



**Tuvalu**

**ANIMALS (CONTROL OF  
EXPERIMENTS) ORDINANCE**

**15 of 1957, 8 of 1968, 8 of 1971, (Cap 48 of 1973), L.N.  
16/74**





Tuvalu

## ANIMALS (CONTROL OF EXPERIMENTS) ORDINANCE

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## ANIMALS (CONTROL OF EXPERIMENTS) ORDINANCE

15 of 1957, 8 of 1968, 8 of 1971, (Cap 48 of 1973), L.N. 16/74

### AN ORDINANCE TO PROVIDE FOR THE CONTROL OF EXPERIMENTS ON ANIMALS AND FOR PURPOSES INCIDENTAL THERE TO AND CONNECTED THEREWITH

ENACTED BY THE PARLIAMENT OF TUVALU

Commencement [11th September 1957]

#### 1 Short title

This Ordinance may be cited as the Animals (Control of Experiments) Ordinance.

#### 2 Interpretation

In this Ordinance —

“**animal**” means a living vertebrate animal;

“**experiment**” means any experiment performed on an animal and calculated to give pain;

“**licensee**” means a person licensed under section 7.

#### 3 Experiments only to be performed by licensed persons

(1) No person except a licensee shall perform any experiment.

- (2) No licensee shall perform any experiment except in accordance with the terms of his licence and subject to the restrictions imposed by this Ordinance.

#### **4 Experiments not to be performed for purposes of attaining manual skill**

No licensee shall perform any experiment for the purpose of attaining manual skill.

#### **5 Prohibition of performance of experiments for illustration of lectures subject to certain conditions**

No licensee shall perform any experiment for the purpose of illustrating any lecture at any university, university college, hospital, medical school, agricultural college, farm school or any other academic institution unless he is the holder of a teaching permit under this Ordinance, and unless the experiment is of a class specified in such permit and is performed in accordance with the terms of such permit.

#### **6 Restrictions upon performances of experiments by licence**

- (1) Except as otherwise provided in section 5, no licensee shall perform any experiment except —
- (a) for the purpose of the advancement by new discovery of physiological knowledge, or of any knowledge which “will be useful for saving or prolonging life, or alleviating suffering, or for combating any disease whether of human beings, animals or plants;
  - (b) for the purpose of testing any former discovery alleged to have been made for the advancement of the types of knowledge referred to in paragraph (a);
  - (c) if it is essential for the purpose of justice in a criminal case to make such experiment.
- (2) Except as otherwise provided in subsection (3), no licensee shall perform any experiment unless —
- (a) throughout the whole of the experiment the animal is under the influence of some anaesthetic of sufficient power to prevent the animal feeling pain; and
  - (b) if the pain is likely to continue after the effect of the anaesthetic has ceased, or if any serious injury has been inflicted on the animal, the

animal is killed before it recovers from the influence of the anaesthetic which has been administered.

- (3) The provisions of subsection (2) shall not apply to any licensee who is the holder of a special permit granted under section 9 in relation to any experiment specified in such special permit.

## **7 Grant of licence**

- (1) The Minister may grant a licence to any person to perform an 'experiment for any purpose specified in such licence during such period and subject to such conditions in addition to the conditions specified in this Ordinance as he may think fit.
- (2) It shall be a condition of any licence granted under subsection (1), that any experiment performed pursuant to such licence shall be performed at such place as may be specified in such licence.

## **8 Permits**

- (1) Where the Minister is satisfied that it is absolutely necessary for the due instruction of persons attending any course of lectures for the purpose of acquiring physiological knowledge or any knowledge which will be used for saving or prolonging life, or alleviating suffering, or for combating any disease whether of human beings, animals or plants, for any such lecture to be illustrated by the performance of any experiment, the Minister may grant to a licensee under this Ordinance a teaching permit to perform any experiment specified in such licence for the purpose of illustrating such lecture.
- (2) Every teaching permit under this section shall be subject to such conditions in addition to any conditions specified in this Ordinance as may be specified in such permit, and such permit shall remain in force for 12 months from the date on which it is granted.

## **9 Special permits**

- (1) Where the Minister is satisfied that the object of any experiment permitted to be performed by a licensee under this Ordinance would necessarily be frustrated —
  - (a) by the performance of such experiment under any anaesthetic; or
  - (b) by killing the animal on which such experiment is performed before it recovers from the influence of any anaesthetic, he may grant a special permit authorising the licensee to perform such experiment

without administering any anaesthetic to the animal or without killing the animal before it recovers from the influence of such anaesthetic as the case may be.

- (2) Any special permit under this section shall specify the period for which it shall remain in force.

## **10 Records and inspections**

- (1) Every licensee shall keep, in such form as may be prescribed, records of all painful experiments performed by him.
- (2) Every licensee shall permit any person authorised in writing by the Minister to inspect any records kept by him at any time between 8 a.m. and 6 p.m. on any day other than a Sunday or public holiday.
- (3) Every licensee shall permit any person authorised in writing as aforesaid to enter and inspect, for the purpose of securing compliance with the provisions of this Ordinance, any place specified in such licensee's licence for performance of the experiments.

## **11 Returns**

Every licensee shall render to the Minister in such form and at such time as may be prescribed such returns as may be required in relation to any experiments performed by him.

## **12 Regulations**

- (1) The Minister may make regulations generally for the better carrying out of the provisions of this Ordinance.
- (2) Regulations made under this section may without prejudice to the generality of the power conferred by subsection (1) provide for the keeping of records of all experiments performed by any licensee under this Ordinance and for the rendering of returns in relation to any experiments performed under this Ordinance.

## **13 Revocation of licence or permit**

It shall be a condition of every licence or permit granted under this Ordinance that such licence or permit may be revoked at any time by the person granting it on his being satisfied that such licence or permit ought to be revoked.

**14 Penalty**

Every person who acts in contravention of or fails to comply with any of the provisions of this Ordinance or of any conditions of any licence or permit granted under this Ordinance shall be liable to a fine of \$100 and to imprisonment for 6 months.

**15 Restriction on prosecution of licensee**

A prosecution under this Ordinance against a licensee shall not be instituted except by or with the consent of the Attorney-General.

## ENDNOTES

### Table of Legislation History

Legislation	Year and No	Commencement

### Table of Renumbered Provisions

Original	Current

### Table of Endnote References