
- bb) “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;
- cc) “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;
- dd) “regular business hours” means the established working hours as prescribed;
- ee) “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;
- ff) “Minister” means the Minister responsible for agriculture;
- gg) “animal parts” means any part of an animal that has been separated from the carcass and not intended for human consumption;
- hh) “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;
- ii) “OIE” means the World Organization for Animal Health;
- jj) “person” means a natural person or a body corporate;
- kk) “animal products” means

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- (i) for terrestrial animals, the derivatives of animals, that are intended for human or animal consumption or for pharmaceutical, agricultural, industrial or domestic use;
 - (ii) for aquatic animals, non-viable aquatic animals and products derived 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
- ll) “veterinary medicinal 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;
- mm) “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, aquatic zone or compartment of Timor-Leste;
- nn) “owner” in relation to anything, includes any person having for the time being the possession, custody or control thereof;
- oo) “animal traceability” means the ability to follow an animal or group of animals during all stages of their lives until slaughter or death;
- pp) “SERVE” means Service for Registration and Verification of Entrepreneurs as established under Decree-Law No 7/2017 of 22 March 2017.
- qq) “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;
- rr) “animal by-products” means any part of an animal, not intended for human consumption, which has been separated from the carcass;
- ss) “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;
- tt) “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;
- uu) “Chief Veterinary Officer” or “CVO” means the Head of the Veterinary Authority, as appointed by the Minister;
- vv) “zone” means,
 - (i) 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.
 - (ii) for aquatic animals, a portion of one or more countries comprising: an entire water catchment from the source of a waterway to the estuary or lake; 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

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coastal area with a precise geographical delimitation; or (v) an estuary with a precise geographical delimitation.

- ww) “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;
- xx) “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;
- yy) “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;
- zz) “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 – COMPOSITION AND FUNCTIONS OF THE VETERINARY AUTHORITY

Article 4. Veterinary Authority

1. The Veterinary Authority for Timor-Leste is comprised of the following National Directorates as established in the legislation that establishes the organic structure of the Ministry of Agriculture and Fisheries, has the following responsibilities:

(a) For terrestrial animals and terrestrial animal products:

(i) the department responsible for terrestrial animals in the National Directorate for Biosecurity and Quarantine under the mandate of the Directorate-General for Cooperation and Institutional Development.

(ii) the departments responsible for animal health and livestock production in the National Directorate of Livestock, under the mandate of the Directorate-General for Livestock and Veterinary Medicine;

(iii) the departments responsible for animal health, veterinary medicinal products, and the veterinary laboratory of the National Directorate of Veterinary Medicine, under the mandate of the Directorate-General for Livestock and Veterinary Medicine; and

(iv) the department responsible for hunting and apiculture of the National Directorate of Forestry, Watersheds and Mangrove Areas, under the mandate of the Directorate-General for Forestry, Coffee and Industrial Crops.

(b) For aquatic animals and aquatic animal products:

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(i) the department responsible for aquatic animals in the National Directorate for Biosecurity and Quarantine under the mandate of the Directorate-General for Cooperation and Institutional Development.

(ii) the department responsible for fish health in the National Directorate of Aquaculture [e Salicultura], under the mandate of the Directorate-General of Fisheries, Aquaculture and Marine Resources; and

(iii) the department responsible for fish health in the National Directorate for Fisheries and Fishery Resource Management, under the mandate of the Directorate-General of Fisheries, Aquaculture and Marine Resources.

2. The National Directorates listed in the preceding paragraph shall be coordinated by and receive technical direction from the Chief Veterinary Officer, as prescribed in article 10, on matters pertaining to this Act.

3. The specific responsibilities assigned to the respective National Directorates identified in the previous number shall correspond to the functions of the Veterinary Authority established in article 5 of this Decree-Law, and detailed in such manner as to establish a clear chain of command within the Veterinary Authority, in accordance with article 6.

Article 5. Functions of the Veterinary Authority

1. Under the overall coordination and technical oversight of the Chief Veterinary Officer, the following functions shall be undertaken jointly by all the National Directorates listed in article 4(1) within the scope of their respective mandates established in legislation on the MAF Organic Structure:

- (a) prevent and control the establishment or spread of notifiable diseases within Timor-Leste;
- (b) develop policies and programmes aimed at the prevention and control of animal diseases in all or part of the territory;
- (c) propose, review, prepare, implement and enforce the animal health measures established by the Minister under this Decree-Law;
- (d) develop and update the list of notifiable diseases for Timor-Leste;
- (e) enable public consultations during the development of animal health measures;
- (f) inspect and test any animal, animal product, or animal-related item for the purpose of preventing the spread of animal diseases;
- (g) undertake emergency action for diseases and pathogen outbreaks;
- (h) establish control measures for infected areas;
- (i) protect and promote animal welfare;
- (j) develop animal health diagnostic and analytical capabilities;
- (k) train 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 on-going vocational development;

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- (l) develop Manuals, standard operating procedures and other guidelines for the effective implementation of its duties;
- (m) communicate and coordinate with local authorities and community leaders as necessary and provide them with the necessary technical assistance and training at the local level;
- (n) 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;
- (o) as determined by the Chief Veterinary Officer, liaise with trading partners and international or regional organizations on animal health related matters, and participate in the work of the OIE and its subsidiary bodies; and
- (p) carry out any other function that the Minister considers necessary for the purposes of this Decree-Law.

