

DEMOCRATIC REPUBLIC OF TIMOR-LESTE

GOVERNMENT DECREE

1/2006

GENERAL REGULATION ON QUARANTINE

The present General Regulation shall develop the basic rules set out in Decree-Law no. 21/2003, of 31st December, on the legal regime governing quarantine, by establishing practical rules concerning the health control of the import, export or displacement from one health district on the national territory to another of plants, animals or their by-products, as well as of other items, including the practical rules on the drafting of phytosanitary certificates or animal health, post-import and post-export quarantine measures, the procedures and practical measures regarding the application of authorisation to import, export or displace such products from one district to another, the indication of points of entry, exit and export, the regime governing the issue and validity of animal and plant health certificates, the definition of plagues and diseases subject to quarantine, the establishment of charges and costs, and the establishment of offences and sanctions. The present General Regulation shall not address the practical rules and procedures concerning the import or export of any items subject to quarantine control measures, this being set out in specific regulations which shall be subsequently drawn up.

Thus, the Government hereby decrees that the following shall be considered law, under the terms of article 72 of Decree-Law no. 21/2003, of 31st December:

TITLE I

GENERAL PROVISIONS

Article

1

(Definitions)

1. The expressions, terms and concepts included in this General Regulation and which are used in Decree-Law no. 21/2003 shall have the same legal meaning, scope and understanding in the latter as they have in the former.

2. Without prejudice to the provisions set out in the preceding paragraph and for the purposes of the present General Regulation:

a) "Disease" means animal disease;

- b) "Inspector" means the official veterinary physician, any veterinary physician, the phytosanitary officer or any agent of the quarantine service appointed by the competent authority to perform the duties of a sanitary inspector;
- c) "IATA" means the International Air Transport Association;
- d) "List A Diseases" means the animal diseases classified as such by the World Organisation of Animal Health (OIE);
- e) "International Plant Protection Convention" means the Convention of the same name adopted in 1952;
- f) "Plant" means any species of plants in any state or form, including subaquatic plants and seaweed;
- g) "Quarantine control" means health control;
- h) "Category I Plagues" means the plagues or other organisms classified by the International Plant Protection Convention as plagues on the list to be approved by Ministerial Diploma, the fight or elimination of which is not successful even after treatment;
- i) "Category II Plagues" means the plagues or other organisms classified by the International Plant Protection Convention as plagues included on the list to be approved by Ministerial Diploma, the fight or elimination of which is successful after treatment;
- j) "Plant propagation products" means plants or part of plants, including seeds, fruit, flowers and pollen which may be used by any means to multiply or propagate plants;
- k) "List B Diseases" means animal diseases classified as such by the OIE;
- l) "Border Posts" means areas of control by the competent authorities where persons and goods leave and enter the Country, located at international ports and airports and at the land borders of the Country;
- m) "Quarantinable plagues or diseases" means the plagues of plants or diseases of animals and their corresponding by-products subject to health control;
- n) "Ports" means sea ports and airports;
- o) "Health district" means the part of the territory of Timor-Leste formed by the enclave of Oecusse Ambeno or part of the territory formed by the eastern part of the island of Timor, Atauro Island and Jaco Island;
- p) "District" means the health district;
- q) "Quarantine measures" means all measures aimed at preventing the introduction on the national territory or export from it of quarantinable plagues or diseases, as well as preventing the spread of quarantinable plagues or diseases from one area to another of the national territory;

- r) "Material of animal origin" means material obtained from an animal which can be reprocessed;
- s) "Material of vegetable origin" means the material obtained from a plant which can be reprocessed;
- t) "Quarantinable diseases" means any infectious animal disease named as such by the law which shall be the object of preventive measures to prevent its introduction and dissemination on the national territory or its export from the national territory to other countries;
- u) "Posts of entry" means the same as points of entry;
- v) "Export Posts" means the same as export control points;
- w) "Points of entry" means international ports and airports, as well as international land borders where items subject to health control enter the country;
- x) "Export control points" means international ports and airports, as well as international land borders where items subject to health control leave the country;
- y) "Director" means the Director of the Quarantine Service;
- z) "QSD" means Quarantine Service Directorate;
- aa) "PRA" means Plague Risk Analysis.

Article 2

(Object)

The object of the present General Regulation is to establish procedures, practical rules and the overall requirements necessary for the implementation of the provisions of Decree-Law no. 21/2003, of 31st December, on health control when importing and exporting, as well as when displacing within the national territory any item subject to quarantine control, in order to prevent the introduction or spread of plagues and diseases on the national territory or their introduction or spread in other countries from the national territory and also their introduction and spread in a district of the country, from another health district.

Article 3

(Scope)

1. The present General Regulation shall apply to the control of plagues and diseases, by establishing general practical regulatory measures on:

a) The import and export, as well as the displacement within the national territory, by any national or foreign, natural or legal person, of any item, including cargo or merchandise, live animals and live plants, by-products of either animal or vegetable origin, machine, equipment and used vehicles and soils;

b) The presence in coastal waters, territorial sea when not exercising the right of innocent passage and in national ports of commercial and private ships from other countries and ocean regions;

c) The presence at national airports of commercial or private aircraft from other countries.

2. This diploma shall not apply to the quarantine of persons who are found on board ships or aircraft during outbreaks at the Country's ports or airports, or who travel in vehicles crossing border control posts, be they carriers or suspected carriers of human transmissible diseases and represent a danger to public health, without prejudice to emergency measures that may be taken, in compliance with the law, by the national sanitary and veterinary service, within the scope of its areas of competence on the health control of ships and aircraft during outbreaks at the country's ports or in vehicles crossing land border control points.

TITLE II

IMPORT, EXPORT AND DISPLACEMENT OF ANIMALS AND PLANTS, OF THEIR BY-PRODUCTS AND OTHER ITEMS

CHAPTER I

GENERAL PROVISIONS

SECTION I

GENERAL QUARANTINE CONDITIONS

Article 4

(Subject to quarantine measures)

Any item mentioned in the preceding paragraph, carrier or suspected carrier of plagues or diseases, imported from abroad into the national territory or exported abroad from the national territory or displaced from one health district on the national territory to another, shall be subject to the quarantines measures set out in this General Regulation and other application legislation.

Article 5

(Sites where quarantine measures are applied)

1. Quarantine measures shall be applied at any point of entry, export or exit of the item, under the terms defined in this general regulation and other applicable legislation.
2. The quarantine measures applied at a distance from the points of entry, export or exit shall be regulated in a separate diploma.

Article 6

(Quarantine Premises)

1. The quarantine measures shall be applied in quarantine premises or in temporary premises belonging to the State.
2. In those cases where the quarantine measures shall be applied in temporary premises, the Director shall decide on the temporary premises and their requirements.

Article 7

(Access to the premises)

1. No one, with the exception of the service inspectors, shall have access to the quarantine premises or temporary quarantine premises, without the prior written authorisation by the head or person responsible for the point of entry, export or exit.
2. In the event the quarantine premises or temporary premises are located in an area far from the point of entry, export or exit, the veterinary physician of the quarantined animal or the phytosanitary officer shall be responsible for deciding on and issuing the written authorisation to which the preceding paragraph refers.

Article 8

(Duties of the veterinary physicians)

1. The quarantine measures for animals and their by-products shall be applied by the veterinary physician of the quarantine service or other officially appointed veterinary physician.
2. When carrying out his or her duties, the veterinary physician shall base his or her performance on his or her professional responsibility as a veterinary physician.
3. When carrying out his or her functions the appointed veterinary physician shall be assisted by QSD inspectors.
4. The veterinary physician appointed for the performance of duties at the point of entry, export or exit shall be accountable to the head of the respective point of control.
5. In the absence of veterinary physicians appointed for the usual performance of duties at the point of entry, export or exit, the Director may appoint inspectors from the quarantine service to apply quarantine measures at the aforementioned posts, these inspectors being accountable to the head of their corresponding post.
6. The head of the point of entry, export or exit shall be the agent responsible for the application of animal and animal by-product quarantine measures in the temporary premises.

Article 9

(Duties of phytosanitary officers)

1. The quarantine measures for plants and their by-products shall be applied by the phytosanitary officer of the QSD or by another person officially appointed.
2. When carrying out his or her duties the appointed phytosanitary officer shall base his or her performance on his or her professional responsibility, being assisted by QSD inspectors.
3. The phytosanitary officer appointed to perform his or her duties at the point of entry, export or exit shall be accountable to the head of his or her respective post.
4. In the absence of phytosanitary officers appointed for the usual performance of duties at the point of entry, export or exit, the Director may appoint inspectors from the quarantine service to apply quarantine measures at the aforementioned posts, these inspectors being accountable to the head of their corresponding post.
5. The head of the point of entry, export or exit shall be the agent responsible for the application of plant and their by-products quarantine measures in the temporary premises under the control of that post.

Article 10

(Prohibition)

It shall be forbidden:

- a) To keep, slaughter or kill animals within the area of ports, airports, premises or temporary premises without the authorisation of the animal quarantine veterinary physicians or to keep plants within the area of ports, airports, premises or temporary premises without the authorisation of the appointed phytosanitary officer.
- b) To dispose of carcasses, remains of hay or animal fodder, materials or other articles which have been in direct contact with the animals transported inside the area of the port, airport, premises or temporary premises;
- c) To dispose of plants or parts of plants, materials or other articles which have been in direct contact with the plants transported inside the area of the port, airport, premises or temporary premises.

Article 11

(Measures with minimal impact)

Quarantine measures shall be consistent with the risks of plagues and diseases involved and shall be the least restrictive possible, resulting in the minimum impediment to the circulation of people, goods and means of transport.

