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ANIMAL PRODUCTION & HEALTH
GATAMBE-PERADENIYA DPT.

The Gazette of the Democratic Socialist Republic of Sri Lanka

EXTRAORDINARY

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PART I : SECTION (I) — GENERAL

Government Notifications

L.D.-B.4/2009.

THE ANIMALS ACT, No. 29 OF 1958

REGULATIONS made by the Minister of Livestock Development, under Section 35, read with Sections 3, 3AA, 11, 26 and 34 of the Animals Act, No. 29 of 1958.

R. M. C. B. RATNAYAKE,
Minister of Livestock Development.

Ministry of Livestock Development,
Colombo,
08th November, 2009.

Regulations

1. These Regulations made under Animals Act, No. 29 of 1958 and published in the *Gazette Extraordinary* No. 13268 of August, 20, 1962 and amended by Regulations published in the *Gazette Extraordinary*, No. 1123/7 of March 14, 2000 are further amended as follows :-

1. in Part 1 thereof by the repeal of regulations 1, 2, 3 and 4 and the Substitution therefore of the following regulations —

“1.(1) No person shall transport Livestock without obtaining a transport permit substantially in the form set out in the Schedule I to these regulations, from the Divisional Secretary of the area in which the animal to be transported is kept.

(2) An application for a transport permit shall be made substantially in the form set out in the Schedule 2 to these regulations, and shall be accompanied by a non refundable fee of fifty rupees per each head of cattle and the documents specified in paragraph (3).

(3) The application for a transport permit shall be accompanied by the following documents—

(a) the cattle voucher issued in respect of the animal ;

(b) a health certificate issued by the Government Veterinary surgeon of the area (substantially in the form set out in Schedule 3 to these regulations) to the effect that —

- (i) the animal is free from any contagious or infectious disease ; and
- (ii) the area within a radius of 3 km. from the place where animal is kept , has been free from any contagious or infectious disease communicable to such animal, during the period of three months, immediately preceding the date of issue of such certificate ; and
- (c) a certificate issued by the Government veterinary surgeon of the area (substantially in the form set out in the Schedule 4 to these regulations) to the effect that the vehicle to be used for transportation of the animal satisfies the standards and conditions specified in regulation 2 ;
- (d) for the purpose of issuing a health certificate under paragraph (b) the Government Veterinary Surgeon shall charge fifty rupees in respect of each animal inspected.

(4) (a) The Divisional Secretary may, on consideration of the application and the information and documents accompanying such application, issue a transport permit to the applicant.

(b) The Divisional Secretary may refuse to grant a transport permit—

- (i) if he is of the opinion that the removal of the animal shall cause shortage of animals for agricultural purposes in the area ;
- (ii) if he finds that the application is incomplete or any of the supporting documents are absent of defective.

(c) Where the divisional Secretary rejects an application, he shall give reasons for such rejection in writing,

(d) A person aggrieved by the decision of the Divisional Secretary to reject an application may, within fourteen days after such decision is communicated to him, appeal against such decision to the District Secretary,

(e) Every appeal under subsection (4d) shall be in writing and shall state the grounds for appeal.

(f) The decision of the District Secretary shall be communicated to the applicant in writing within twenty one days of the receipt of such appeal.

2. Every vehicle which is used for transporting animals shall satisfy the following standards and conditions —

- (a) it shall carry conspicuously therein a board indicating the expression "TRANSPORTATION OF ANIMALS". The letters thereof shall be printed in a luminous red colour on a white background ;
- (b) the size of the board shall be 30" x 4" ;
- (c) the vehicle shall have facilities for the easy inspection of the animals carried therein by the authorities concerned ;
- (d) the vehicle shall have a ramp to load and unload the animals in a humane manner ;
- (e) the vehicle shall have the space requirements specified in Schedule 5 to these regulations ;
- (f) the floor of the vehicle shall be free from holes or cracks which are likely to cause injury to the animal being transported ;
- (g) the vehicle shall be properly cleaned and maintained ;
- (h) the vehicle shall have an appropriate covering so as to afford the animal necessary protection taking in to consideration —

- (i) the environmental factors such as weather, temperature and terrain ;
- (ii) the distance that the animals are to be transported ;
- (iii) the type of animal being transported.