2. For terrestrial animals, under the overall coordination and technical oversight of the Chief Veterinary Officer, the National Directorate for Veterinary Medicine and the National Directorate of Livestock, with the support of the National Directorate of Forestry and Watershed Management, shall carry out the following functions within the scope of their respective mandates established in legislation on the MAF Organic Structure, and in addition to the functions listed in the preceding paragraph:

- (a) carry out surveillance and other activities to detect animal diseases and maintain up-to-date information on the animal health status of Timor-Leste;
- (b) on the basis of disease surveillance and control activities, establish free zones, free compartments, and containment zones;
- (c) set up an early warning system;
- (d) establish a common and integrated system for the authorization, distribution and use of veterinary medicinal products and collaborate with the authorities responsible for drugs for aquatic animals, as well as the ministry responsible for human medicinal products;
- (e) protect veterinary public health in collaboration with the Ministry of responsible for public health and AIFAESA;
- (f) develop and implement systems for animal identification;
- (g) register and control slaughterhouses, in collaboration with AIFAESA;
- (h) distribute information to farmers and the public regarding notifiable animal diseases and the means of their prevention and control;
- (i) have the primary responsibility for implementation of Chapter VII of this Decree-Law, as directed by the Chief Veterinary Officer; and
- (j) carry out any other function that the Minister considers necessary for the purposes of this Decree-Law.

3. For aquatic animals, under the overall coordination and technical oversight of the Chief Veterinary Officer, the National Directorate of Aquaculture, with the support of the National Directorate for Fisheries and Fishery Resource Management, shall carry out the functions listed in point 2, within the scope of their respective mandates established in legislation on the MAF Organic Structure, and in addition to the functions listed in paragraph 1.

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4. For terrestrial and aquatic animals, under the overall coordination and technical oversight of the Chief Veterinary Officer, the National Directorate for Quarantine and Biosecurity shall carry out the following functions, within the scope of their respective mandates established in legislation on the MAF Organic Structure, and in addition to the functions listed in paragraph 1:

- (a) prevent the introduction and entry into Timor-Leste of notifiable animal diseases;
- (b) conduct risk analysis and risk assessment;
- (c) issue import permits;
- (d) inspect and control imports of animals, animal products and animal-related items;
- (e) conduct pre-clearance inspections where requested;
- (f) 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;
- (g) issue transit authorisations;
- (h) 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;
- (i) 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;
- (j) through inspections and sanitary measures, 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;
- (k) supervise and control quarantine stations and related quarantine activities;
- (l) recommend to the Minister the quarantine stations, points of entry and exit to be used for the purposes of this Decree-Law, and establishing procedures for the same; and
- (m) carry out any other function that the Minister considers necessary for the purposes of this Decree-Law.

5. All the National Directorates identified in paragraph 1 shall carry out the provisions of Chapter VIII of this Decree-Law, within the scope of their respective mandates.

Article 6. Chain of command and reporting

The Minister shall, by Ministerial Diploma, establish a clear and efficient chain of command and reporting to be used for animal health risk detection, response and control, including animal disease emergencies and veterinary certification.

Article 7. Delegation of functions of the Veterinary Authority

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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:
 - (a) official liaison duties with other Ministries or foreign authorities, or any notification responsibilities to other Ministries or foreign authorities;
 - (b) approval of animal health measures or requirements; or
 - (c) 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 public or private person to whom functions shall be delegated, shall specify such functions, shall otherwise comply with Timor-Leste legislation on contracts, and shall include at least the following aspects:

- a) the applicable time-period;
- b) the specific tasks covered by the delegation and any particular methodologies to be used where appropriate;
- c) the mechanisms for control and supervision of delegated functions;
- d) the financial remuneration for the performance of delegated functions;
- e) the competencies and skills required by the person or entity to whom the function has been delegated; and
- f) the conditions of withdrawals of delegations.

SECTION II – PERSONNEL OF THE VETERINARY AUTHORITY

Article 9. Ministerial powers

The Minister shall, in accordance with the legally binding advice of the 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; and
- d) designate free zones and free compartments.

Article 10. Chief Veterinary Officer (CVO)

1. The Minister shall appoint a person with the prescribed qualifications in veterinary medicine to serve as the Chief Veterinary Officer, or CVO, and the technical head of the Veterinary Authority for Timor-Leste.

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2. 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.
3. The Chief Veterinary Officer shall give technical direction to the National Directorates identified in article 4(1) that comprise the Veterinary Authority such that there is an effective, seamless and coordinated institutional structure for implementation of this Decree-Law.
4. The Chief Veterinary Officer shall liaise with Directors-General and National Directors within the Ministry to ensure the Veterinary Authority officials collaborate effectively with each other, and with other Ministries and bodies, in order to promote harmonious, unitary, integrated and coherent performance of animal health, animal welfare and veterinary public health functions.
5. The Chief Veterinary Officer may propose any specific working arrangements, agreements or other mechanisms for collaboration between the Veterinary Authority and another entity, to the Minister for approval.
6. The Chief Veterinary Officer shall serve as the OIE delegate and shall be responsible for establishing mechanisms for participation and engagement in OIE.
7. The Chief Veterinary Officer shall, with the support of the Veterinary Authority:
 - (a) negotiate bilateral agreements on matters relating to animal health and trade in animals, animal products and animal-related items; and
 - (b) provide information on animal health measures and animal health status of Timor-Leste to other countries in accordance with international obligations.