Article 12

(Settlement of disputes on quarantine measures)

In the event of disputes between Timor-Leste and another country concerning quarantine measures, the dispute shall be settled at a technical bilateral level, without prejudice to international mechanisms of peaceful settlement of disputes.

Article 13

(Modes of transport in transit)

1. The maritime or air modes of transport in transit through national territory shall only be authorised to call at national ports or airports once the following conditions have been cumulatively met:

- a) During stopover the animals, plants and animal and vegetable products may not disembark;
 - b) The animals, plants and animal or vegetable products shall be accompanied by a zoosanitary certificate or phytosanitary certificate, depending on the case, and there must be no occurrence of quarantinable disease in the country of origin of the mode of transport or at the previous port of call;
 - c) The inspection conducted by the appointed veterinary physician or phytosanitary officer results in the fact that the animals or plants or their by-products do not appear to be infected by a List A quarantinable disease, to which sub-paragraph f), of paragraph 2, of article 1 of the present legal diploma refers or by a Category I plague, to which sub-paragraph j), of paragraph 2 of article 1 of the present legal diploma refers.
2. The result of the inspection to which sub-paragraph c) of the preceding paragraph refers shall be laid down in the accompanying documents.
 3. The disembarkation of animals, plants and their by-products, in transit and their transfer to another mode of transport shall only be permitted in case of necessity and shall be done so under the supervision of the veterinary physician or phytosanitary officer appointed by the QSD.
 4. Should, in the course of the inspection on board the mode of transport, a List A quarantinable disease or Category I plague is detected, the mode of transport shall leave the port or airport as quickly as possible by order of the administrator of the port or airport involved, acting upon the recommendation of QSD.
 5. Should the animals and plants or their by-products have already disembarked and after their inspection, firstly, infection by a List A quarantinable disease is detected or secondly, a category I plague is detected, such items shall be immediately destroyed.
 6. Should the animals and plants or their by-products have already disembarked and after their inspection, firstly, infection by a List B quarantinable disease is detected, to which sub-paragraph m) of paragraph 2 of article 1 of the present legal diploma refers, or secondly, infection by a category II plague is detected, to which sub-paragraph k) of paragraph 2 of article 1 of the present diploma refers, such items shall be loaded once again on to the mode of transport that brought them and this mode of transport shall leave the port or airport within the time limit set out by the competent health authorities, otherwise such items, as well as their corresponding mode of transport, shall be destroyed.

Article 14

(Updating of lists)

The lists of plagues and diseases to which the preceding article refers shall contain the corresponding scientific names and shall be periodically updated by Ministerial Diploma.

Article 15

(Importing plants)

1. Without prejudice to the provisions to be set out in specific regulations, only government services, public institutions and non-governmental organisations involved in projects to improve agriculture and forests approved by the Government may import plants to the national territory, under the terms of the present General Regulation and other applicable legislation.

2. Without prejudice to the provisions set out in the preceding paragraph, live plants, namely ornamental plants may not be imported by private persons or organisations.

SECTION II

QUARANTINE MEASURES

SUB-SECTION I

MEASURES

Article 16

(Quarantine Measures)

1. In the implementation of the present General Regulation and other applicable legislation, the following quarantine measures may be applied:

a) Inspection;

b) Isolation;

c) Observation;

d) Treatment;

e) Detention;

f) Refusal of entry into Country;

g) Destruction;

h) Release.

2. Any incident that affects or has repercussions on health control shall be immediately reported to the Director who shall decide on which measures are to be taken.

3. The report to which the preceding paragraph refers shall be drawn up in accordance with the model to be approved by Ministerial Diploma.

SUB-SECTION II

INSPECTION

Article 17

(Inspection)

Any item suspected of being the carrier of plagues or diseases subject to health control, imported to or exported from the national territory, or even displaced from one district to another of the national territory shall be submitted to veterinary or phytosanitary inspection before it embarks, disembarks or is displaced, in compliance with the present diploma and other applicable legislation.

Article 18

(Objectives of the inspection)

The inspection aims to:

a) Ascertain the existence of the necessary documents in compliance with the present General Regulation and the law, and with the regulatory requirements of the importing country;

b) Ascertain whether the containers and seals are intact;

- c) Check the information and data mentioned in the documents to which sub-paragraph a) refers;
- d) Detect the existence or absence of quarantinable plagues or diseases in any item.

Article 19

(Diagnosis Analysis)

In order to confirm the result of the inspection, a diagnosis analysis shall be conducted in a quarantine laboratory or in any other authorised laboratory close-by, at the request of the official veterinary physician, inspector or phytosanitary officer, depending on the case.

Article 20

(Period of the day to undertake inspections)

The inspection of any item shall be undertaken during the day, from sunrise to sunset, except in those cases, depending on the circumstances, when the official veterinary or phytosanitary inspectors determine that such inspection may be carried out at night.

Article 21

(Immediacy in the inspection of plants)

Any inspection to be carried out on plants or any other phytosanitary quarantine measure on vegetable products shall take into account their susceptibility to deterioration.

SUBSECTION III

ISOLATION AND OBSERVATION

Article 22

(Isolation and observation of the item)

Once the inspection to which the preceding Subsection refers is carried out, isolation may be determined for purposes of observation of any item which may be the carrier of plagues or diseases which for this purpose require, due to their nature, a long and indefinite period of time, as well as special premises and special environmental conditions to detect such plagues and diseases.

SUBSECTION IV

TREATMENT

Article 23

(Treatment of the item)

1. Any item that may be the carrier of a plague or disease subject to health control shall be treated in order to rid it of its infestation or infection of such plagues or diseases.
2. The treatment to which the preceding paragraph refers shall be carried out if, after the inspection or isolation for observation, there are signs that the item:
 - a) Is infested or infected or is suspected of being infested or infected by plagues or diseases subject to health control;
 - b) is not free or there is a suspicion that it is not free from plagues and diseases subject to health control.

Article 24

(Methods and means of treatment)

The methods and means of treatment shall be defined in specific regulations.

SUBSECTION V

SEIZURE

Article 25

(Seizure of item)

1. Any item subject to health control may be held by the QDS for the purpose of quarantine control, and for this purpose the seizure form of the model to be approved by Ministerial Diploma shall be completed.
2. Once the item has been seized the respective owner shall receive a certificate of withholding for the item according to the model to be approved by Ministerial Diploma.
3. Once the quarantine control is undertaken the item may be destroyed, re-exported, treated or released in accordance with the provisions set out in the present General Regulation and other applicable legislation.
4. If, after the inspection, it is clear that the requirements to import to the national territory or to export abroad or to displace from one district of the national territory to the other, have not been duly fulfilled, the item withheld shall be seized.
5. Once the item is seized under the terms of the preceding paragraph, the Director or any other appointed QSD agent shall immediately, on a case by case basis, take and implement one of the following decisions:
 - a) Terminate the journey or send the item back to its point of departure as long as such a journey back does not, in the case of animals, jeopardise their health or well-being;
 - b) Accommodate and provide the necessary care to the item in case the journey is interrupted;
 - c) Determine the destruction of the plants or the slaughter of the animals, defining how the remains or carcasses are to be disposed of;
 - d) Dispose of it, notwithstanding the costs, charges, taxes or other sanctions set out in the law and in the present General Regulation.

6. In the case of items to be imported or exported by way of the postal service, such items shall be removed from their corresponding packages by the appointed QSD agent who shall issue a certificate covering their removal, according to the model to be approved by Ministerial Diploma.

7. The items removed in conformity with the preceding paragraph shall be seized and shall be disposed of in one of the ways set out in paragraph 5.

SUBSECTION VI

REFUSAL OF ENTRY

Article 26

(Refusal of entry)

1. The entry of any item carrying plagues or diseases subject to health control imported to or exported from the national territory or transported from one district of the national territory to the other, shall be denied if:

a) The result of the inspection carried out on board the mode of transport of the item is that it is infested or infected by certain plagues or diseases subject to health control or is in a state of deterioration or damage or that the import of such item is forbidden;

b) The requirements of the zoo or the phytosanitary certificate, depending on the case, or of the place of entry, of export or exit or others which may be required by the QSD are not complied with;

c) In the event the item has been seized, the requirements to which the preceding paragraph refers cannot be fully complied within the established time limit;

d) After treatment on board the mode of transport of the item, it is not free from infestation or infection of plagues or diseases subject to health control.

2. The proprietor or owner of the destroyed item shall be responsible for its return to its origin.

SUBSECTION VII

DESTRUCTION

Article 27

(Destruction of the item)

Any item carrying plagues or diseases subject to health control, imported to the national territory, or displaced from one district of the national territory to another, shall be destroyed if it is clear that:

- a) After unloading and subsequent inspection, the item is infected by certain plagues or diseases subject to quarantine control or is in a state of deterioration or damage, or is one of the species forbidden to enter the national territory;
- b) After refusal of entry, under the terms set out in the preceding subsection, the item has not been removed to anywhere outside the national territory or to its place of destination by its owner within the established time limit;
- c) After observation carried out during isolation, the item is not free from infestations or infections of certain plagues or diseases subject to quarantine control;
- d) After discharge and subsequent treatment, the item is not free from infestations or infections of certain plagues or diseases subject to quarantine control;

Article 28

(Supervision of destruction)

1. The destruction of animals, plants or their by-products shall be undertaken under the supervision of a veterinary physician or phytosanitary officer belonging to the quarantine service.
2. The destruction shall be witnessed by the owner, police officer and other agents.
3. For each destruction operation to which the present article refers a certificate shall be issued in triplicate, in compliance with the model to be approved by Ministerial Diploma, one copy being forwarded to the owner, one forwarded to the QSD and the other to be shelved in the archives of the point of entry, exit, or export which ordered its destruction.

