

# Donkey slaughter regulation and Export Certification Bill 2021

Sponsored by: Senator Yahaya Abubakar Abdullahi

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**A BILL FOR**

**AN ACT TO REGULATE THE SLAUGHTER OF DONKEYS AND ESTABLISH THE BREEDING AND RANCHING OF DONKEYS THROUGH THE EXPORT CERTIFICATION VALUE CHAIN TO MITIGATE THE EXTINCTION OF DONKEYS AND FOR RELATED MATTERS 2021 (SB. 496)**

Sponsored by: Senator Yahaya Abubakar Abdullahi

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Commencement

**ENACTED** by the National Assembly of the Federal Republic of Nigeria

1. As from the commencement of this Act, the slaughter of donkey species, the breeding and ranching of donkeys shall be a regulated business under the export Certification Value Chain of the Service specified in Section 11 of the Bill. **Export Certification value chain for donkeys and donkey products.**
2. (1) It shall be unlawful to without the express written authorization or grant of permit or certificate by the Service -
  - (a) Knowingly slaughter a donkey by any means whatsoever. **Regulation of donkey slaughter, etc.**
  - (b) Knowingly ship, transport, move, deliver, receive, possess, purchase, sell or donate a donkey to be slaughtered for human consumption or export of the donkey hide.
  - (c) Knowingly establish a donkey slaughter slab/house or abattoir for the slaughtering of donkey and processing of donkey hides and meat.
  - (d) Knowingly convey or transport donkey or donkey products in an unhealthy or manner not prescribed in any carriage, craft or vessel.
3. For public health reasons, the carcass of a donkey or donkey products lying in public places shall be disposed in a prescribed manner and under the supervision of an authorized officer(s) of the Service. **Disposal of carcass of donkey or donkey products lying in public place**
4. (1) A permit or certificate issued under the provisions of this Bill shall be in such form as the Service may prescribe and shall remain in force for a period of six months from the date of issue. **Permits and Certificates**

(2) The Service shall cancel or retain the export or re-export certificate and any corresponding import permit presented in respect of the importation of any donkey or donkey products affected by this Bill.

(3) A separate permit issued by the Service shall be required for each consignment of any donkey or donkey products imported, exported or re-exported under this Bill.

5. (1) Any person(s) desirous of breeding, ranching or the export of donkey or donkey products shall apply to the Service for registration and the Service shall:

**Registration of  
Breeder or exporter**

(a) Require the applicant for registration to submit a comprehensive data of its registration with the Corporate Affairs Commission.

(b) Require the applicant to provide evidence of the establishment of a breeder or ranch for its operations and secure the approval of the National Animal Production Research Institute (NAPRI)

(c) The applicant for registration must furnish a documented proof to support the claims made that its operations have been designed along the Service's export certification value chain to ensure the restocking of donkey species and the increase of the national herd.

6. (1) The Service shall cause to be maintained records of breeding, ranching and the export of donkey or donkey products and such records shall include-

**Records of Breeding,  
Ranching and Export.**

(a) The names and addresses of breeders and exporters thereof;

(b) The number and types of permits and certificates granted;

(c) The countries with which such export occurred and the number of donkeys and quantities of donkey products;

(d) Where applicable, the size, weight and sex of the donkey or donkey products.

7. (1) It shall be an offence to move, transport or relocate more than two donkeys without the express permission given in writing or issuance of a loading permit by the Service.

**Movement of donkey and donkey products**

(2) It shall be an offence to move, transport, ship or aggregate preparatory for export any donkey or donkey product without the express permission given in writing or issuance of a permit in compliance to this Bill.

8. (1) The Service may grant waivers to any individual donkey farmer, association or business to slaughter old and unproductive donkeys and export its hides, where it considers that the individual(s), association or business organisation has met the requirements for breeding and ranching and has established a breeder or ranch duly stocked with a reasonable number of productive donkeys with the sole intention of restocking the national herd and generating foreign exchange for the Country.