Article 11. Designation of laboratories and analysts

1. The Minister shall, upon the advice of the Chief Veterinary Officer, designate:
 - a) any diagnostic, research or other laboratory as a reference laboratory or an official laboratory;
 - b) any analyst as an official analyst.
2. Any laboratory or analyst designated under this article shall meet the requirements prescribed by Ministerial Diploma, including the requirements of impartiality and independence.
3. The conditions for the classification, approval, operations and supervision of laboratories shall be prescribed by Ministerial Diploma.

Article 12. Animal health technicians

1. 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.
2. Animal health technicians shall:
 - a) treat animals for a service cost in accordance with prescribed guidelines;
 - b) gather census and survey data;
 - c) collect and report epidemiological data to the regional and local authorities for the surveillance system;
 - d) report occurrences of animal disease;

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- e) disseminating information to communities on awareness and recognition of notifiable diseases;
- f) assisting with animal identification;
- g) carry out initial diagnosis and control of key notifiable animal diseases; and
- h) 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 13. Duty to assist and cooperate

1. The Ministries and other bodies that are responsible for Customs, ports and airports, airlines and shipping, post, police, regional and 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. Customs authorities and other border agencies shall work with the Veterinary Authority with regard to border controls and shall inform the Veterinary Authority when any consignment containing animals, animal products and animal-related items arrives at the border for either import or export.

Article 14. 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 of 29 June, 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; and
- b) 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 15. Terrestrial Animal Health Taskforce

1. There is hereby established a Terrestrial Animal Health Taskforce comprising such members as shall be prescribed by Government Resolution in such manner as ensures broad and representative inclusion of both private and public sector representatives.
2. The Chief Veterinary Officer shall serve as the chair of the Terrestrial Animal Health Taskforce.

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3. The Terrestrial Animal Health Taskforce may prescribe its own operational and procedural rules.
4. The Terrestrial 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 Terrestrial 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;
serve as a mechanism for coordination of relevant stakeholders and members of the Terrestrial Animal Health Taskforce;
 - b) provide inputs on animal health legislation, programs, policies and emergency response plans.
 - c) provide advice on any animal health policies, programs and requirements, including:
 - (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) any other matter relating to animal health and welfare.

Article 16. Biosecurity Working Group

1. There is hereby established a Biosecurity Working Group, which shall adopt best practices in biosecurity approaches for animal health and plant health for efficiency and effectiveness of controls and inspections at the border.
2. The Veterinary Authority shall appoint veterinary officers to serve on the Biosecurity Working Group to provide expertise on veterinary matters alongside phytosanitary officers appointed by the National Plant Protection Organization and alongside officers appointed by AIFAESA.

Article 17. 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 the previous number 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 number 2 within three days of being notified of the detention.

SECTION IV. DOCUMENTATION, REQUIREMENTS AND MEASURES ISSUED BY THE VETERINARY AUTHORITY

Article 18. 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) the 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 19. 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:

- a) where new facts have become available;
- b) where there are changes to international standards and requirements;
- c) upon the basis of a risk analysis; or
- d) where conditions change necessitating the need for a revision.

2. The Veterinary Authority shall publicize and disseminate proposed changes to this Decree-Law and any legislation issued under it, to the general public through the Animal Health Taskforce, and 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 20. 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, caused to be published by the Minister and shall enable broad dissemination among stakeholders and among the general public, and shall share these regulations with trading partners as prescribed.

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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 21. Review and technical audit

1. The Chief Veterinary Officer shall ensure a periodic review and technical audit of the Veterinary Authority services and the effectiveness of measures under this Decree-Law.
2. The Chief Veterinary Officer shall monitor and evaluate the implementation of this Decree-Law and shall provide an annual report of the findings to the Minister.

Article 22. Manuals

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

Article 23. 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 24. 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 25. Agreements for equivalence and other animal health matters

Without prejudice to the competence of the Ministry of Foreign Affairs, the Veterinary Authority may negotiate bilateral and multilateral agreements,

- a) 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; and
- b) for other matters relating to animal health and trade in animals and animal products.

Article 26. 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. The Minister shall approve the list of designated ports of entry for the purposes of the importation of animals, animal products and animal-related items.
3. The Veterinary Authority shall approve the list of all animals and animal products imported into Timor-Leste that require a veterinary certificate, aquatic animal health certificate or an import permit.
4. The Veterinary Authority shall approve the list of animal-related items that require prior approval of the Veterinary Authority, and for animal-related items that do not require prior approval, the importer shall submit such animal-related item directly for inspection at a point of entry.
5. 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, aquatic animal health certificate or other certificate, that is 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.
6. The Veterinary Authority may require the animal product to be consigned to post-entry quarantine establishments that meets Veterinary Authority requirements, and has been approved by the Veterinary Authority.
7. 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.
8. 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.

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9. 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.
10. The Veterinary Authority and Customs shall ensure an effective collaboration process for the purposes of this Decree-Law.

Article 27. 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 commodities.

Article 28. Special imports

Notwithstanding the previous article, the Minister may authorise, upon the advice of the Veterinary Authority, in the case of a natural disaster for humanitarian purposes, or for research, 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 29. Animal-related item

1. 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.
2. 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.
3. The Veterinary Authority may require the animal-related item to be consigned to establishments it approves or supervises.
4. Where any animal-related item is landed in contravention of this article, or 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 30. Import permit

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1. Any person intending to import an animal, or an animal product listed under article 26(3) of this Decree-Law, shall require an import permit issued by the Veterinary Authority.
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 service cost.
3. In evaluating an application for an import permit, the Veterinary Authority shall apply existing international standards, and conduct a risk analysis or risk assessment.
4. The Veterinary Authority shall approve the application where it demonstrates that the Timor-Leste requirements relating to animal health have been met or deny the application where it fails to meet the requirements, in either case informing the applicant in writing of the decision.
5. The Veterinary Authority may include whatever conditions in the import permit as may be required.
6. The Veterinary Authority may review, modify or revoke an import permit for an animal or prescribed animal product where justified on the basis of risk and where there is information that importing the consignment presents an animal health risk above the appropriate level of protection for Timor-Leste.