Article 29

(No compensation for destruction)

The owner of animals or plants or their by-products destroyed for reasons of quarantine shall not be entitled to any compensation by the State.

SUBSECTION VIII

RELEASE

Article 30

(Imported item)

1. The request to release any imported item and which is subject to quarantine control shall take place in compliance with the model to be approved by Ministerial Diploma, accompanied by the cargo manifest, import permit and certificates issued by the quarantine services of the exporting company, under the terms of the applicable legislation, and the proceedings shall be carried out in accordance with the provisions set out in Ministerial Diploma.

2. Once the formalities and the requirements set out by law and in the present General Regulation have been complied with, any item imported to the national territory or displaced from one district of the national territory to another, shall be released if it is clear that:

- a) Upon inspection, the item is free from infestation or infection of plagues or diseases;
- b) Upon observation conducted during the period of isolation, the item is free from infestation or infection of plagues or diseases subject to quarantine control;
- c) After treatment, the item can be free from infestation or infection of plagues or diseases subject to quarantine control;
- d) After seizure, the requirements for their release have been completely fulfilled.

3. The release to which the present article refers shall be accompanied by a release certificate in accordance with the model to be approved by Ministerial Diploma.

4. The release certificate to which the preceding paragraph refers shall contain the following information, notably:

- a) The name of the owner of the item or representative;
- b) The residence, telephone number and email address of the owner or representative;
- c) The description of the item to be released;

d) The signature of the owner and appointed quarantine service agent.

Article 31

(Exported item)

1. Once the formalities and requirements set out by law and the present General Regulation have been fulfilled, any item to be exported from the national territory or displaced from one district of the national territory to the other shall be released if it is clear that:

a) Upon inspection, the item is free from infestation or infection of plagues or diseases subject to quarantine control;

b) Upon observation conducted during the period of isolation, the item is free from infestation or infection of plagues or diseases subject to quarantine control;

c) After treatment, the item can be free from infestation or infection of plagues or diseases subject to quarantine control;

2. The release to which the present article refers shall be accompanied by the delivery zoo or phytosanitary certificate, depending on the case.

SUBSECTION IX

SCOPE OF MEASURES

Article 32

(Scope)

The measures set out in Section II may be applied to animals and live plants, animal and vegetable products, persons, modes of transport or containers, equipment, water or packaging which are carriers or suspected to be carriers of plagues or diseases of animals or plants suspected of being quarantinable.

SECTION III

POWERS AND RESPONSIBILITIES

Article 33

(Powers)

1. The Director or appointed QSD agents deployed to the different points of entry, export or exit shall be empowered to apply the quarantine measures set out in the present section, both inside and outside quarantine premises.
2. The Director shall have authority over the inspectors and other quarantine service agents, particularly those agents deployed to the different points of entry, export or exit.

Article 34

(Measures when exercising powers)

1. When exercising their powers to supervise the fulfilment of the provisions set out in the present diploma and in the applicable regulations and without prejudice to individual rights and guarantees set out in the constitution, the Director or any other appointed agent of the national sanitary and veterinary service may at any time and whenever they consider necessary, visit any area or building that is not a person's residence, visit and conduct the phytosanitary and zoo health control of any ship or aircraft suffering from an outbreak at national ports or airports or which are in national inland waters or maritime territorial waters, carry out a zoo sanitary and phytosanitary control of any cargo, mail, baggage, packages, containers, vehicles or any other items, by-products of plants and animals or of any other item.
2. In the pursuance of the objectives referred to in the preceding paragraph, the Director or appointed QSD agent shall have the authority to, should they consider it opportune or necessary, order the captain of the ship or aircraft, as well as the owner or agent of any goods, to immediately open the container or package of the goods or immediately provide access to any logbook, manifest, goods declaration, list of passengers and crew or any other document on board the ship or aircraft.
3. The Director or appointed sanitary and veterinary service agent, without prejudice to the judicial procedures established by law, shall order and remove to quarantine premises any animals, plants, their by-products, soil, equipment and vehicles, animal feed, exotic animal and vegetable organisms, including genetically modified organisms, any product or goods or any document, computer or magnetic records related to any imported item, or to seal off areas, premises, compartments, machines and vehicles or to order the quarantine of a ship or aircraft, in situations of detection of diseases or plagues which represent a hazard for the environment, for the national economy or public health.
4. Should there be strong signs or suspicions of the existence of diseases or plagues on board the ships or aircraft to which the preceding paragraph refers, the Director or veterinary and

sanitary service agent shall immediately proceed to carry out the respective health control, by conducting the tests and analyses required to discover the sanitary status of the ships, aircraft and corresponding cargo, and by applying the measures set out in the preceding paragraph, in the event the tests and analyses prove to be positive.

5. The Director or appointed QSD agent may post notices, announcements or information on the sanitary state and isolation or the quarantine regime imposed on premises, farms, areas, vehicles, equipment, ships or aircraft or any other item, as a means of informing people about the sanitary status of such items.

6. The Director or appointed QSD agent shall proceed to an inspection or health control of any person, animal, plant, vehicle or any other item that comes in contact with, crosses or penetrates an area which is subject to sanitary isolation or quarantine, it being possible to carry out searches and seize things and objects in compliance with the law.

Article 35

(Identification of Director or QSD agent)

1. The Director or appointed QSD agents, whenever performing their duties wishes to take the measures mentioned in the preceding article, they shall begin by informing the captain of the ship or of the aircraft or the people from whom cooperation is expected to be able to perform their duties, of their identity and official functions and shall inform them, with the courtesy required by their duties, of the intentions and objectives of the measures they wish to take.

2. Notwithstanding the provisions set out in the preceding article, any person affected by the decisions or measures taken or announced by the Director or by the appointed QSD agent shall be entitled to request that they, before fulfilling the orders received under the terms of the preceding article, or at any time whatsoever, identify themselves and explain the intentions and objectives intended with their action.

Article 36

(Communications)

The Director shall inform:

a) the countries and zoo and phytosanitary organisations of the region, exporting countries of the items to the national territory, FAO and the Commission on Phytosanitary Measures of the requirements, restrictions and prohibitions set out herein, immediately upon the entry into force of the present General Regulation;

b) the countries and zoo and phytosanitary organisations of the region, exporting countries of the items to the national territory, FAO, the Commission on Phytosanitary Measures and the

World Organisation of Animal Health of the list of plagues and diseases initially published, as well as their updated forms and shall do so immediately;

c) the countries and zoo and phytosanitary organisations of the region, exporting countries of the items to the national territory, FAO and the Commission on Phytosanitary Measures of an occurrence, a sudden appearance or spread of plagues and diseases and of animals which present immediate or potential danger.

Article 37

(Update of the quarantine measures)

1. The Director shall be responsible for proposing alterations to the quarantine measures in order to improve conditions and promote the appearance of new scientific facts.
2. The alterations referred to in the preceding paragraph shall be notified to the authorities mentioned in the preceding article.

Article 38

(Responsibilities of QSD)

The responsibilities of the QSD shall be, notably:

- a) To ensure the existence of the equipment and appropriate premises for the inspection, tests, verification of items, cargo or consignments, as well as the correct use of zoo or phytosanitary certification procedure;
- b) To issue the certificates set out in the present General Regulation and other legislation regarding the import, export and displacement within the national territory of plants, animals and their by-products;
- c) To control occurrences and sudden appearances and the spread of plagues and diseases;
- d) To inspect any quarantinable item and to take the necessary established quarantine measures;
- e) To disinfest and disinfect the items in compliance with the present General Regulation and other applicable legislation;
- f) To control and take protective measures of the threatened areas;
- g) To propose to the Minister the designation, maintenance and supervision of the areas free from plagues or with a limited number of plagues;

- h) To undertake risk assessments of plagues and diseases;
- i) To authorise the import of items from outside the country and to issue the corresponding certificate;
- j) To propose to the Minister the approval:
 - (i) of the list of items that are prohibited to import or whose import is restricted, for reasons of quarantine;
 - (ii) of the list of plagues and diseases subject to quarantine control and their updates;
 - (iii) of the list of points of entry, export and exit.

Article 39

(Appointment of quarantine veterinary service physicians)

The Minister shall appoint the official veterinary physician and the official phytosanitary officer after having heard the Quarantine Service Director, as well as other QSD agents.

Article 40

(Supervision by the Minister)

1. The Minister shall supervise the implementation of the measures to refuse, prevent, eradicate and treat animals and plants, the Director being under the obligation to submit a monthly report to such Minister, with the statistical data about such measures.
2. The Director shall immediately inform the Minister of the first occurrence or appearance of plagues and diseases subject to quarantine, as well as situations of the introduction of such plagues or diseases or situations which require emergency measures.

Article 41

(Powers of the Ministry)

1. Without prejudice to the provisions set out in the present General Regulation, the Minister shall have the power to decide on:
 - a) The designation, maintenance and supervision of the areas free from plagues and diseases or with a limited number of plagues or diseases;
 - b) The approval of the list of quarantinable plagues and diseases;

c) The approval of the list of items that are prohibited to import or whose import is restricted, for reasons of quarantine;

d) The approval of the list of points of entry, export and exit.

2. The designation of the ports and airports of entry and export shall take place upon consultation with the Ministers who superintend such infrastructures.

SECTION IV

POINTS OF ENTRY, EXPORT AND EXIT

Article 42

(Point of entry, export and exit)

1. The points of entry, export or exit of any item which is the potential carrier of quarantinable plagues or diseases shall be those defined by Ministerial Diploma.

