

CHAPTER 571

DISEASES OF ANIMALS

Ordinances AN ORDINANCE TO MAKE PROVISION WITH RESPECT TO CONTAGIOUS AND
 Nos.25 of 1909, INFECTIOUS DISEASES OF CATTLE AND OTHER ANIMALS.
 16 of 1912,
 26 of 1921,
 20 of 1922,
 19 of 1923,
 17 of 1930,
 6 of 1935,
 7 of 1939,
 61 of 1939,
 11 of 1941,
 3 of 1946,
 29 of 1947,
Act
 No. 33 of 1957.

[1st August, 1910.]

Short title. 1. This Ordinance may be cited as the Contagious Diseases (Animals) Ordinance. Sinhala and Tamil names specified in the Schedule,

Interpretation 2. In this Ordinance, unless the context otherwise requires—

" animal " means horses, mules, asses, sheep, swine, goats, and any other animals to which this Ordinance shall be made to apply by the Minister by Order published in the Gazette;

" carcase " means the carcase of any cattle or animal, and includes part of a carcase and the meat, bones, hide, skin, hoofs, horns, offal, or other part of any cattle or animals separately or otherwise, or any portion thereof;

" cattle " means bulls, cows, bullocks, buffaloes, heifers, steers, and calves;

" disease " means—

(a) in the case of cattle, murrain or rinderpest, foot-and-mouth disease, piroplasmosis, haemorrhagic septicaemia, pleuro-pneumonia, anthrax, tuberculosis, surra or any form of trypanosomiasis, and includes the diseases known by the

(b) in the case of other animals, foot-and-mouth disease, anthrax, glanders, farcy, epizootic lymphangitis, osteoporosis, surra or any form of trypanosomiasis, piroplasmosis, swine fever:

Provided that the Minister may, by Order published in the Gazette, extend the definition of disease so that the same shall comprise any other disease of cattle or of animals, in addition to the diseases mentioned in this section ;

" diseased " means affected with disease;

" fodder " means grass or other substance commonly used for food for cattle or animals;

"litter" means straw or other substance commonly used for bedding or otherwise for or about cattle or animals;

" owner " includes a part owner or hirer of any cattle or animal and any person who takes care of any cattle or animals on condition of receiving part of the produce thereof•

"suspected" means suspected on reasonable grounds of being diseased, and, when applied to cattle or animals, includes any cattle or animals which have been in contact with diseased cattle or animals, or have been in circumstances in which they were likely to become infected with disease.

3. Every person having in his possession or under his charge any diseased or suspected cattle or animals shall keep such cattle or animals separate from other cattle or animals, and shall with all practical speed give notice of the fact of the cattle or animals being diseased or suspected to the nearest grama seva niladhari or police officer or stock inspector or agricultural instructor or veterinary officer, who shall forthwith give information thereof to the Chief Government Veterinary Surgeon.

4. (1) Where it appears to the Chief Government Veterinary Surgeon that disease, whether of cattle or animals, exists or has within ten days existed in a cattle shed, field, chena, garden, tank, or other place, he shall forthwith make and sign a declaration thereof, and shall proclaim by beat of tom-tom or in such other manner as he may deem fit any area within which such cattle shed, field, chena, garden, tank, or other place is situated to be an infected area.

(2) Every such declaration shall specify the limits of such area and the date from which such declaration shall take effect.

(3) The Chief Government Veterinary Surgeon shall forthwith forward to the Minister a copy of any such declaration as aforesaid, and report all proceedings taken thereon.

(4) The Minister may, from time to time, if he thinks fit, on any evidence satisfactory to him, by Order published in the Gazette, revoke such declaration or curtail or extend the limits of an infected area as proclaimed by the Chief Government Veterinary Surgeon.

5. (1) Where an area has been proclaimed by the Chief Government Veterinary Surgeon as aforesaid, he may, if he thinks fit, at any time thereafter declare such area to be free from disease and no longer an infected area, and such declaration shall be proclaimed and published in the same manner as provided in subsections (1) and (2).