Article 31. Border inspection facility

1. The owner or operator of a border inspection facility at a designated point of entry 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 point of entry 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 32. Arrival and inspection

1. An importer shall provide the prescribed arrival notification form to the Veterinary Authority of the arrival of animal, animal product or animal-related item.
2. Any animal, animal product or animal-related item imported into Timor-Leste, may be subject to any documentary or physical 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.
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 33. Place and time

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.

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2. Notwithstanding the previous number, 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 service cost, and according to such biosecurity and procedural conditions as may be prescribed.
3. An import inspection shall be carried out during regular business hours, except where the animal product is perishable or where its entry has otherwise been delayed, in which case, on application by the importer and on payment of the prescribed service cost, 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 34. 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:
 - a) require the submission by the importer of the correct documentation within the prescribed time;
 - b) testing;
 - c) treatment or disinfection in order to remove the risk;
 - d) transfer the item to a quarantine station or other approved facility;
 - e) re-shipment to the country of export; or
 - f) destruction.
2. The methods and procedures for animal health related actions to be taken shall be prescribed by the Veterinary Authority in accordance with the law.
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 35. Written notice for non-compliance actions

1. In accordance with the previous article, 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 the previous number, 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 36. Notification of non-compliance to country of export

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

Article 37. 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 State 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 38. 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 official communication served on the importer.

**SECTION IV. ANIMAL-HEALTH RELATED CONTROLS FOR OTHER RISKS
COMING FROM OUTSIDE OF TIMOR-LESTE**

Article 39. Vehicles

Any road, water or aircraft vehicle may be subject to such sanitary measures as may be prescribed by the Veterinary Authority in accordance with the law.

Article 40. 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 and where such 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 41. Designated points of entry

1. The Minister shall, upon the advice of the Chief Veterinary Officer, designate through Ministerial Diploma, from the list of existing points of entry and exit established by the Customs authority, the points of entry for an animal, animal product or animal related item that requires a veterinary certificate or an aquatic animal health certificate, or for which inspections or treatment are required.
2. Designated points of entry shall be equipped with prescribed facilities and equipment.
3. The Veterinary Authority shall display veterinary import requirements at designated points of entry.

Article 42. 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.

CHAPTER IV - QUARANTINE

Article 43. 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. 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.
3. Quarantine stations shall be established for both international trade-related quarantine as well as domestic quarantine.
4. 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.

Article 44. 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:
 - (a) where required for pre-export isolation;
 - (b) upon on being landed for import, except where exempted in writing in the import permit issued by the Veterinary Authority; or
 - (c) 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, emerging or other infectious or contagious animal disease.

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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.

3. Any terrestrial animal removed from quarantine without written authorization from the Veterinary Authority may be seized by a veterinary inspector and detained, destroyed or otherwise disposed of as the Veterinary Authority may direct.

Article 45. 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 aquatic 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 46. Application for export

1. Where an importing country requires the issuance of a veterinary certificate, aquatic animal health certificate, treatment or testing, an exporter shall apply to the Veterinary Authority for export certification of his or her animal, animal product or animal part that shall be covered by such veterinary certificate.

2. The exporter shall apply to the Veterinary Authority in the prescribed manner, including all prescribed documentation and shall pay the prescribed service cost.

Article 47. 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 48. 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 issue a veterinary certificate or an aquatic animal health certificate, and to assure compliance with the importing country requirements.

3. Where the animal, animal product or animal part 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, a veterinary inspector shall issue the veterinary certificate or aquatic animal health certificate in the prescribed form.

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4. A veterinary inspector shall deny the issuance of a veterinary certificate or aquatic animal health 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.

5. Following issuance of an international veterinary certificate or aquatic animal health certificate, the exporter shall export the consignment in accordance with any Veterinary Authority instructions for handling and transport after certification and prior to export.

Article 49. Designated points of exit

1. The Minister shall, upon the advice of the Chief Veterinary Officer, designate through Ministerial Diploma, the points of exit for an animal, animal product or animal related item, from the list of existing points of exit established by the Customs authority.

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

SECTION II - TRANSIT

Article 50. 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 service cost.

Article 51. 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 52. Animal health measures for shipments in transit

1. 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, notify and request the approval of the Chief Veterinary Officer, to:

- a) refuse entry or transit;
- b) detain or confiscate the animal, animal product or animal related item;
- c) apply treatment; or
- d) destroy the shipment.

2. 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 in accordance with the law.

3. 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.
4. No compensation shall be paid for actions taken under this article.

CHAPTER VI - CONTROL OF ANIMAL DISEASES AND ZOOZOOSES

SECTION I - CONTROL MEASURES

Article 53. 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, aquatic 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 54. Disinfection

1. With respect to a notifiable or emerging animal disease, 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 established in a biosecurity plan, which is a disease management tool in aquaculture establishments.

Article 55. Lists of notifiable terrestrial and aquatic animal diseases

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1. The Veterinary Authority shall develop the lists 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 Diploma.