3. It shall be the collective responsibility and duty of the owner and the person conveying or transporting any animal —

- (a) not to cause any injury to such animal during the loading and unloading of the animals in the process of transportation ;
- (b) to avoid transporting any animal prone to aggressiveness together with other animals, unless adequate precautions are taken to prevent such animal from attacking or causing harm or injury to other animals ;
- (c) to take all reasonable efforts to avoid any discomfort to such animal during the transportation ;
- (d) to make sufficient stopovers in regular intervals during the process of transporting such animal to provide food, water and essential comfort to the animal ;
- (e) not to transport any animal which is sick or likely to given birth during such transportation or seventy two hours after such transportation, unless such animal is transported for medical treatments or for the safety and welfare of the animal.

4. (1) Any person who contravenes any of this provisions of the Part of these regulations, commits an offence and shall on conviction after summary trial by the Magistrates Court be liable to imprisonment of either description for a period not exceeding three years or to a fine not exceeding fifty thousand rupees or to both such fine and imprisonment.”.

- (2) by the renumbering of existing PART III, PART IV and PART V as PART IV, PART V and PART VI respectively ;
- (3) by the repeal of Part II (BRANDING OF CATTLE) and inserting the following new parts —

“PART II

CATTLE VOUCHER AND BRANDING OF CATTLE

11. The Cattle Voucher required to be issued under paragraph (a) of Section 7 of the Act shall be substantially in the form specified in Schedule 6 to these regulations.

12. No Person shall —

- (a) alter, added or deface a cattle voucher ;
- (b) be in possession of cattle which had been branded and in respect of which a cattle voucher is issued, unless he is the owner of such cattle or the rightful agent of such owner.

13. The owner of a cattle or the rightful agent of the owner shall produce the cattle voucher relating to the cattle on demand by any police officer or peace officer.

14. Where any cattle is sold, the buyer and the owner of the cattle shall sign the cattle voucher before the Government Veterinary Surgeon of the Area in which the cattle is kept and the Government Veterinary Surgeon shall hand over the perfected cattle voucher to the buyer or the new owner of the cattle.

15. (a) The holder of a cattle voucher may apply to the Government Veterinary Surgeon of the Area for a copy of the voucher where the voucher is lost stolen defaced or destroyed.

(b) The Government Veterinary Surgeon may, upon establishing the ownership of the cattle by the applicant and on being satisfied with the ownership, issue a copy of the cattle voucher to the applicant.

16. The owner of a cattle shall forthwith return the cattle voucher to the Government Veterinary Surgeon of the Area upon the death of the cattle in respect of which the voucher is issued.

17. (a) The places for branding of cattle as required by Section 5A of the Act shall include –

- (i) the farm or the place where animal is kept ;
- (ii) the office premises of the Government Veterinary Surgeon ; or
- (iii) any other place as may be determined by the Government Veterinary Surgeon of the area.

(b) where the Government Veterinary Surgeon of the Area determines a place for branding under Paragraph (a) he shall give sufficient and appropriate notice of such place of branding to the public.

18. For the purpose of branding of cattle, *inter alia*, the system of ear tagging may be utilized.

19. (a) The procedure and the process of ear tagging includes assigning of an identification number to each cattle or buffalo and fixing of that identification number on the middle of the external ear of the cattle or the buffalo.

(b) The identification number referred to in Paragraph (a) includes a number for the Province, a number for the District, a number for the Divisional Secretary Area, a number for the Cattle Farm (where applicable) and a number for the individual animal.

(c) The Director General shall by notification published in the *Gazette*, specify the number assigned for a respective Province and the number assigned for a respective District and the number assigned for the respective Divisional Secretary Area.

(d) The Government Veterinary Surgeon of the area shall assign a specific number in writing to each cattle farm carried on in that area.

20. The identification number for each cattle shall be allotted by the Government Veterinary surgeon of the area.

21. The process of ear tagging shall be carried out by the Government Veterinary Surgeon of the area and the veterinary surgeon may, in writing , appoint such number of branding officers in order to assist him in the process.

22. The Government Veterinary Surgeon shall charge a fee of Rupees twenty for the fixing of an ear tag on each head of cattle, from the owner of the cattle.

23. For the purposes of Section 6 of the Act, the return to be furnished by the owner of a cattle shall be substantially in the form specified in Schedule 7 to these regulations.