(2) It shall be lawful for the Minister, if he thinks fit, at any time to declare, by Order published in the Gazette, any particular portion or portions of any area declared by the Chief Government Veterinary Surgeon to be infected to be free from disease.

6. (1) For the purpose of checking the spread of any disease among cattle or animals, the Chief Government Veterinary Surgeon may, by means of a notice to be published as hereinafter provided, establish a belt or zone of country (hereinafter referred to as a "protective zone") adjoining any infected area of such width and extent as may appear expedient.

(2) Every such notice shall specify the limits of the protective zone and the date from which the same is established, and shall forthwith be published in the Gazette.

(3) The Chief Government Veterinary Surgeon shall also cause every notice under the foregoing subsection to be published within the protective zone by beat of tom-tom or in such other manner as he shall think fit.

(4) The Minister may at any time, by Order published in the Gazette, rescind the establishment of a protective zone or curtail or extend the limits thereof.

7. (1) It shall be lawful for the Chief Government Veterinary Surgeon to proclaim, by affixing notices of such proclamation on some conspicuous place at each end of any road or portion thereof, as well as by beat of tom-tom, or in such other manner as he may deem fit, that such road or portion thereof in an infected area or protective zone shall be closed to all cattle or animal traffic for the period specified in such notice; and upon such notice being

Power of Chief Government Veterinary Surgeon to declare infected area free from disease. [§ 5, 33 of 1957.]

Power of Minister to declare portion of infected area free from disease. [§ 5, 33 of 1957.]

Establishment of protective zones. [§ 6, 33 of 1957.]

[§ 6, 33 of 1957.]

[§ 6, 33 of 1957.]

Power to close roads to all cattle traffic. [§ 7, 33 of 1957.]

Notice of disease. [§ 3, 33 of 1957.]

[§ 3, 33 of 1957.]

[§ 3, 33 of 1957.]

Declaration by chief Government Veterinary Surgeon of existence of disease. [§ 4, 33 of 1957.]

[§ 4, 33 of 1957.]

Publication of declaration.

Report of proceedings to be forwarded to Minister. [§ 4, 33 of 1957.]

Powers of Minister with regard to Chief Government Veterinary Surgeon's declaration. [§ 4, 33 of 1957.]

issued no person shall take any cattle or animals along such road or portion thereof, whether for purposes of transport or otherwise, during such period as aforesaid :

Provided that no road or portion thereof shall be closed for a longer period than ten days without the sanction of the Minister.

(2) The Minister may, by Order published in the Gazette, cancel any notice issued by the Chief Government Veterinary Surgeon under this section.

[§ 7, 33 of 1957.]

Power to declare ports, &c., infected with disease.

8. (1) The Minister may, by Order published in the Gazette, declare any port or place without or within Sri Lanka to be infected with disease, and such place shall, until such Order is in like manner revoked, be deemed a port or place in which disease is known to prevail.

(2) Whenever a vessel arrives at any port or place in Sri Lanka from any other port or place in or without Sri Lanka which has been declared to be infected, or having on board cattle or animals suffering from disease, or on board of which disease may have appeared in the course of the voyage, the principal officer of customs of such port or place of arrival may, if he shall see fit to do so, cause the said vessel to be placed in quarantine in so far as not to allow any of the cattle or animals to be landed for such time as he shall determine. So long as such vessel is in quarantine the owner or person in charge of any cattle or animals on board thereof shall provide a sufficient supply of water and food for such cattle or animals, and on failure thereof it shall be lawful for any person authorized by the principal officer of customs to provide such water and food ; and the amount of expenses incurred in that behalf when certified under the hand of the principal officer of customs to the nearest Magistrate shall be recoverable from the owner of such cattle or animals as if it were a fine imposed by such Magistrate.

Power of principal officer of customs to allow cattle to be landed.

(3) The principal officer of customs may, if he shall see fit to do so, allow the cattle or animals or any portion of them to be landed and detained in quarantine at such place and for such time as he shall deem necessary, and such cattle or animals may

thereupon be landed and detained at such place and for such time as aforesaid.