SECTION II - SURVEILLANCE SYSTEM

Article 56. 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 notifiable or other animal diseases for which a country has susceptible species, in order to demonstrate the presence or absence of a disease.
2. The Veterinary Authority shall ensure transparency in the planning and execution of surveillance activities and the analysis and availability of data and information.
3. The Veterinary Authority shall determine the animal health status for Timor-Leste in regard to notifiable animal diseases.
4. 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 57. Emerging diseases

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

Article 58. Early detection system

1. The Veterinary Authority shall establish:
 - a) an early detection system to detect animal diseases or animal health hazards; and
 - b) 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 59. 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 is given under the previous number 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 regional or local authority.

SECTION III - DECLARATION OF INFECTED AREA

Article 60. Suspected presence of notifiable or emerging disease

1. Where an animal owner or animal health technician or other person suspects the presence of a notifiable or emerging disease he or she shall segregate the animal and take other actions prescribed the previous article.
2. Where a veterinary inspector has grounds to believe a notifiable or emerging disease, or other disease posing a serious threat to animal, human or environmental health is present in any premises or area following an inspection, or a report under the previous number, or from surveillance or other data, he or she shall, as the case requires:
 - a) enter such area or premises;
 - b) inspect the premises and examine any animal that may be affected by the disease;
 - c) take samples;
 - d) for purpose of observation or treatment, seize any animal or order the removal of that animal to a quarantine station;
 - e) give all necessary directions to the owner or person in charge of the animal, in order to stop the spread of the disease; and
 - f) carry out any other 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. Pending confirmation of the disease, the Chief Veterinary Officer may order the veterinary inspector to implement any provisional and interim animal health measure for a prescribed period, in order to prevent the possible spread of the disease.

Article 61. Declaration of infected area

1. Where the Veterinary Authority confirms the presence of a notifiable or emerging disease in any area or premises, the Minister shall, upon the advice of the Chief Veterinary Officer, make a declaration of an infected area by Ministerial Diploma.
2. A declaration of an infected area issued by the Minister under this article shall set out the geographical scope of the infected area and containment zone, the species affected, the period of duration, the animal health measures to be taken to prevent the spread of the notifiable or emerging

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disease, the conditions for subsequent renewals of the declaration and shall set out such other particulars as may be prescribed.

3. The Veterinary Authority shall carry out operational activities to contain and eradicate the notifiable or emerging disease according to relevant plans, which shall include criteria for lifting restrictions.

4. The Chief Veterinary Officer shall regularly review the conditions and requirements relating to the declaration, and shall advise the Minister on any revisions to be made to the declaration issued under this article, including modified measures, extensions and revocations as necessary.

5. The Veterinary Authority shall notify in writing and orally, the owners of affected animals in the area under the declaration, of the measures that are in place.

Article 62. Procedures in response to notifiable or emerging disease

1. The Veterinary Authority shall establish:

- a) the procedures to be followed by veterinary inspectors where a notifiable disease or emerging disease is suspected or confirmed; and
- b) the procedures for actions to be taken in containment zones.

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

- a) a precise demarcation of the limits of the infected area;
- b) an identification of the notifiable or emerging disease and the affected animal species, animal products or animal related items;
- c) the actions that the owner or occupier must take in order to contain or eradicate the disease;
- d) any restrictions, prohibitions or other measures to be applied in the infected area; and
- e) the duration of the measures that must be taken;

3. 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 or emerging disease or to eradicate the notifiable or emerging disease.

4. With regard to an infected area, the Chief Veterinary Officer may, as the case requires:

- a) inform the veterinary authority of trading partners, neighbouring countries, the OIE and any relevant international organizations where required;
- b) review the issuance of any recent veterinary certificates or aquatic animal health certificate issued from the infected area in light of the requirements of countries to which Timor-Leste exports; and
- c) suspend export certification where required.

Article 63. Revocation of declaration of infected area

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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 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.

SECTION IV - CONTAINMENT ZONES, FREE ZONES AND FREE COMPARTMENTS

Article 64. Declaration of containment zones

The Minister, on the advice 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 containment zone.

Article 65. 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 advice of the Chief Veterinary Officer, the Minister shall by Ministerial Diploma, declare a free zone or a free compartment.

SECTION V - DISEASE CONTROL MEASURES

Article 66. 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.
2. Any restrictions on movement shall be justified on the basis of a risk assessment.
3. Where a prohibition is in place under number 1, no person shall:
 - a) without a written permit issued by a veterinary inspector, remove from, or take into, an infected area, 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.
4. 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:

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- 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.

5. 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, and in addition, may be required to be communicated orally to facilitate understanding of requirements by such person.

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

Article 67. 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 68. Notification of diseased animals

1. 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, regional or local authority or agricultural authority.

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

Article 69. Killing of animals infected with a notifiable disease

An inspector, may upon the authorisation of the Chief Veterinary Officer, cause any animal infected with 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, and shall follow prescribed animal welfare standards.

Article 70. Disposal of dead animals

1. Any animal killed for the purpose of disease control under this Decree-Law, or which dies as the result of infection with a notifiable 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 directions issued by the Veterinary Authority.

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

SECTION VI - ANIMAL DISEASE EMERGENCY

Article 71. Emergency response plan

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1. The Veterinary Authority shall, together with the Terrestrial Animal Health Taskforce develop an emergency response plan for notifiable diseases and should include at least the following:
 - a) the chain of command and reporting, including the administrative and logistic organization of the institutions and persons responsible for responding to disease outbreaks;
 - b) disease-specific considerations for key susceptible species; and
 - c) the special and temporary 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 and regional 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 72. Animal disease emergency declaration

1. Where the Chief Veterinary Officer has confirmed 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 advice of the Chief Veterinary Officer, and shall publish the declaration by Ministerial Diploma 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 shall coordinate assistance and response from such other Ministries, departments and persons as may be identified in the animal disease emergency response plan.
4. The Chief Veterinary Officer shall coordinate response through the Terrestrial Animal Health Taskforce.
5. 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 and civil protection, law enforcement and other public authorities to respond to the animal disease emergency in accordance with the technical directions issued by the Veterinary Authority.
6. 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.
7. The declaration shall be subject to periodic review and evaluation by the Veterinary Authority.
8. 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 and regional authorities, animal health technicians, animal owners and to other Ministries.