24. The register to be maintained by the Government veterinary surgeon under Paragraph (a) of Section 7 of the Act, shall be substantially in the form specified in the Schedule 8 to these regulations.

PART III

ANIMAL CARE CENTRES

25. The Minister may by order published in the *Gazette*, establish one or more animal care centres in each Divisional Secretariat area.

26. (1) Any Governmental Organization, Non Governmental Organization or a person who intends to establish an animal care centre shall do so only upon registration of such centre with the Director-General. Every application for registration shall be substantially in the form set out in Schedule 9 to these regulations.

(2) The application referred to in sub Paragraph (1) shall be recommended by the Government Veterinary Surgeon of the Area, and the relevant Provincial Director of the Department of Animal Production and Health and shall contain all other information and documents specified in such Form.

27. (1) The Director General may within thirty days of the receipt of such application, upon consideration of the application and the supporting documents, and where he deems necessary after a field inspection of the premises, grant approval to carry on an Animal Care Centre under the Act.

(2) Where the approval is granted under Paragraph (1), the Director General shall issue the applicant a Certificate of Registration in the form specified in Schedule 10 to these regulations. The Certificate of Registration shall be valid for a period of one year and shall be renewed at least one month prior to the expiration of the existing Certificate of Registration.

(3) Every application for renewal of registration shall be made in the form specified in Schedule 9 to these regulations.

(4) The Director-General shall within every three months by a notification published in the *Gazette* substantially in the form set out in Schedule 11, specify the Animal Care Centres in respect of which a certificate of registration has been issued, during the period of three months.

28. (1) The Director-General may where the application and the supporting documents do not contain sufficient reasons to permit the carrying on an Animal Care Centre reject such application and inform the applicant in writing of his reasons for such rejection.

(2) A person aggrieved by the decision of the Director-General, may within ten days after such decision is communicated to him, appeal against such decision to the Minister.

(3) Every appeal under sub-paragraph (2) shall be in writing and shall state the grounds for appeal.

(4) The Minister shall, before determining any appeal under these regulations, afford the appellant an opportunity of being heard either in person or by his authorized representative.

(5) The decision of the Minister shall be communicated to the appellant in writing within six weeks of the receipt of such appeal with a copy to the Director General.

29. (1) It shall be the duty of each Animal Care Centre to which a Certification of Registration has been granted to manage such Animal Care Centre in accordance with the minimum standards specified in Schedule 12 to these regulations.

(2) Without prejudice to the generality of the provisions of Paragraph (1) every registered Animal Care Centre shall—

- (a) feed, nurse, protect and care for each animal handed over to such centre ;
- (b) take all steps to secure and maintain the animals therein free from any disease ;
- (c) maintain its premises in order to ensure the maximum conservation and protection to environment and to minimize the environmental pollution and any other nuisance to the public health.

30. (1) Every registered Animal Care Centre shall maintain a register of animals kept in such centre as specified in Schedule 13 to these regulations.

(2) The register shall be inspected by the Government Veterinary Surgeon of the Area or his representative, from time to time.

31. For the purpose of ascertaining whether the minimum standards stipulated under these regulations are maintained in an animal care centre, the Government Veterinary Surgeon of the area, or any person authorized by him in writing —

- (a) may enter upon and inspect any such Animal Care Centre, at all reasonable hours of the day with or without prior notice ;
- (b) inspect the records that are required to be maintained by the Animal care centre under these regulations ;
- (c) require the permit holder to carry out certain acts or improvements to such centre for the welfare of the animals within a specified period.

32. Where the permit holder fails to comply with any order made under regulation 31 or who fails to maintain minimum standards stipulated under these Regulations, the Director-General may cancel the registration and cause the removal of the animals to another registered Animal Care Centre.

33. For the purpose of this part of these regulations the expression "Animal care centre" includes —

- (a) any Governmental or Non Governmental Organization whose primary objective is concerned with the welfare of the animals ; or
- (b) any person who is actively engaged in caring for animals.

Schedule 1

ANIMALS ACT, No. 29 OF 1958

Serial No.:

Permit for Removal of Animal/s within, to or from Divisional Secretariat Area to another Divisional Secretariat Area
(in foil and counter foil)

Permission is hereby granted to Rev./Mr. /Mrs. /Ms.
of.....to remove the animal/s described here under
From to
.....for the purpose of
.....subject to the conditions described
below.