(4) Whenever any vessel has arrived having on board cattle or animals infected with disease or on board of which disease exists, the Minister may order any or any of such cattle or animals to be destroyed and the carcasses disposed of in the manner prescribed in such order; the owner of the cattle or animals destroyed shall not be entitled to any compensation by reason thereof, but the Minister may, if he thinks fit, order such compensation to be paid as he may think reasonable.

(5) No person shall import or cause to be imported into Sri Lanka any cattle or animals from any port or place proclaimed under subsection (1) to be a port or place in which disease is known to prevail.

9. (1) The Minister may make Regulations. regulations for or in respect of all or any of the following matters:—

- (i) for prescribing and regulating the destruction, burial, disposal, or treatment of carcasses, fodder, litter, utensils, dung, or other things being in an infected area, or removed thereout, or which have been in contact with any diseased cattle or animals, or reasonably suspected of being a vehicle for spreading disease;
- (ii) for prescribing and regulating the disinfecting, or if necessary the destruction, of the clothes of persons coming in contact with or employed about diseased or suspected cattle or animals, and the use of precautions against the spreading of disease by such persons;
- (iii) for prohibiting the exposure of diseased or suspected cattle or animals in markets, sale yards, or other public or private places;
- (iv) for prohibiting or regulating the sending or carrying of diseased or suspected cattle or animals, or of dung or other thing likely to spread

- disease, or the causing the same to be sent or carried on railways, canals, rivers, or in vessels, or otherwise;
- (v) for prohibiting or regulating the carrying, leading, or driving of diseased or suspected cattle or animals, or causing them to be carried, led, or driven on the highways or thoroughfares or elsewhere;
 - (vi) for prohibiting or regulating the placing or keeping of diseased or suspected cattle or animals on chenas or unenclosed lands, or in fields or other places insufficiently fenced, or on or near the sides of highways;
 - (vii) for prescribing and regulating the seizure, detention, disposal, and destruction, without compensation, of cattle or animals exposed, carried, kept, or otherwise dealt with in contravention of regulations made under this Ordinance, or of any order made by the Minister, and for prescribing and regulating the liability of the owner or consignor or consignee of the cattle or animals to the expenses connected with the seizure, detention, isolation, disinfection, destruction, and disposal thereof;
 - (viii) for prescribing and regulating the issuing and production of permits required under this Ordinance, and the notices to be given to or by any person in case of any particular disease or in case of the illness of any animal or cattle;
 - (ix) for prohibiting or regulating the holding of markets and fairs for the sale of cattle or animals ;
 - (x) for prescribing and regulating the cleansing and disinfecting of places used for the holding of markets and fairs for the sale of cattle or animals, and yards, sheds, stables, and other places used for cattle or animals;
 - (xi) for prohibiting or regulating the movement of cattle or animals and persons into, in, or out of an infected area or protective zone ;
 - (xii) for requiring cattle or animals to be moved out of a protective zone into other land occupied by the owner or provided by Government for the purpose;
 - (xiii) for requiring cattle or animals within a protective zone to be kept within fenced enclosures or tied or otherwise secured, and for preventing such cattle or animals from straying or running loose ;
 - (xiv) for prescribing and regulating the isolation or separation of cattle and animals being in an infected area, or diseased or suspected cattle and animals;
 - (xv) for prohibiting or regulating the removal of carcasses, fodder, litter, utensils, pens, hurdles, dung, or other things into, in, or out of an infected area;
 - (xvi) for prescribing and regulating the cleansing and disinfecting of infected areas or parts thereof, or of houses, buildings, rooms, or other places occupied by any diseased cattle or animals, or of carts to which diseased or suspected cattle have been attached;
 - (xvii) for declaring any cowshed, pasture, or other place, with or without any land or buildings thereto adjoining, to be an infected place, and for regulating the entry or approach of animals on or to such place and the movement of animals therefrom ;
 - (xviii) for prohibiting or regulating the digging up of buried carcasses ;
 - (xviii a) for prohibiting or regulating the importation of cattle, animals or birds into Sri Lanka ;
 - (xix) for prohibiting or regulating the landing of men or cattle or animals

[§ 8.33 of 1957.]