Article 73. Revocation of animal disease emergency declaration

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, who shall revoke the declaration of animal disease emergency by Ministerial Diploma.

Article 74. Operational budget for animal health emergencies

The operational budget to be used exclusively for animal health emergencies, and upon the declaration of an animal health emergency under this Decree-Law, shall be made available from regular funds allocated to the Ministry responsible for agriculture.

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

SECTION I – PRODUCTION

Article 75. Livestock and aquaculture establishments biosecurity plan

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 76. Animal identification system

1. The Veterinary Authority shall, with support and input from the regional and local authorities, community leaders and animal health technicians, develop and implement a system of identification that is compatible with the system for surveillance and data collection, for a prescribed list of terrestrial and aquatic animals.
2. Where possible, the identification system shall follow traditional marks and cause the least possible pain to the animal and damage to its hide.
3. The Veterinary Authority shall develop implementing regulations that include at least the following matters:
 - a) the list of animals to which this article applies;
 - b) the officials or other individuals empowered to implement the system and, where necessary, enforce compulsory identification;
 - c) methods, equipment and technologies to be used;
 - d) content and format of the database;
 - e) movement tracking of species subject to the identification system;
 - f) obligations of the Authority and animal owners;
 - g) funding mechanisms, where required; and
 - h) provisions for data confidentiality.

4. 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 the identification system at any time.

Article 77. 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 78. 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 79. Veterinary medicinal products

1. No veterinary medicinal 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 Veterinary Authority:
 - a) in order to respond to an animal health emergency;
 - b) where the Veterinary Authority determines there is an insufficient availability or affordability of registered veterinary products to meet a veterinary need; or
 - c) for research or trial purposes.
2. The requirement of registration does not apply to traditional animal remedies produced and administered in small quantities in accordance with customary usage.
3. The Authority may prohibit, at any time, the use of ingredients and substances to be used as or for the production of veterinary medicinal products, and may prohibit or restrict non-therapeutic uses of antimicrobials.
4. The Veterinary Authority shall coordinate with the Ministry responsible for health on matters relating to registration and labelling of veterinary medicinal products and establishing the withdrawal periods and the maximum residue levels (MRLs) of veterinary products in food and feed.
5. The Veterinary Authority shall establish the following:
 - a) the professionals that are entitled to issue prescriptions relating to veterinary medicinal products, and the conditions and forms to use for the veterinary prescriptions;
 - b) permitted uses, with special attention to minimizing or phasing out non-therapeutic uses;
 - c) data collection, record keeping and obligations of documentation and the provision of reports relating to the prescription and use of antimicrobials;
 - d) labeling, packaging and advertising of veterinary medicinal products; and
 - e) the sale and distribution of veterinary medicinal products and feed containing veterinary medicinal products, with special attention to antimicrobials, especially those used in human medicine.

6. The Veterinary Authority shall regulate the use of coccidiostats, antibiotics, growth promoters hormones and other medication and therapeutical substances in animal feed.

SECTION II - ANIMAL WELFARE

Article 80. 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.
2. No person shall overload any working animal.
3. Where a veterinary inspector has grounds to believe this article is being infringed, he or she may 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 81. 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.
2. 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.
3. The Veterinary Authority shall establish welfare rules and requirements for terrestrial animals and aquatic animals.
4. Any person who owns, or is in charge of, a terrestrial animal shall provide such animal with humane treatment including:
 - a) a sufficient and suitable diet;
 - b) access to sufficient and clean water;
 - c) species-appropriate shelter and housing that are appropriate for the animal's behavioral patterns; and
 - d) veterinary care when needed to treat and prevent suffering and disease.
5. 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.
6. The Veterinary Authority shall prescribe welfare methods and procedures used in the slaughter of animals for human consumption.

Article 82. 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.

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2. The seizure and, where required, the killing of any animal under this article shall be in accordance with prescribed procedures and methods.
3. The Veterinary Authority shall collaborate with the authority responsible for public health, law enforcement, regional and local authorities, private veterinarians and other stakeholders in the enforcement of this section.
4. 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 83. Conduct, rights and obligations of a veterinary inspector

1. A veterinary inspector shall carry out his or her duties in accordance with rules governing public civil servants in Timor-Leste.
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.
5. A veterinary inspector may be accompanied by a dog or may bring and use any object to assist in the exercise of the power to inspect.
6. 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.
7. 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.
8. A veterinary inspector may, when authorized by the Chief Veterinary Officer, make announcements, issue a warning and provide information on veterinary matters.
9. A veterinary inspector shall carry out inspections promptly, without delay and in such manner as to facilitate the conduct of business and trade.
10. 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 court order.

Article 84. 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.
2. In addition to the written notice issued under the previous number, where required, the inspector shall communicate orally to facilitate understanding of requirements by the owner or person in charge.
3. If the owner or person in charge is not present on the 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.
4. 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, within forty-eight hours after the action has been carried out.
5. 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.
6. 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.
7. 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 85. 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 animal-related item shall have the right to receive information regarding the reasons for the inspection.

