



## ST. CHRISTOPHER AND NEVIS

### CHAPTER 3.01 (N)

## NEVIS MARKETS AND MEATS ORDINANCE and Subsidiary Legislation

### Revised Edition

showing the law as at 31 December 2009

This is a revised edition of the law, prepared by the Law Revision Commissioner under the authority of the Law Revision Act, Cap. 1.03.

This edition contains a consolidation of the following laws—

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## **CHAPTER 3.01 (N)**

### **NEVIS MARKETS AND MEATS ORDINANCE**

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## CHAPTER 3.01 (N)

### NEVIS MARKETS AND MEATS ORDINANCE

AN ORDINANCE TO PROVIDE FOR THE REGULATION OF THE PUBLIC MARKETS AND SLAUGHTER HOUSES IN THE ISLAND OF NEVIS AND FOR MATTERS CONNECTED THEREWITH OR INCIDENTAL THERETO.

#### Short title.

1. This Ordinance may be cited as the Nevis Markets and Meats Ordinance.

#### Interpretation.

2. In this Ordinance—

“abattoir” means a slaughter house;

“animal” means a domestic animal the meat of which is intended to be used for human consumption and includes poultry;

“butchers’ meat” includes any beef, mutton, veal, lamb, pork, kid and the meat of any other animal slaughtered for the purpose of sale;

“clerk” means the person in charge of a market;

“existing market” includes a market established under the provisions of any Act or Ordinance presently in force;

“existing slaughter house” includes a slaughter house established under the provisions of any Act or Ordinance presently in force;

“market” means a market established under the provisions of this Ordinance for the sale of marketable commodities, and includes all buildings, sheds, covered and open spaces and grounds connected therewith;

“Minister” means the member of the Nevis Island Administration responsible for the subject of Agriculture;

“poultry” means chickens, ducks, geese, turkeys and other birds;

“regulations” means regulations made under this Ordinance;

“section” means a section of this Ordinance;

“slaughter” means the killing of animals for the purpose of processing the meat into food for human consumption;

“slaughter house” means any abattoir or any other place in the Island of Nevis declared by proclamation to be such by the Minister of Agriculture under section 3(b), of this Ordinance.

#### Public Markets and houses.

3. (1) The existing markets and slaughter houses throughout the Island of Nevis established under the authority of the Markets and Meat Ordinance 1916 and the General Markets and Meat Act, No. 22 of 1976 shall be deemed to be established under this Ordinance.

(2) The Governor-General may from time to time, by *Proclamation* to be published in the *Gazette*, define the site, limits and extent of any existing market, or

of any market hereafter to be erected or established, and from time to time alter such site, limits and extent.

(3) The Governor-General may from time to time *by Proclamation* published in the *Gazette*, declare any place in the Island of Nevis to be a slaughter house for the purpose of this Ordinance and may define the limits thereof and may also from time to time alter such limits.

#### **General control of Minister.**

4. It is hereby declared that the administration of this Ordinance and the general superintendence of markets and slaughter houses shall be a responsibility of the Minister of Agriculture or any other Minister who is assigned the responsibility by the Governor-General.

#### **Powers of Minister.**

5. It shall be lawful for the Minister to do all or any of the following matters or things—

- (a) to cause to be purchased out of public funds, all measures, scales and weights, furnishings and appliances as shall be necessary for markets or slaughter houses;
- (b) to cause to be made and paid for out of public funds all such repairs, alterations, improvements and additions to markets or slaughter houses as he shall deem necessary and proper.

#### **Power to charge rent for stalls etc.**

6. It shall be lawful for the person in charge of any market or slaughter house from time to time to demand and take from every person occupying, or using any stand, stall, table, shed, pen, or place, or using any weighing instrument in any market or slaughter house, such rents, fees and charges as may be fixed by regulations made under this Ordinance.

#### **Recovery of rents, fees and charges.**

7. If any person liable under this Ordinance for the payment of any rent, fee, or charge does not pay the same when required so to do by the person in charge of a market, the same may be recovered by distress and sale of a sufficient part of the goods in respect of which such rent, fee or charge is payable, or of any other goods in the market belonging to or under the charge of the person liable to pay such rent, fee or charge; or such rent, fee or charge may be recovered as a debt due to the person in charge of the market or slaughter house in any Court of competent jurisdiction.