- from vessel either absolutely or conditionally and for prescribing the fees to be paid to officers appointed to examine such cattle or animals;
- (xx) for establishing and maintaining quarantine and inoculation stations for cattle and animals and for regulating or delegating the regulation of the management of the same, for the imposition, recovery, and disposal of fees for the use of such stations, for compelling cattle and animals to enter such stations, and for providing for the compulsory preventive inoculation of cattle or animals, and for the compulsory testing or inoculation of suspected cattle or animals for the purpose of detecting the presence or diagnosing the nature of any disease ;
- (xxi) for destroying, with or without compensation or with partial compensation as may be expedient. diseased or suspected cattle or animals;
- (xxii) for prescribing the mode of ascertainment of the value of an animal destroyed or liable to be destroyed under these regulations;
- (xxiii) for regulating applications for. and the mode of payment of compensation to be made out of money provided by Parliament;
- (xxiv) for making post-mortem examinations of the bodies of animals which have died of disease or have been destroyed under the authority of this Ordinance;
- (xxv) for prescribing modes of cleansing and disinfecting;
- (xxvi) for protecting cattle or animals from unnecessary suffering during inland transit;
- (xxvii) for securing a proper supply of water and food to cattle or animals during any detention thereof;
- (xxviii) for the appointment of officers to carry out the provisions of this Ordinance, or of any regulations or orders made thereunder, and for regulating their duties and conduct, and for investing them with powers necessary for the due execution of their duties;
- (xxix) for prescribing the publication of any regulations or orders made under this Ordinance, and for prescribing and regulating the form and mode of service or delivery of notices and other documents ;
- (xxx) generally for the better execution of this Ordinance or for the purpose of in any manner preventing the introduction or spread of disease.
- (2) Every regulation made by the Minister under this section shall be published in the Gazette and shall come into operation upon such publication.
- (3) Every regulation made by the Minister shall be brought before Parliament as soon as may be after the publication thereof by a motion that such regulation shall be approved.
- (4) Any regulation which Parliament refuses to approve shall be deemed to be rescinded but without prejudice to the validity of anything previously done thereunder or to the making of any new regulation. The date on which a regulation shall be deemed to be so rescinded shall be the date on which Parliament refuses to approve the regulation.
- (5) Notification of the date on which any regulation made by the Minister is deemed to be so rescinded shall be published in the Gazette.
- (6) Any regulation made by the Minister shall, when approved by Parliament, be as valid and effectual as if it were herein enacted. Notification of such approval shall be published in the Gazette.

Offences under this Ordinance.

***10.** If any person without lawful authority or excuse does or omits to do anything which, under the provisions of this Ordinance or of any regulations or orders made thereunder, he ought not to do or omit, or if he obstructs or impedes or assists in obstructing or impeding any officer appointed under this Ordinance, or any headman or police officer in the execution of this Ordinance or of any regulation or order made thereunder, he shall be guilty of an offence against this Ordinance.

in the execution of his duties under this Ordinance or under any regulation or order made thereunder, or assists in any such obstructing or impeding, he may be apprehended by such officer, grama seva niladhari, or police officer without warrant.

(3) A person apprehended under this section shall be taken forthwith before a Magistrate.

(4) Nothing in this section shall take away or abridge any power or authority that a police officer would have had if this section had not been enacted.

Punishment.

***11.** (1) If any person is guilty of an offence against this Ordinance or any regulation made thereunder, he shall be liable on conviction before a Magistrate to imprisonment of either description for a term not exceeding six months, or to a fine not exceeding one hundred rupees.

14. In the case of a first offence against this Ordinance, it shall be lawful for any Primary Court, within the limits of whose jurisdiction such offence is committed, to try the offender and to impose such penalty as a Primary Court has power to inflict.