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. 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:
 - a) 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
 - b) carry out such animal health measures as shall be prescribed in inspectional manuals of the Veterinary Authority.
3. A phytosanitary 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.
6. The cost of the test, maintenance, quarantine or storage under this article shall be the responsibility of the owner of the animal, animal product or animal-related item sampled or seized.

Article 88. Seizure of objects, disposal and other subsequent actions

1. A veterinary inspector may seize any animal, animal product or animal-related item, electronic device, document or other 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.
2. Where a veterinary inspector takes possession of a document under the previous number, he or she may provide a copy certified under the mark or stamp of the relevant authority in accordance with applicable laws as a true copy, and every copy so certified is admissible in evidence in all courts as if it were the original.
3. 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 in the manner and procedure prescribed by the Veterinary Authority in accordance with the law, or require the owner or person in charge to take the specified action.
4. An animal, animal product, animal-related item or other object seized and detained under this Decree-Law shall not be detained after a determination by the Veterinary Authority that the

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animal, animal product or animal-related item or other thing is in conformity with the provisions of this Decree-Law.

5. 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:

- a) 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;
- b) is, or is suspected of being, infected or contaminated by a disease or a toxic substance; or
- c) is, or is suspected of being, a vector of a pathogen, the causative agent of a disease or a toxic substance.

6. Under this article, the Veterinary Authority may be required to kill the animal to prevent suffering of the animal, or to take other steps to ensure the animal's welfare.

7. 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 89. 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 an animal health risk, he or she may immediately inform the Chief Veterinary Officer, who may:

- (a) detain or authorise the detention of the vehicle for a maximum period of four hours;
- (b) where relevant immediately inform the Customs authority;
- (c) immediately provide a written and signed notice of detention justifying the particulars of the non-compliance to the 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 90. 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 Chief Veterinary Officer, and the Chief Veterinary Officer may issue a written notice suspending the distribution, sale or use of any animal, animal product or animal related item for a prescribed period.

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2. Where required on animal health protection grounds, the Chief Veterinary Officer may request the Minister to prohibit permanently the distribution or sale of the animal, animal product or animal-related item.
3. Upon the advice of the Chief Veterinary Officer, the Minister may issue a written notice to the owner or person in charge, ordering the immediate cessation of distribution of the animal, animal product or animal-related item and the reasons for the order.

Article 91. 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
2. In such case, the Veterinary Authority shall notify in writing the owner or person in charge, of the reason for its confiscation and disposal.
3. 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.

Article 92. Issuing of Veterinary Authority decisions

1. Where a person makes any application to the Veterinary Authority under this Decree-Law, such person shall submit all requested documentation and any samples or other particulars as may be required in connection with the application.
2. Where the Veterinary Authority requests further information regarding an application submitted under the previous number, the applicant shall comply with the time indicated in the Veterinary Authority's written request.
3. Without prejudice to the time limits for specific decisions as prescribed by applicable laws, the Veterinary Authority shall make a decision on application or other request made to it no later than thirty working days from the date of full submission of documents.
4. Where the Veterinary Authority is not able to comply with the time limit in the previous number, the Veterinary Authority shall inform the applicant in writing, prior to the expiry of the deadline, citing the reasons for the extension of time and indicating a new time frame in which a decision will be issued.
5. Prior to the Veterinary Authority decision, the person concerned shall be notified in writing to a prior hearing.
6. Where the application is rejected, the applicant shall be notified in writing and the notification shall state the reasons for the refusal and the right of appeal.
7. Without prejudice to any urgent action that may be required on phytosanitary grounds, the Veterinary Authority decision shall take effect after the expiry of the period of appeal in accordance with this Decree-Law.

Article 93. Right to administrative appeal

1. Any person aggrieved by an action or decision of a veterinary inspector or an official analyst under this Decree-Law may, within fifteen days of the action or decision and in the prescribed manner, appeal to the Chief Veterinary Officer.

2. Where the person, following a decision of the Chief Veterinary Officer which must be provided within thirty days, remains unsatisfied with the outcome, he or she may, within the prescribed time and in the prescribed manner appeal to the Minister.
3. The Minister shall issue his or her decision on the appeal submitted under the previous number within the prescribed time.
4. 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.
5. 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 94. 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.

SECTION III – ADMINISTRATIVE OFFENCES AND PENALTIES

Article 95. Penalties for grave administrative offences

1. The following constitutes an administrative offence under this Decree-Law that is punishable by fine of between ____ and ____ United States dollars:
 - a) 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;
 - b) intentionally permitting, introducing or causing the introduction or spread of a notifiable disease;
 - c) 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
 - d) assaulting, resisting, intimidating, threatening, abusing in any manner whatsoever, or obstructing a veterinary inspector exercising lawful powers under this Decree-Law.
2. 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 96. Penalties for serious administrative offences

- The following constitutes an administrative offence under this Decree-Law that is punishable by a fine between ____ and ____ United States dollars:
- a) failing to comply with any order or direction lawfully made or given under this Decree-Law;
 - b) importing any animal, animal product or animal related item contrary to any requirement that is prescribed;
 - c) exporting any animal or animal product except as prescribed;

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- d) failing to allow a search or inspection or the taking of any sample authorized under this Decree-Law;
- e) 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;
- f) knowingly or recklessly providing information which is false, for the purpose of obtaining any document under this Decree-Law; and
- g) altering, forging, defacing or destroying any document issued under this Decree-Law.