#### **Regulations.**

8. (1) The Minister may make regulations in respect of all or any of the following matters, that is to say—

- (a) for regulating the use of any market or markets, and of any slaughter house or slaughter houses, and of any stalls, tables and places in any market;
- (b) the feeding and watering of animals taken to any slaughter house;
- (c) the days and hours during which any market or slaughter house shall be kept open;

- (d) for excluding and removing all persons suffering from contagious disease, or from any skin or other disease rendering such person, in the opinion of the person in charge of a market, unfit to sell in such market;
- (e) for prescribing the conditions subject to which stalls, tables and places shall be held or occupied or used by any person hiring, or using, or desirous of hiring or using the same;
- (f) for regulating the inspection of any butchered meat exposed or intended to be exposed or offered for sale in any part of a market or slaughter house and of any livestock intended to be slaughtered for meat;
- (g) for maintaining order and quiet in markets and slaughter houses and the prevention of shouting, singing and smoking and for preventing any disturbance therein by fighting or disorderly behaviour;
- (h) for fixing the rents, fees and charges to be made for the use of stalls, tables and places, and for selling after six hours notice; a butcher's meat or marketable commodities distrained for rent of a market stall;
- (i) for regulating the sale of marketable commodities;
- (j) for prescribing the areas in the vicinity of any market within which it shall not be lawful to sell or offer for sale any marketable commodity;
- (k) for the condemnation and destruction of butcher's meat unfit for human food, with or without compensation;
- (l) for the inspection by officers or employees of the Ministry of Health, or by medical practitioners or by sanitary inspectors or other competent officer of the Health Department of animals brought to and the carcasses of animals slaughtered at any slaughter house and all articles of food exposed or offered for sale in any market, and for the seizure and detention of any such animal, carcass or articles of food found to be diseased, and the reporting thereof to the sanitary inspector;
- (m) for regulating the use of weighing instruments belonging to or used in or in connection with any market or slaughter house; and preventing the use of false or defective weights, scales or instruments by any person selling in any market; and
- (n) generally such other regulations as may be deemed necessary for the good government of markets and slaughter houses; and for the better and more effectual carrying out of the provisions of this Ordinance.

(2) Such regulations may impose pecuniary penalties not exceeding one thousand dollars.

(3) Penalties for breaches of such regulations shall be recovered on summary conviction before a magistrate, upon complaint made in the name of the person in charge of the market or slaughter house; and such penalties, together with all rents, fees and charges received, shall be paid into the Treasury for the use of the Nevis Island Administration.

(4) In this section the term "marketable commodity" means meat, fish, turtle, game, livestock, eggs, ground provisions, vegetables, fruit and such other goods and articles as may be notified in the *Gazette* by Order of the Minister.

**Powers of clerks of markets.**

9. The clerk shall have within that market the powers of a police constable and with respect to weights and measures, the powers of an inspector of weights and measure under the Weights and Measures Act, Cap. 23.33 of the Laws of the Federation of Saint Christopher and Nevis.

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**SCHEDULE**

*(Section 11)*

**FISH MARKETING REGULATIONS****Citation and application.**

1. These Regulations may be cited as the Fish Marketing Regulations, and shall apply only to the Parish of St. Paul in the island of Nevis.

**Interpretation.**

2. In this Regulation, unless the context otherwise requires—

“Fisheries Complex” means the Fisheries Complex in the Parish of St. Paul in the island of Nevis;

“Fresh fish” means fish caught by local fishermen in and around the coastal waters of Saint Christopher and Nevis and which is offered for sale without having been gutted or previously refrigerated.

**Prohibition on sale of fish.**

3. No person shall sell or offer to sell any fish in a place other than the Fisheries Complex established in the Parish of St. Paul.

**Offences.**

4. Any person who contravenes the provision of Regulation 3 is guilty of an offence and shall be liable on summary conviction to a fine not exceeding two hundred dollars.

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