Primary Court may try cases of first offences.

(2) Nothing in this section contained shall affect the liability of any person to any punishment or penalty to which he is liable under any enactment other than this Ordinance, but so that a person shall not be punished twice for the same offence.

15. Where a prosecution under this Ordinance is instituted by a police officer or a grama seva niladhari, the court may direct that one-half of any fine recovered in the case shall be paid into the Police Reward Fund or the Grama Seva Niladharis' Reward Fund, respectively.

When may part of fine be paid to Police Reward Fund or Grama Seva Niladharis' Reward Fund.

Vexatious conduct of officers.

***12.** Every person acting under the authority of this Ordinance who shall, under pretence of performing any act under the authority of this Ordinance, use any unnecessary violence, or give any uncalled for and vexatious annoyance, shall be guilty of an offence, and be liable on conviction thereof to a fine not exceeding fifty rupees.

16. (1) If any person neglects or omits—

Enforcement of duties under the Ordinance.

(a) to perform any act which, under this Ordinance or under any regulations made thereunder, it is his duty to perform with regard to the isolation, separation, destruction, or burial of cattle or animals, or with regard to the disinfection or cleansing of any place or building or otherwise; or

(b) to comply forthwith with any order lawfully given in the exercise of his powers under this Ordinance, or under any regulation made thereunder by the Chief Government Veterinary Surgeon or by any officer appointed to carry out this Ordinance,

[§ 9, 33 of 1957.]

Duties of inspectors and police officers.

13. (1) When a person is seen or found committing, or is reasonably suspected of being engaged in committing, an offence against this Ordinance, any officer appointed under this Ordinance, or any stock inspector or veterinary officer, or any grama seva niladhari or police officer may, without warrant, stop and detain him, and if his name and address are not given by him may, without warrant, apprehend him.

(2) If any person obstructs or impedes any officer appointed under this Ordinance, or any stock inspector or veterinary officer, or any grama seva niladhari or police officer,

* Primary Court, has exclusive jurisdiction under section 33 of the Judicature Act read with Gazette Extraordinary No. 43/4 of 1979-07-02.

f Now triable by a Primary Court in any event.

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the Chief Government Veterinary Surgeon or any such officer may cause such act or order to be carried out at the cost and charge of the person by whom the same ought to have been executed.

Ordinance shall be deemed public servants within the meaning of the Penal Code.

[§ 9, 33 of 1957.]

(2) In any such case the cost and expenses incurred in and about the carrying out of the act or order shall be certified by the Chief Government Veterinary Surgeon under his hand to the nearest Magistrate, and shall be recoverable in the same way as if it were a fine imposed by the Magistrate. All sums recovered by a Magistrate under this section shall be paid by him to the Chief Government Veterinary Surgeon, in order to defray the expenses incurred.

18. The Chief Government Veterinary Surgeon may, by notification in the Gazette, delegate the enforcement and execution of any provisions of this Ordinance or of any regulation or order made under this Ordinance to the Mayor of any Municipal Council, or the Chairman of any Urban Council or Town Council, and may authorize such Mayor or Chairman to exercise and perform within Municipal, Urban, or Town Council limits all or any of the powers and duties vested and imposed on the Chief Government Veterinary Surgeon under this Ordinance, subject to such restrictions as the Chief Government Veterinary Surgeon may, from time to time, think fit to impose.

Execution of any provisions of this ordinance or any regulation or order made thereunder may be delegated to local authority. [§ 10, 33 of 1957.]

[§9,33 of 1957.]

Officers to be public servants.

17. Officers exercising any of the powers conferred on them by the provisions of this

SCHEDULE

[Section 2.]

SINHALA AND TAMIL NAMES OF DISEASES

	<i>Sinhala</i>	<i>Tamil</i>
Rinderpest	Wasangata-roga	Mattukotari or Mattupedi
Foot-and-mouth disease	Kuraleda or Kataleda	Kalnoi or Vainoi