Article 97. Penalty for minor administrative offences

Administrative offences not stipulated in the previous two articles shall carry a maximum penalty, excluding any additional fines if the offence is a continuing one, of _____US dollars:

Article 98. Suspension and revocation of licenses, permits and other authorisations

1. The Chief Veterinary Officer may suspend or revoke any permit or other authorization issued under this Decree-Law in addition to any other penalty imposed, for any breaches of this Decree-Law.
2. In cases of serious or repeated violations, the Chief Veterinary Officer may recommend the revocation of the business license and a shutting down of the business, to SERVE or other authority that issued the business license or any other license to operate, and where a license to operate is not required by law, the Veterinary Authority may shut down that business directly.
3. Upon receipt of such advice, the authority issuing the business license or other license to operate, shall revoke the license within three days.

Article 99. Offences by public officials and penalties

1. A veterinary inspector, official analyst or other Veterinary Authority staff commits an offence if he or she:
 - a) directly or indirectly asks for or takes any personal payment or other reward in connection with any official duties;
 - b) 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;
 - c) 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 including for border cooperation purposes, or where ordered to do so by any court, or otherwise in accordance with article 24; or
 - d) 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, 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 IV. PENALTY PROCEDURES

Article 100. Decision and procedure 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 shall provide such information to the Chief Veterinary Officer who shall determine, with the advice of the Legal Support Unit of the Ministry, whether:

- a) the matter warrants application of a criminal penalty and in such case, shall forward the case to the relevant authority for criminal prosecution;
- b) an administrative penalty shall be applied in accordance with articles 95-99 and paragraph 2 of this article; or
- c) both such administrative and criminal penalties apply .

2. For the payment of fines a veterinary inspector may issue a spot fine 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 does not pay the fine within the prescribed time, the Chief Veterinary Officer shall decide whether to:

- a) allow the offender an additional grace period to pay the fine;
- b) increase the fine to be paid through written notice, specifying a new time period for payment; or
- c) refer the case to an adjudication body.

Article 101. Guiding factors for administrative penalties

In considering the gravity of the offence and the administrative penalty to apply, the Chief Veterinary Officer shall consider, with the advice of the Legal Support Unit of the Ministry:

- a) the damage or threat of damage caused by the offence;
- b) the degree of intention or negligence with which it was committed;
- c) the economic situation of the offender;
- d) the estimated benefit that the offender has removed; and
- e) whether or an offense has been committed by the offender on more than one occasion.

Article 102. Forfeiture

1. Where a person is convicted of relating to 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, these 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 a animal, animal product or animal-related item seized or forfeited under this Decree-Law prior to its disposition by

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the adjudicating body at the cost of the owner of the animal, animal product or animal-related item.

4. The Veterinary Authority shall ensure that any decision made under this article does not create a risk of the entry or spread of disease, and where such risk exists, shall take the action prescribed in article 88 of this Decree-Law and shall carry out sanitary measures to address the risk.

5. 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.

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

CHAPTER IX - FINAL PROVISIONS

Article 103. 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 104. 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 or containment 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:

(a) which animals shall be culled and in what area(s);

(b) a copy of the payment schedule; and

(c) 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:

(a) a model claim for compensation form shall be provided to each owner, together with a copy of the payment schedule; and

(b) owners shall indicate their agreement or disagreement with the amount of payment on the

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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.

4. 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 appeal in accordance with article 93.
5. The Ministry shall be liable for supplementary compensation for compulsory culling only pursuant to a court order.
6. 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.
7. Compensation paid under this article shall not exceed the fair market value of the animal immediately before destruction.

Article 105. Charging of service costs

1. Subject to any general law governing cost recovery, the Veterinary Authority shall charge service costs for inspections, sampling and analysis, treatment and the issuance of permits and other Veterinary Authority services as specified by this Decree-Law, and such service costs shall be based on a recovery of the actual costs only.
2. The Minister shall by Ministerial Diploma, publish the service costs chargeable under this Decree-Law and the respective regulations in accordance with the recommendations proposed by the Veterinary Authority.

Article 106. Documents and declarations

1. A document or declaration required to be furnished under this Decree-Law or any regulation made thereunder may be furnished in electronic form as shall be prescribed, in accordance with rules governing electronic transactions as may be established by the Minister in a Ministerial Diploma, in consultation with the Information and Communication Technologies Agency of Timor-Leste.
2. The Veterinary Authority shall establish requirements relating to creating, receiving, storing, sharing and sending certificates and other documents in electronic form.

Article 107. Regulations

1. Except where expressly provided otherwise, the Minister shall approve all regulations under this Decree-Law by Ministerial Diploma.
2. Where the Decree-Law gives the Veterinary Authority the competence to set rules or technical standards these shall be published in the Official Journal by means of a Ministerial Order.
3. Any approved legislation must be publicized through the websites of MAF and other National Directorates that comprise the Veterinary Authority.

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Article 108. Provisional articles, repeal and savings

1. The Decree-Law No 21/2003 is hereby repealed.
2. The Government-Decree No 1/2006 is hereby repealed.
3. All other regulations issued under the legislation revoked in number 1 and 2 shall remain in force, with the necessary adaptations, until the entry into force of the regulations of this Decree-Law that replace such regulations.

Article 109. Transition provision

4. Article 77 of this Decree-Law shall apply until new legislation on veterinary products is approved by the Council of Ministers that shall repeal and supersede article 77.

Article 110. 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 20__.

The Prime Minister

The Minister of Agriculture and Fisheries

Promulgated on ____, 20__.

To be published

The President of the Republic