2. The Minister may, exceptionally in specific cases, authorise other points of entry, export or exit not referred to in the preceding article.

Article 43

(Notification)

1. Except in cases of items transported by hand, the owner shall notify the quarantine service agent at the place of point of entry, with a minimum advance notice of 48 hours before the arrival, boarding or entry into the premises of such item which is the potential carrier of plagues or diseases of plants or animals subject to quarantine.

2. Upon the arrival of the item to which the preceding paragraph refers, the owner or representative shall submit it, with the necessary documents, to the quarantine service agent of the point of entry.

3. The passengers of vehicles which enter the national territory through authorised points of entry shall declare the quarantinable items they are transporting in the arrival declaration, to be submitted to the Quarantine Service agent present.

Article 44

(Premises)

When the item must be transferred, upon entering the national territory, the premises to which it is transferred shall be cleaned and disinfected before and after they are used.

Article 45

(Documents required)

The entry of any item shall be accompanied by the documents required for the import of any item subject to quarantine measures under the present General Regulation or applicable specific regulations.

Article 46

(Equipment pertaining to points of entry, export and exit)

1. Points of entry, export and exit shall be equipped to be in a position to:

- a) Observe animals and live plants;
- b) Conduct a clinical examination and laboratory diagnosis of plagues and diseases;
- c) Isolate infected or infested or suspected of being infected or infested animals or plants;
- d) Disinfect and destroy;
- e) Fulfil other objectives embodied in the quarantine measures.

2. The points of entry, export and exit at international ports and airports, as well as at central post offices, in addition to the conditions to which the preceding paragraph refers, shall possess incineration and sterilisation facilities.

SECTION V

ZOO OR PHYTOSANITARY CERTIFICATE

Article 47

(Subject to certificate)

Any item which is a potential carrier of quarantinable plagues or diseases shall be subject to a zoo or phytosanitary certificate, when:

- a) Imported to the national territory
- b) Exported from the national territory;

c) Displaced from one district of the national territory to another.

Article 48

(Contents of certificate)

1. The phytosanitary certificate shall only contain the information and data included in the model to which sub-paragraph b) of article 2 of the International Plant Protection Convention refers, reproduced in Ministerial Diploma.
2. Any additional element to those included in the model to which the previous paragraph refers shall be limited to that technically indispensable.
3. The zoo sanitary certificate shall be issued in accordance with the model to be approved in Ministerial Diploma.
4. No zoo or phytosanitary certificate shall be required for plagues or diseases which are not subject to quarantine control or in those cases specifically set out in the present General Regulation and in specific regulations.

Article 49

(Signing of the certificates)

The zoo or phytosanitary certificate shall only be valid if it is signed by, depending on the case, the veterinary physician or by the phytosanitary officer who has conducted the inspection.

Article 50

(Requirements for issuing certificates)

The zoo or phytosanitary certificate shall only be issued when it has been previously ascertained that the item, cargo or consignment to be exported meets the following requirements:

- a) Those required by the importing country;
- b) Those set out in the present General Regulation and other legislation.

Article 51

(Annexes to the certificates)

The annexes to the certificate, containing complementary zoo or phytosanitary information, shall include the number of the certificate and shall be dated, signed and stamped in the same way as in the certificate.

Article 52

(Verification of the issuing entity of the certificate)

1. Should the certificate be issued by a foreign entity, the QSD shall verify the entity of the issuing authority.
2. In case of doubt on the authenticity of the certificate the QSD shall ascertain the identity of the issuing entity by way of the most appropriate means.

Article 53

(Absence of certificate)

Any import, export or displacement from one district of the national territory to another of any item susceptible to be carrier of plagues or diseases of animals or plants, carried out in violation of the norms set out in Section V herein, shall be treated, for the purposes of the present general regulation, as import, export or displacement of an item without the appropriate zoo or phytosanitary certificate, depending on the case.

Article 54

(False or misleading certificates)

1. False or misleading certificates or those issued by non-competent authorities under the terms of the applicable legislation, as well as fraudulently adulterated certificates shall be treated, for the purposes of the present General Regulation and other applicable legislation and notwithstanding the criminal liability of the respective authors, as import, export, displacement of an item without the appropriate zoo or phytosanitary certificate, depending on the case.
2. In the case of false or misleading certificates to which the preceding paragraph refers, the issuing entity shall be immediately notified of the fact.

3. For the purposes of the present article, the following certificates shall be considered false:

- a) Those not authorised by the QSD;
- b) Those issued differently from the model approved;
- c) Those issued by persons or organisations or other entities not authorised by the QSD;
- d) Those which contain false or misleading information.

Article 55

(Language and type of writing)

1. The certificates shall be drawn up in one of the two official languages of the Country and translated into English as the most common language used in South-East Asia and Pacific.
2. The certificates may be completed typographically or by hand, in the latter case, capital letters shall be used.

Article 56

(Validity of certificate)

The certificate shall be valid for the period set out in such certificate.

Article 57

(Certificates with alterations or deletions)

Any zoo or phytosanitary certificates submitted with alterations not certified by the entity signatory to the certificate or with deletions shall be invalid and produce the same effect as the absence of a certificate.

Article 58

(Electronic issuance of certificates)

A zoo or phytosanitary certificate may be issued electronically under the following conditions:

- a) When the electronic certificate and the security system covering its issue are acceptable to the importing countries;
- b) When the information supplied is consistent with the appropriate model under the terms of the present General Regulation.

Article 59

(Invalidity of certificates)

The zoo or phytosanitary certificate shall not be valid when, notably:

- a) The certificate is illegible;
- b) The information included on the certificate is incomplete;
- c) The validity period of the certificate has expired or is not included in such certificate;
- d) The certificate shows deletions or alterations which have not been authorised;
- e) The certificate includes contradictory or inconsistent information;
- f) The certificate uses declarations which are not in accordance with the certificate models approved by the present General Regulation;
- g) The certificate concerns forbidden products;
- h) The certificate is an uncertified copy.

Article 60

(Certificate for re-exporting)

1. Re-exporting certificates shall be subject to the same provisions set out in the present General Regulation as regards exporting, with the necessary adjustments.
2. Re-exporting certificates shall be issued according to the export certificate model to be approved by Ministerial Diploma.

SECTION VI

TARIFFS AND COSTS

Article 61

(Tariffs and costs)

1. The use of quarantine services established in the present General Regulation by any person shall result in the payment of costs and tariffs to be determined by Ministerial Diploma.
2. The amounts charged under the terms of the preceding paragraph shall constitute State revenue and shall be paid in the Treasury.

Article 62

(Liability for damages in the premises)

1. The owner shall be responsible for the safety and treatment of the animals, plants or their by-products in the course of the application of quarantine measures.
2. Should, in the course of the application of quarantine measures, there are damages to the premises as a result of the services provided to the owner of the item, such owner shall bear the costs incurred in the repair of such damages.

CHAPTER II

IMPORT

SECTION I

GENERAL CONDITIONS

SUBSECTION I

REQUEST FOR IMPORT AUTHORISATION

Article 63

(Request for import authorisation)

The request for authorisation to import any item which is subject to the provisions set out in the present General Regulation and other applicable legislation shall be made in conformity with the model to be approved by Ministerial Diploma.

Article 64

(Contents of the request model)

The model to which the preceding article refers shall include the following elements, notably:

- a) The items to be imported;
- b) The name of the Country and regions of origin of the item;
- c) The import volume intended;
- d) When animals and live plants are involved, their sanitary status;
- e) The indication that the Country exporting animals and live plants has the necessary technical conditions to, during pre-export quarantine, conduct sanitary inspections, controls and treatments and to guarantee that such animals or plants are free from any diseases or plagues;
- f) The name, residence or address of the premises, profession or activity, telephone number and email address of the person or company making such request;
- g) The itinerary to be followed when importing the items;
- h) What is to be done with the items to be imported;
- i) The point of entry of the items in the Country;
- j) The scientific name of the item, should there be one.

Article 65

(Documents accompanying the application)

1. The application for import authorisation shall be accompanied by the following documents:

a) Certificate of origin issued by the local agriculture or livestock service, depending on the case, affirming that:

(i) The above mentioned item originates from an area known as being free from quarantinable plagues diseases;

(ii) The animal or vegetable by-products originate from an area or animal free from List A diseases or Category I plagues;

b) Goods import authorisation, under the terms of the applicable commercial legislation.

2. Should the requirements set out in sub-paragraph a) of the preceding paragraph are not fulfilled the request shall be refused.

Article 66

(Submission of application and ensuing procedures)

1. The application for import authorisation shall be submitted at the QSD.
2. The application shall only be received if it is complete under the terms of the law and the present General Regulation.
3. Once the application has been received, it shall be accompanied by the information required and send, within 48 hours after its submission, to the Director for a decision.
4. The decision on the application shall be taken by the Director within the time limits established in eth present General Regulation and other specific regulations.
5. The decision to which the preceding paragraph refers shall be communicated to the applicant or his or her representative within a maximum time limit of 24 hours.
6. Should further information or data be required, the Director may request it from the applicant within a maximum time limit of 48 hours.
7. Once the information or data referred to in the preceding paragraph, the decision of the QSD on the application shall be taken at the latest within the following 24 hours.

Article 67

(Import permit)

1. The import permit shall be in compliance with the model to be approved by Ministerial Diploma.
2. The permit referred to in the preceding number shall contain the following information, notably:
 - a) The name, residence or address of the premises, profession or activity, telephone number and email address of the person or company applying;
 - b) The items to be imported and covered by the permit;
 - c) The date of validity of the permit;
 - d) The exporting Country and region;
 - e) The itinerary to be followed when importing the items;
 - f) What is to be done with the items to be imported;
 - g) The point of entry of the items in the Country.