**Waivers for export**

9. The Service shall charge fees for investigations, registration and the monitoring/ supervision of breeders and ranches.

**Fees and charges**

10. (1) Any donkey, donkey products, biologic, contaminated agricultural product/commodity or infectious agent which is not processed in accordance with the provisions of this Act shall be seized or caused to be destroyed immediately by an authorized officer of the Service on the directive of the Director General without prejudice to the imposition of any penalty for the contravention of these provisions:

**Seizure or destruction of donkey, donkey products. etc.**

(2) Provided that such seizure or destruction in (1) of this section shall be reported without delay to the magistrates having jurisdiction in that area.

(3) In cases of perishable or contaminated donkey hides/products, the Service shall immediately dispose of the donkey hides/products and report to the Magistrate as in (2) of this section.

(4) Any donkey, donkey products, biologic, contaminated agricultural product/commodity or infectious agent seized by any other government body other than the Service shall be transferred to the Service for appropriate quarantine procedures to be carried out.

11. (1) Any person(s) who, in contravention of the provisions of this Bill slaughters, trades in or otherwise deals with donkey and donkey

**Offences, penalties**

(2) Where a corporate body or an association of persons commit an offence under this Bill, the chief executive, leader, head or director of such a corporate body or association of persons shall become personally liable for the penalty prescribed in subsection (1).

(3) In addition to the penalty specified in subsection (1) of this section-

(a) the donkey and donkey products, the slaughter and export of which is regulated under this Bill, as well as any vehicle, carriage, vessel, aircraft, building, structure, tools or devices or other thing whatsoever used in connection with the slaughtering or killing of donkey shall be forfeited to the Federal government.

(b) any person(s) who aids, counsels, procures, or conspires with another to commit an offence under this section shall be guilty of an offence and liable to conviction to same punishment as prescribed for the offence under subsection (1) of this section.

12. Any offence committed under this Bill is triable by the Federal High Court.

**Jurisdiction of the Federal High Court.**

13. (1) The Service may make regulations in respect of any of the following purposes- (a) Regulating the slaughter, importation and exportation of donkey and donkey products thereof;

**Power to make regulations.**

(b) Regulating the application for the issue, form, conditions or period of validity of permits and certificates required by this Bill.

(c) Providing for the issue of duplicate certificate in case of loss, destruction or defacing of an original permit or certificate.

(d) Regulating the number of donkey or quantity of donkeys to be exported within a specified period of time.

(e) Providing for payment and collection of any fees prescribed under this Bill.

(f) Providing for termination, revocation, and forfeiture of license(s) and permits issued under this Bill.

(g) Authorizing the payment of grants, bonuses or rewards out of public revenue for the encouragement of breeding and ranching of donkey to

14. (1) In this Bill unless the context otherwise requires -

**Interpretation**

“**Authorized Officer**” means a quarantine inspector in any of the Service’s office, quarantine station or control post.

“**Breeder**” means a person or group of person engaged in donkey production/ranching or a particular location designated for donkey production and care.

“**Court**” means the Federal High Court;

“**Service**” means the Nigeria Agricultural Quarantine Service.

“**Ranch**” means the farm where the donkeys are bred.

“**Public Place**” means an indoor or outdoor area including any highway, wharf, street, bridge, thoroughfare, any foreshore or any beach or open space, stadium, any place of public resort or entertainment, whether privately or publicly owned, to which the public have any access by right or by invitation, express or implied, whether by payment of money or not, and also includes all land and land covered with water contiguous to public space.

15. The Bill may be cited as Donkey slaughter regulation and Export Certification Bill 2021.

**Short Title**

**EXPLANATORY MEMORANDUM**

The Bill seeks to regulate the slaughter of donkeys, establish the breeding and ranching of donkeys through the export certification value chain to mitigate the extinction of donkeys given their Aesthetic, Ecological, Educational, Historical, Recreational and Scientific Value to the Nigeria Nation.

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Senate President  
Senate

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Clerk  
Senate