3. The issuing of the permit to which the present article refers shall result in the payment of a service tariff, the amount of which to be established by Ministerial Diploma.

4. The permit to which the present article refers shall be submitted to the competent authorities whenever required, namely at the points of entry.

SUBSECTION II

REQUIREMENTS AND CONDITIONS

Article 68

(Import requirements)

1. Notwithstanding other specific requirements set out in the present General Regulation or in the applicable legislation, the import of any item which is the potential carrier of a quarantinable plague or disease shall, except when the present General Regulation establishes a different regime, comply with the following requirements:

a) The item shall be accompanied by:

(i) Zoo or phytosanitary certificate;

(ii) Certificate of origin issued by the local sanitary service, affirming that the aforementioned item originates from an area known to be free from quarantinable plagues or diseases;

(iii) Commercial import permit, under the terms of the applicable legislation;

b) The import shall be conducted through the designated points of entry;

c) The transporter of the item shall submit a written declaration concerning the possible changes in the case of animals and plants and the absence of contamination in the case of products of animal or vegetable origin, as well as the range of temperatures in the event the animal and vegetable products must be kept at low temperatures during transport.

2. Upon arrival, the item shall be submitted to the control of the QSD.

3. Any item imported in violation of the provisions set out in paragraph 1, sub-paragraph a), (i) and (ii) of the present article may not enter the Country and shall be destroyed, unless its owner or representative undertakes to fulfil the requirements referred to in that same paragraph 1, sub-paragraph a), (i) and (ii) within a time limit of 7 days upon the arrival of the item.

4. The item shall be held in premises, while the process to regularise the documents to which the preceding article refers is underway.

5. In the absence of premises or in the case of non-fulfilment of the requirements within the time limit established in paragraph 3 of the present article, the item shall be destroyed.

6. Should the imported item not be accompanied by the written declaration to which paragraph 1, sub-paragraph c) of the present article refers, the item shall:

a) If it is an animal or plant, be held in the quarantine premises, unless a change has occurred and it is suspected of having been affected by a List A or Category I quarantinable disease, in which case it shall be destroyed;

b) If they are animal or vegetable materials or products of animal or vegetable origin, unless there is a suspicion of having been contaminated or suspected of having suffered a change due to the temperature during their transport, they shall not enter the national territory and shall be destroyed.

Article 69

(Further requirements)

In the case of plant propagation products the following requirements shall be met, on top of the general requirements under the terms of the present General Regulation:

a) Quarantine certificate issued by the competent authorities of the exporting State;

b) Submission to post-import quarantine.

Article 70

(Refusal of entry or destruction of plant propagation products)

1. Plant propagation products imported without a phytosanitary certificate or import permit or which do not meet the requirements set out in the preceding article shall not be allowed entry into the Country, and shall be returned to their place of origin or destroyed.

2. Plant propagation products imported in a state of such degradation or damage that clinical inspection is considered impossible, they shall be immediately destroyed.

Article 71

(Refusal of entry or destruction of plants or vegetable products)

1. Plants or vegetable products imported without a phytosanitary certificate, in those cases where there is no exemption from such certificate, shall not be allowed entry into the Country, and shall be returned to their place of origin or destroyed.

2. Plants or vegetable products imported in such a state of deterioration or damage that a clinical inspection is considered impossible shall be immediately destroyed.

Article 72

(Entry without a commercial import permit)

1. In the event of the entry of any item without a commercial import permit of goods from abroad, under the terms of the applicable economic or commercial legislation, the owner or representative shall be given the opportunity to submit the missing documents within a time limit of 7 days upon arrival of the item.
2. Once the time limit referred to in the preceding paragraph has elapsed and the missing documents have not been submitted the item shall be destroyed.

Article 73

(Prohibitions)

1. The QSD shall not authorise the import of any item arriving from or originating in a Country or areas where there is an ongoing occurrence of quarantinable plagues or diseases or which are listed in CITES - Convention on International Trade in Endangered Species of Wild Fauna and Flora.
2. Notwithstanding the provisions in the preceding paragraph, the import of an item carrying a plague or disease intended for scientific research in a government laboratory may be authorised, if the necessary sanitary security measures are taken.

SECTION II

REFUSAL OF ENTRY OF ANIMALS AND PLANTS

Article 74

(Refusal of entry of animals and plants having arrived by sea)

If, in the course of the inspection on board the mode of transport before the vessels docks, the item is suspected of being infected by a List A or Category I quarantinable plague or disease, or should such item originate in a Country or area where there is an outbreak of a disease that may require quarantine control, the following shall be observed:

- a) In the case of entry of the item from abroad, such item shall be refused entry and shall not be authorised to disembark, the mode of transport having to leave the port as soon as possible;
- b) In the event of an item entering a district, coming from or originating in another district of the national territory, the item shall be destroyed.

Article 75

(Refusal of entry of animals and plants arriving by air)

If, in the course of the inspection on board the aircraft, the item is suspected of being infected by a List A or Category I quarantinable plague or disease, or should such item originate in a Country or area where there is an outbreak of a disease that may require quarantine control, the following shall be observed:

- a) In the case of entry of the item from abroad, such item shall be refused entry and shall not be authorised to disembark, the aircraft having to leave the airport immediately;
- b) In the event of an item entering a district coming from or originating in another district of the national territory, the item shall be unloaded and taken to a spot considered safe by the phytosanitary officer where it shall be destroyed if the plague or disease does not yet exist in the spot where the item is received, and shall be treated in accordance with the directives for the control of infectious plagues or diseases if the plague or disease predominates in such spot, the aircraft being subjected to disinfection.
- c) If, in the course of the inspection on board the aircraft, the item shows no signs of a List A disease or Category I plague and there has been no death caused due to a List A or Category I quarantinable disease and the item does not originate in a Country or area where there is an outburst of List A or Category I disease or plague, and the species, as well as the quantity of the item are similar to those mentioned in the accompanying documents, the item, after being freed from ectoplasms, may disembark.

Article 76

(What is to be done with the item)

Having ascertained the provisions set out in sub-paragraph c) of the preceding article, the item shall be:

- a) Immediately forwarded to quarantine premises by order of the principal veterinary physician or phytosanitary officer in order to be submitted to further quarantine measures, if the item is to be subject to quarantine under the terms of the present regulation;
- b) Directly forwarded to be slaughtered, in the case of animals, upon the issue of a delivery certificate to the owner, the veterinary service being notified;
- c) Once released after the issue of the delivery certificate to the owner.

Article 77

(Conduct to be adopted during quarantine)

1. Upon their arrival at the premises referred to in sub-paragraph a) of the preceding article, plants and animals shall be placed in a confined spot.
2. During the period in which the plants or animals are in quarantine, they shall be subject to observation for eventual outbursts of quarantinable plagues or diseases.
3. If any Category I quarantinable plague is detected in the premises, all the plants shall be destroyed.
4. If any List A disease is detected in the premises, all the animals shall be destroyed.
5. Should any List B quarantinable disease or Category II quarantinable plague be detected, the following shall be observed:
 - a) In the case of animals imported from abroad or coming from another district of the national territory, the dead animals shall be destroyed and the animals infected shall be separated and treated in compliance with the directives covering the treatment for infectious diseases until they are considered as no longer able to spread diseases;
 - b) In the case of plants imported from abroad or coming from another district of the national territory, the infected plants shall be separated from the others in conformity with the directives covering the treatment of plagues, until they are considered as no longer able to spread plagues.
6. Should, during the quarantine period, the phytosanitary officer or veterinary physician, depending on the case, be convinced that the plant are animal, depending on the case, are free from a quarantinable plague or disease, the plant or the animal shall be released, once its respective owner has proceeded to pay the tariffs and possible costs.

Article 78

(Inspection on the board the mode of transport)

Animal or plant products shall not be allowed entry into the Country or shall be destroyed within the area of the port or airport, if, during the inspection of such materials or products, it is obvious that:

- a) The quantity is uncertain;
- b) The consignment is contaminated or appears to have changed nature to so a point that it endangers human and animal health, as well as the health of the plants;

c) The consignment originates in a Country or area in which the entry of animal or plant products is forbidden or in which there is an outburst of a List A disease or Category I plague.

Article 79

(Inspection within the area of the seaport or airport)

1. If the inspection cannot be held on board the mode of transport, it shall be held within an area of the port or the airport, on the premises or temporary premises and should a laboratory test be considered necessary, it shall be conducted, animal and plant products being held at the aforementioned sites while awaiting the results.

2. The transport of the products to which the preceding paragraph refers to the premises in order to be inspected, shall be carried out under the supervisions of the inspector.

Article 80

(Stopover in case of an emergency)

1. Should a ship or aircraft transporting animals, plants or products of animal or vegetable origin, stopover at a port or airport other than that indicated as the port or airport of entry, the captain of the ship or aircraft shall immediately communicate such fact to the closest quarantine post or the local government.

2. The agent referred to in the preceding paragraph shall immediately inform the Director of the case.

3. Animals, plants or animal or vegetable products and other articles or materials that have been in contact with them may not disembark or leave the emergency stopover until they have been inspected and released by the veterinary physician or the appointed phytosanitary officer.

4. Should, in the event of an emergency stopover at a port or airport, the mode of transport not be in a position to continue its journey, the animals, plants, animal and vegetable products shall be subject to treatment, in compliance with the rules applicable to the entry in the area of such items.

SECTION III

IMPORT OF SEEDS

Article 81

(Import of seeds)

For the purposes of importing seeds, they shall be divided into three groups:

- a) Exotic seeds of forbidden import;
- b) Seeds of restricted import;
- c) Seeds of unrestricted import.

Article 82

(Seeds of forbidden import)

It shall be forbidden to import to the national territory exotic seeds included in the list to be approved by Ministerial Diploma.

Article 83

(Seeds of restricted import)

1. The import of a number of species of seeds is subject to import authorisation:

- a) Rice;
- b) Corn;
- c) Coffee;
- d) Manioc;
- e) Bananas;
- f) Citrus fruits;
- g) Mango;
- h) Coconut;

i) Phaseolus Vulgaris (the common bean);

j) Vigna spp.;

k) Garlic;

l) Onion;

m) Common potato;

n) Pineapple;

o) Avocado pear.

2. The import of the seeds referred to in the preceding paragraph shall be subject to import authorisation and phytosanitary certificate.

3. Any seed of restricted import, imported without the documents referred to in the preceding paragraph shall be refused entry into the national territory.

Article 84

(Seeds that can be freely imported)

Any species of seed that is not included in the categories indicated in the two preceding articles may be freely imported, requiring no import authorisation or phytosanitary certificate, notwithstanding the conditions required by specific regulations.

Article 85

(Specific Regulations)

The conditions and procedures regarding the import, export and displacement between districts of restricted import seeds and of free import shall be established in specific regulations.

SECTION IV

POST-IMPORT QUARANTINE

Article 86

(Subject to the quarantine regime)

Any item which is the potential carrier of quarantinable plagues or diseases, imported from abroad, shall be subject to the quarantine control regime set out in the present General Regulation and other applicable legislation in premises approved by the exporting Country.

Article 87

(Quarantine periods)

1. The post-import quarantine periods shall be the following:

a) In the case of animals, the quarantine period shall last for at least 14 days, depending on the type of animal imported, in accordance with the provisions set out in the sanitary import permit;

b) In the case of plants, the quarantine period shall be of at least 21 days, depending on the type of plant imported, depending on the type of plant imported, in accordance with the provisions set out in the sanitary import permit;

c) In the case of animals and plants displaced from one district of the national territory to another, the quarantine period in the shipment district shall be of at least 10 days and of 4 days in the district of destination.

2. The periods established in the preceding paragraph may be altered by the Minister by way of Ministerial Diploma through a reasoned proposal by the QSD.

Article 88

(Release)

Upon import, the item may only be released and declared free from the quarantine regime if accompanied by the documents under the terms of the present General Regulation and other applicable legislation and if:

a) In the case of animal or plants, after inspection and observation during the quarantine period, they are considered as being healthy and free from quarantinable diseases or plagues;

b) In the case of materials or products of animal or vegetable origin, upon inspection, the containers and seals are considered intact, healthy and free from plagues or diseases;

c) In the case of pathological or biological substances, as well as other materials that may potentially spread quarantinable plagues or diseases, if upon inspection they are considered as being in good condition and their respective containers are hermetically closed and therefore cannot spread plagues or diseases.

Article 89

(Infected animal or plant)

If in the course of the clinical inspection it is ascertained that the animals or the plants are infected with a List A disease or Category I plague, respectively, the animals or plants shall be destroyed and the services responsible for livestock or plants, depending on the case, shall be informed of the fact.

Article 90

(Suspicion of infection)

1. If there are animals or plants which are suspected of being infected with a List B or Category II quarantinable disease or plague, depending on the case, such animals or plants shall be isolated and shall not be authorised to leave the premises and, after their treatment in accordance with the directives on control, shall be returned to their owner.
2. The other animals and plants shall remain detained for re-observation and treatment, if necessary, until they are considered as not being a source of infectious diseases or plagues.

Article 91

(Animal in difficulties)

If there are animals in such conditions which make it impossible for them to leave, for reasons besides quarantine, such animals shall be taken from the premises and returned to their owner.

Article 92

(Animals in good health)

If the veterinary physician of the quarantine service is of the opinion that the animal to be transported is in good health and there is sufficient space, food and drinking water and medication in the mode of transport, such veterinary physician shall allow the animal to embark and the zoo sanitary certificate shall be issued, affirming, once the tariffs and costs have been paid by the owner as set out in the present General Regulation and other applicable

legislation, that the animal is in good health and the requirements of the Country or of the import area have been fulfilled.

Article 93

(Animals or plants transported under the supervision of an inspector)

Animals and plants to be transported from premises to the mode of transport that shall take them directly to the Country or area of destination shall not be authorised to disembark en route, nor shall they mix with or be exchanged for other animals or plants.

Article 94

(Plant propagation products)

The present Chapter shall also apply to plant propagation products.

CHAPTER III

EXPORT

SECTION I

GENERAL CONDITIONS

SUBSECTION I

GENERAL PROVISIONS

Article 95

(Requirements of the importing country)

1. The export of any animal or plant or their by-products from the national territory shall observe the provisions set out in the present General Regulation and other applicable legislation, as well as the legislation and requirements of the importing country.
2. No animal or plant or their by-product shall be released for export before fulfilling all the quarantine requirements and conditions required by the importing Country.

Article 96

(Veterinary or phytosanitary inspection and treatment)

1. As a general requirement, all animals and plants for export shall be inspected by the official veterinary physician or phytosanitary officer at least once during pre-export quarantine or, in the event of day-old chicks, immediately before export.
2. For animals and plants submitted to pre-export quarantine, an initial inspection shall immediately take place upon their arrival at the pre-export quarantine premises, this latter inspection being conducted 24 hours before leaving the quarantine premises for the port of export.
3. All animals and plants shall be treated against external and internal parasites.

SUBSECTION II

REQUESTS FOR AUTHORISATION

Article 97

(Application for export authorisation)

The owner of any item, subject to quarantine control, intended to be exported shall submit the corresponding application to the Quarantine Service Directorate, under the terms of the present General Regulation.

Article 98

(Documents accompanying the application)

1. The application for an export permit shall be accompanied by the following documents:
 - a) Certificate of origin issued by the local livestock service, affirming that:
 - (i) The aforementioned plant or animal originates in an area known for being free from quarantinable plagues or diseases;
 - (ii) Animal or plant by-products originate in an area free from List A or Category I quarantinable diseases or plagues, depending on the case.
 - b) Export authorisation for goods intended for export, under the terms of the applicable commercial legislation, in the cases in which it is applicable.
2. If the requirements established in sub-paragraph a) of the preceding number are not fulfilled the application shall be refused.

3. In the event of non-fulfilment of sub-paragraph b) of paragraph 1 of the present article, the animals, plants or their by-products shall be allowed to enter the premises and the owner shall submit the export permit up to 24 hours before the animals, plants or their by-products embark.

4. In the event the commercial export permit is not submitted within the time limit set out in the preceding paragraph, the animals, plants or their by-products shall not be able to be exported but shall leave the premises and be returned to their owners.

5. The sanitary export permit shall be issued in accordance with the model to be approved by Ministerial Diploma.

SUBSECTION III

REQUIREMENTS AND CONDITIONS

Article 99

(Export requirements)

1. Without prejudice to the specific regime applicable to certain items, under the terms of the specific regulations, the export of any quarantinable item shall follow the following requirements:

a) The item shall be accompanied by:

(i) A zoo or phytosanitary certificate;

(ii) Certificate of origin affirming that the aforementioned item originates from an area that is known to be free from List A or Category I quarantinable diseases, depending on the case, or in the event of animal by-products, affirming that the animal was slaughtered in an approved slaughterhouse or, in the case of a plant, affirming that the legal requirements have been fulfilled by the importing Country;

(iii) Export permit for goods intended for export, under the terms of the applicable commercial legislation;

b) The export shall take place through the designated points of export;

c) The quarantine service agent appointed to the point of export shall be notified by the exporter or his or her agent with a minimum notice of 48 hours for the purpose of the quarantine measures.

2. The item shall be submitted to the official veterinary physician or phytosanitary officer for quarantine measures before it is loaded.

Article 100

(Special requirements)

The items intended for export shall:

- a) originate in an area free from List A or Category I quarantinable diseases or plagues, depending on the case; or
- b) originate in an area where animals and plants are free from List A or Category diseases or plagues and, in the case of animal by-products, they are from animals that have been slaughtered in an approved slaughterhouse.

Article 101

(Prohibition)

The QSD shall not authorise the export of any item coming from or originating in any area where there is an outburst of quarantinable plagues and diseases which are listed in CITES Convention on International Trade in Endangered Species of Wild Fauna and Flora.

Article 102

(Export and Displacement Applications)

The provisions set out in the present General Regulation on the application for a sanitary import permit shall subsidiarily apply, with the necessary adjustments, to the export from the national territory of any item, as well as the displacement of any item from one sanitary district of the national territory to another.

SECTION IV

PRE-EXPORT QUARANTINE

Article 103

(Subject to the quarantine regime)

Any item subject to quarantine control, when being exported outside the national territory or to be displaced from one district within the national territory to another, shall be subject to the quarantine control regime established in the present General Regulation and other applicable legislation.

Article 104

(Quarantine periods)

The quarantine periods when exporting any item shall be defined in the legislation of the importing Country.

Article 105

(Inspection)

1. Any item subject to quarantine intended for export or displacement from one district of the national territory to another shall be submitted to veterinary or phytosanitary inspection before it embarks.

2. The inspection to which the preceding paragraph refers shall address:

a) The conformity of the documents required under the scope of the present General Regulation with the legislation of the importing Country and other applicable legislation;

b) Whether the containers and the seals are intact.

Article 106

(Diagnosis test)

With the purpose of confirming the result of the inspection, a diagnosis test shall be conducted in the quarantine laboratory or in another approved laboratory close by, at the request of the official veterinary physician, the phytosanitary officer or other inspector appointed.

Article 107

(Period of the day to conduct inspections)

The inspection of any items shall be conducted during the day from sunrise to sunset, except in those cases and depending on the circumstances, the official veterinary physician, the phytosanitary officer or the inspector determine that such inspection may be conducted at night.

Article 108

(Release of the item for export)

The item shall be declared free from the quarantine regime and its export authorised in the following conditions:

- a) If accompanied by the necessary documents, under the terms of the present General Regime and the regulations of the importing Country;
- b) If animals or plants, upon inspection and observation during the quarantine period, are considered as being healthy and free from quarantinable plagues or diseases;
- c) If animal and vegetable by-products, upon inspection, the containers and seals are considered hermetically sealed, healthy and free from plagues or diseases;
- d) In the case of pathological or biological substances, as well as other materials which may potentially spread quarantinable plagues or diseases, if upon inspection, they are considered as being in good conditions and their respective containers are hermetically sealed so that cannot spread plagues or diseases.

Article 109

(Infected animals or plants)

If in the course of the clinical inspection the animals are found to be infected with a List A or Category I quarantinable disease or plagues, depending on the case, the animal or the plant shall be destroyed and the services responsible for livestock or plants, depending on the case, shall be informed.

Article 110

(Animal suspected of being infected)

1. If there are animals or plants in relation which are suspected of being infected with a List B or Category II quarantinable disease or plague, depending on the case, such items shall be isolated and shall not be authorised to leave the premises and, after their treatment in accordance with the directives on control, they shall be returned to their owner.
2. The other items shall remain detained for re-observation and treatment, if necessary, until they are considered as not being a source of infectious diseases or plagues.

Article 111

(Animal in difficulties)

If there are animals in such conditions which make it impossible for them to leave, for reasons besides quarantine, such animals shall be taken from the premises and returned to their owner.

Article 112

(Animals in good health)

If the veterinary physician of the quarantine service is of the opinion that the animal to be transported is in good health and there is sufficient space, food and drinking water and medication in the mode of transport, such veterinary physician shall allow the animal to embark and the zoo sanitary certificate shall be issued, affirming that the animals are in good health and the requirements of the Country or of the import area have been fulfilled.

Article 113

(Animals transported under the supervision of an inspector)

Animals and plants to be transported from premises to the mode of transport that shall take them directly to the Country or area of destination shall not be authorised to disembark en route, nor shall they mix with or be exchanged for other animals or plants, their transport until the mode of transport being supervised by a quarantine inspector

Article 114

(Export of products of animal or vegetable origin)

1. The clinical inspection of products of animal or vegetable origin for export shall be conducted within the area of the port or airport and shall address:

a) The necessary documents;

b) Whether the containers and seals are intact.

2. If the inspection to which the preceding paragraph refers may not be conducted within the area of the port or airport, it shall be conducted in premises or temporary premises designated by the QSD.

3. If the inspection is conducted outside the area of the port or airport, the transport of the product of animal origin from the place of inspection to the mode of transport shall take place under the supervision of an inspector.

4. If the requirements established by law in relation to delivery deadlines and documents accompanying the application are fulfilled and the products of animal or vegetable origin have been submitted to the quarantine measures required by the importing Country and decreed healthy, they shall be authorised to be loaded upon presentation of a zoo or phytosanitary certificate, depending on the case, issued to the owner once he or she has fulfilled their obligations in relation to costs and tariffs, as set out in the present General Regulation and other applicable legislation, as well as obligations for damages caused in the quarantine premises which is mentioned in the preceding article.

CHAPTER IV

DISPLACEMENT OF ITEMS FROM ONE DISTRICT TO ANOTHER

Article 115

(Requirements)

If no other regime is established in specific regulations concerning certain items, any item subject to quarantine control, when being displaced from one sanitary district of the national territory to another shall:

- a) be accompanied by a zoo or phytosanitary certificate, depending on the case;
- b) leave and enter by way of designated posts of entry and exit;
- c) be notified to the appointed quarantine service agent at the point of entry or exit

Article 116

(Remission)

The import and export regime of items set out in the present General Regulation shall apply, with the necessary adjustments, to the displacement of items from one district of the national territory to another.

CHAPTER V

OTHER ITEMS

SECTION I

GENERAL PROVISIONS

Article 117

(Special regime)

The import, export and displacement from one sanitary district of the national territory to another of used mining and agricultural machinery, used vehicles, logs, timber and timber products, fresh fruit, fresh vegetables, as well as cut flowers and soils shall be subject to the special regime set out in the present Chapter, the general regime of requirements and conditions set out in the present General Regulation not being applicable.

SECTION II

IMPORT OF SOILS

Article 118

(Prohibition)

It shall be prohibited to import soils to the national territory or to displace them from one sanitary district of the national territory to another.

SECTION III

IMPORT OF FRESH FRUIT AND FRESH VEGETABLES

Article 119

(Import of fresh fruit and fresh vegetables)

1. Any fresh fruit or fresh vegetable imported to the national territory or displaced from one sanitary district of the national territory to another shall be accompanied by a phytosanitary certificate issued by the Country or district of origin, under the terms of the present General Regulation, with the following declaration:

"It is hereby declared that the plants or by-products described above have been inspected in conformity with the appropriate procedures and are free from plagues, and have fulfilled all

the regulations of the importing Country or sanitary region".

2. The consignments of any item to which the preceding paragraph refers that, on its way to the national territory, or from one sanitary district to another, enter the territory of a third country, shall remain sealed and conserved in insect-proof containers, the cards being covered in plastic or nets.

3. If the consignments of any item to which paragraph 1 of the present article refers are opened before they arrive at the national territory, exposing the item to possible attacks of insects and contamination, the phytosanitary certificate of the Country of origin shall become invalid and a new phytosanitary certificate shall be obtained from the competent authorities of the Country where the item was exposed to attacks of insects or contamination, before its arrival at the national territory.

4. The phytosanitary certificates issued by the initial Country of origin or by the sanitary district and the Country of transit shall be submitted to the QSD for inspection.

Article 120

(Specific regulations)

The conditions and procedures concerning the import or displacement between districts of any item to which the preceding article refers shall be defined by specific regulations.

SECTION IV

LOGS, TIMBER AND TIMBER PRODUCTS

Article 121

(Import and export of timber products)

The import, export or displacement between districts of logs, timber and timber products shall be subject to the following requirements:

- a) Fumigation certificate issued by the exporting Country;
- b) Inspection upon arrival at the national territory or at the importing sanitary district;
- c) Export permit if required by the sanitary regulations of the importing country;
- d) Import permit in the case of import to the national territory.

Article 122

(Specific regulations)

The conditions and procedures concerning the import, export and displacement between districts of the items referred to in the preceding article shall be established in specific regulations.

SECTION V

CUT FLOWERS

Article 123

(Import of cut flowers)

1. The import of cut flowers shall be subject to a regime of restrictions.
2. The conditions, requirements, procedures and species of flowers which can be imported shall be defined in specific regulations.

Article 124

(Displacement of flowers between districts)

The provisions set out in the preceding article shall apply to the displacement of cut flowers between the districts of the national territory.

SECTION VI

USED MACHINERY AND USED VEHICLES

Article 125

(Import, export or displacement)

The import, export or displacement from one district of the national territory to another of used agricultural or mining machinery and used vehicles shall be subject to inspection.

Article 126

(Special Regulations)

The conditions and procedures concerning the import, export and displacement from one district of the national territory to another of used agricultural and mining machinery and used vehicles shall be defined in specific regulations.

SECTION VII

SANITARY INSPECTION OF SHIPS AND AIRCRAFT

Article 127

(Quarantine control regime)

1. The sanitary inspections of ships and aircraft on international journeys with outbreaks at national ports and airports or displaced from one district of the national territory to another shall be subject to quarantine control, in accordance with the model to be approved by Ministerial Diploma, in conformity with the present General Regulation, with specific regulations and other applicable legislation.
2. The release of the ships to which the preceding paragraph refers shall be subject to rodent control procedures, unless such procedures have been dispensed, in compliance with the exemption certificate to be issued in accordance with the model to be approved by Ministerial Diploma.
3. The release of the ship or the aircraft from the state of quarantine shall be effected by way of a certificate in accordance with the model to be approved by Ministerial Diploma.
4. The quarantine inspection of the ship shall be preceded by a notification from the QSD, in accordance with the model to be approved by Ministerial Diploma.
5. The models referred to in the present article shall apply, with the necessary adjustments, to aircraft.

Article 128

(Specific regulations)

The health control procedures of ships and aircraft on international journeys with outbreaks at national ports and airports or displaced from one sanitary district of the national territory to another shall be defined in specific regulations.

SECTION VIII

SANITARY INSPECTION OF VEHICLES THROUGH LAND BORDERS

Article 129

(Vehicles)

Vehicles with national or foreign licence plates, entering the national territory coming from abroad, through land borders, shall be subject to quarantine control, according to the model to be approved by Ministerial Diploma, in conformity with the present General Regulations, with specific regulations and other applicable legislation.

Article 130

(Specific Regulations)

The health control procedures of vehicles to which the previous article refers shall be defined in specific regulations.

TITLE III

OFFENCES AND SANCTIONS

CHAPTER I

OFFENCES

SECTION I

ADMINISTRATIVE OFFENCES

Article 131

Offences

1. Administrative offences to the present General Regulation punishable with a fine shall constitute:

- a) The import of items without a zoo sanitary or phytosanitary certificate, when required;
- b) The import of items with an import permit, when required;
- c) The import without documents required by the present General Regulation or other applicable legislation;
- d) The import by way of an unauthorised point of entry;
- e) The displacement from one sanitary district of the national territory to another of items without a zoo sanitary or phytosanitary certificate, when required;
- f) The export of items without the necessary zoo sanitary or phytosanitary certificate;
- g) The violation of transit norms of articles through national territory;
- h) False statements with the purpose of misleading the health authorities;
- i) The falsification, issue by a non-competent authority or fraudulent adulteration of the zoo sanitary or phytosanitary certificate;

j) The falsification, issue by a non-competent authority or fraudulent adulteration of the import certificate or any document required under the terms of the present General Regulation;

k) Unauthorised deletions on the zoo or phytosanitary certificate, on the import certificate, on the certificate of origin or on any other document necessary for sanitary clearance;

l) The non-previous notification from the quarantine service of the import or export of quarantinable items, in those cases when this should be done, under the terms of the present General Regulation:

m) The non-fulfilment of obligations by the captains of ships and aircraft commanders, under the terms of the present General Regulation and specific regulations.

2. Without prejudice to the application of the fine, the administrative offences referred to in the preceding paragraph may also be punishable with accessory measures, under the terms of the present General Regulation and the general law.

3. The fines shall be imposed notwithstanding judicial fines which may possibly be applied or criminal sanctions which will occur within the scope of criminal law.

4. The fines and alternative sanctions shall be applied by the Director of the Quarantine Service.

Article 132

(Liable for administrative offences)

The following entities shall be liable for administrative offences:

a) Natural and legal persons who commit them;

b) The owner of the item imported, exported or displaced in violation of the present General Regulation and other applicable legislation.

SECTION II

PROCEDURES

SUBSECTION I

REPORT

Article 133

(Report of the news or of the occurrence)

1. Agents invested with the powers to inspect and fine who, in the performance of their duties, witness any offence to the present General Regulation and other applicable sanitary legislation, shall report all the facts, indicate the time, place, and circumstances under which it was committed and identify the offender and the owner of the item imported, exported or displaced.
2. The officer may determine confiscation measures or other quarantine measures set out in the present General Regulation and other applicable legislation.
3. The report of the news or the occurrence shall be signed by the agent who drew it up, by two witnesses, should there exist, and by the offender, should he or she so wish, to whom shall be submitted a copy.

Article 134

(Value of the report of the news or the occurrence)

1. The report of the news or the occurrence drawn up in accordance with paragraph 1 of the preceding article requires no investigation and shall be submitted to the competent authority to apply the fine within a time limit of 24 hours.
2. The provisions set out in the preceding paragraph do not preclude that the competent authority, whenever it considers necessary, orders that an investigation be undertaken to analyse all the facts and circumstances involving the offence before that such competent authority decides on the punishment.

SUBSECTION II

INVESTIGATION

Article 135

(Investigation)

1. In the event of the need for a complementary investigation to establish the truth of the facts if they are not determined in the phase set out in paragraph 1 of article 133, the investigation shall begin with the report of the news or of the occurrence.
2. In addition to witnesses, statements, expert reports and others set out in the law may be admitted as evidence.
3. The non-appearance of the alleged offender to testify shall not prevent the proceedings from initiating and the sanctions established in the present General Regulation from being applied.
4. The offender may be represented in the investigation proceedings by a lawyer.

Article 136

(Object of investigation)

The investigation of acts punishable under the terms of the present General Regulation and other applicable legislation shall include, notably:

- a) The verification of reports or information regarding punishable acts;
- b) The summons of a person to testify in the investigation, either as an alleged offender or witness;
- c) The search and seizure if any object that serves as evidence of a punishable act, under the terms permitted by the present diploma;
- d) The request for information and material proof related to a punishable act;
- e) The drafting and signing of official reports.

Article 137

(Time limit for proceedings)

In the event there are investigation proceedings, the maximum time limit for the effect shall be of 5 days, from the reception of the report of the occurrence by the judge.

Article 138

(Powers to initiate the proceedings)

Without prejudice to what shall be set out in the regulations and other applicable legislation, the QSD shall be responsible for proceeding to the investigation and initiating the administrative offence proceedings for offences against the present General Regulation.

Article 139

(Contents of the case)

Once the report is drawn up or the investigation proceedings, when there are any, have been concluded, the case is submitted to the competent authority to apply the fine, the case indicating under what circumstances the offence was committed, the abstract fine applicable and the fine that shall be effectively applied.

Article 140

(Decision)

The offender shall be notified of the decision of the case and, if such offender's residence is unknown, he or she shall be notified by notice posted on the door of the building where the authority which imposed the punishment works.

SECTION III

APPEALS

Article 141

(Appeals)

1. The final decisions applying fines and accessory measures of punishment shall be challenged by way of a judicial review under the terms of the law.
2. It shall be mandatory to be represented by a lawyer in the case of appeals.

CHAPTER II

SANTIONS

Article 142

(Amount of fines)

1. The administrative offences set out in paragraph 1 of article 131 shall be punishable with a fine of a minimum of 100 US dollars and a maximum of 50,000.00 US dollars.
2. The fines may not be converted into prison sentences.

Article 143

(Accessory measures of punishment)

1. Without prejudice to the fines and other sanctions to be imposed, may cumulatively be imposed in accordance with the law, accessory sanctions, depending on the severity of the offence against the General Regulation and other applicable legislation, resulting in the suspension of permits, licenses or trade licenses for periods of between 1 and 2 years.
2. Recidivism shall always involve the imposition of accessory punishment measures.

Article 144

(Payment of fines, charges and costs)

1. The release of any item that has been imported or is being exported or being displaced between sanitary districts shall only take place upon payment of charges and costs in arrears or fines imposed.
2. The non-payment of taxes, costs and fines shall result in the detention of the item, notwithstanding the enforcement measures for debts existing within the terms of the law.

Article 145

(Recidivism)

1. Recidivism exists when in the 12 months subsequent to the application of a sanction for the practice of an offence, the offender commits another offence, be it the same one or of the same type and gravity.
2. In the case of recidivism, the minimum and maximum limits of fines and applicable accessory measures shall be increased twofold.

Article 146

(Gradation of the applicable measures)

1. In the determination of the sanctions to be applied, the damage or danger of damage caused by the offence, the degree of intention or negligence with which it was committed, the economic situation of the offender, the technical and economic characteristics of the offence, the estimated benefit the author of the offence received or could have received and all other relevant circumstances shall be taken into consideration.
2. Aggravating circumstances, among others, shall be recidivism and the accumulation of offences.
3. The provisions set out in the preceding paragraph shall not preclude the application of accessory punishment measures under the terms of the present General Regulation and other applicable legislation.

Article 147

(Payment of fine)

1. The fine shall be paid in national currency.
2. The fines for offences against the present General Regulation and other applicable legislation shall be paid within a maximum time limit of 24 hours upon its imposition.
3. The time limit established in the preceding paragraph may be extended for an equal period of time by the authority who applied the fine, but no more than once.
4. The items shall not be released until the fines imposed are paid.

Article 148

(Limitation period)

The administrative procedure for the application of fines and accessory punishment measures shall be limited to the period of one year from the date the offence was practised.

TITLE IV

FINAL AND TRANSITIONAL PROVISIONS

Article 149

(Exception system for academic institutions)

Notwithstanding the restrictions and prohibitions in the import of certain items set out in the present General Regulation, it shall, on an exceptional basis, be permitted to import quarantinable plants and animals and animal and vegetable products, as well as other items, for the purposes of education, scientific and laboratorial research, provided they are laboratories or scientific institutions or State education establishments or establishments controlled by the State and the necessary health safety measures are ensured.

Article 150

(Quarantine Service Emblem)

The emblem of the Quarantine Services shall be approved by Ministerial Diploma.

Article 151

(Language of the documents)

1. Permits, forms and other documents issued by the QSD shall be drawn up in one of the two official languages of the Country.
2. Without prejudice to the provisions set out in the preceding paragraph, the documents referred therein may be accompanied by a translation in the English language certified by the QSD.

Article 152

(Approvals by Ministerial Diploma)

In addition to those references expressly set out for the effect of the present General Regulation, the following shall be approved by Ministerial Diploma:

- a) The List A and ;list B diseases to which sub-paragraphs f) and m) of paragraph 2 of article 1 refer, respectively;
- b) The lists of Category I Plagues to which article 1, paragraph 2, sub-paragraph j) refers;
- c) The lists of Category II Plagues to which article 1, paragraph 2, sub-paragraph k) refers.

Article 153

(Repeal of previous legislation)

All subsidiary legislation or other previous legislation which counters the provisions of the present diploma shall be repealed, the provisions of the previous law however remaining in force as regards specific regulations until new diplomas covering corresponding topics come into force.

Article 154

(Drafting of specific regulations)

1. The Minister shall make every effort to duly draw up the specific regulations required for the effective enforcement of the present diploma.
2. The specific regulations to which the preceding paragraph refers shall be approved by Government Decree.
3. Occasional topics raised with regard to the enforcement of the General Regulation and other applicable legislation shall be regulated by Ministerial Diploma.

Article 155

(Entry into force)

The present diploma shall come into force fifteen days upon its publication.

Approved in Council of Ministers on 04 August 2006

To be published.

The Prime Minister

Jose Ramos-Horta

The Minister of Agriculture, Forestry and Fisheries

Estanislau Aleixo da Silva