

Animals Act

AN ACT TO REGULATE THE SLAUGHTER OF ANIMALS: TO ENABLE THE RESTRICTION, CONTROL, ON REGULATION OF THE REMOVAL OF ANIMALS FORM ONE ADMINISTRATIVE DISTRICT TO ANIMALS AND FOR THE ISSUE OF VOUCHERS IN RESPECT OF ANIMALS WHICH HAVE BEEN BRANDED AND TO REGULATE THE SALE AND TRANSFER OF SUCH ANIMALS; TO PROVIDE FOR MEASURES FOR THE IMPROVEMENT OF THE BREED OF ANIMALS; TO REPEAL THE BUFFALOES PROECTION ORDINANCE, THE CATTLE ORDINANCE AND THE CATTLE TRESPASS ORDINANCE; AND TO PROVIDE FOR MATTERS CONNECTED THEREWITH OR INCIDENTAL THERETO.

PART I

SLAUGHTER AND REMOVAL OF ANIMALS

2 (1) No person shall slaughter, or cause or permit to be slaughtered, any cow (other than a cow imported for slaughter) unless that cow is certified by the appropriate authority to be –

- (a) not less than 10 years of age, or
- (b) incapable of breeding, or
- (c) Poor health.

Slaughter of
Cows and
heifers
prohibited.

Short title and
date of operation.

and except in accordance with such regulations as may be in force under this Act relating to the slaughter of cows.

In this sub-section, “ appropriate authority ” means Government Veterinary Surgeon **or an officer authorized by him in writing** or a Veterinary Surgeon employed by any local authority, or any other officer appointed by a local authority **with the concurrence of the Director** General to issue certificates under this sub-section.

**Amended by
the Act. No.
46 of 1988**

(2) No person shall slaughter, or cause or permit to slaughtered, any heifer unless she is incapable of breeding or of poor health.

**Amended by the
Act. No. 46 of 1988
Regulations**

3. Regulations may be made in respect of all or any of the following matters:-

(1) The prohibition, restriction, control or regulation of the transport of animals within, to or from any Administrative District ;

(2) The conditions subject to which the slaughter of animals may be permitted ;
and

(3) The stoppage and examination of vehicles in which animals are being transported ;
and

(4) The establishment of checking stations at which any vehicle may be required to stop to enable the officer in charge of such station to examine the vehicle for the purpose of ascertaining whether any animals are being transported in contravention of any regulation made under this Part.

(5) Procedure to be observed in applying for permits for the transport of animals; and

(6) Prescription of fees in respect of transport permits.

3A. where any person is convicted of an offence under this Part or any regulations made thereunder, any vehicle used in the commission of such offence shall, in addition to any other punishment prescribed for such offence, be liable, by order of the convicting Magistrate to confiscation ;

Provided, however, that in any case where the owner of the vehicle is a third party, no order of confiscation shall be made, if the owner proves to the satisfaction of the Court that he has taken all precautions to prevent the use of such vehicle or that the vehicle has been used without his knowledge for the commission of the offence.

3B. (1) The Government Agent or the Director General or any officer not below the rank

*of the District Secretary / or **Government Veterinary Surgeon**, empowered in that behalf by the Government Agent or the Director, as the case may be, may accept from any person reasonably suspected of having committed any offence under this Part or any regulations made thereunder, any sum of money by the way of composition for the offence which may have been committed.*

(2) *In any case where a sum of money is accepted under Sub-section (1), the officer compounding the offence shall forthwith release to the offender any animal in respect of which the offence has been committed or the vehicle used in the commission of the offence, and no further proceedings shall be taken against the offender.*

(3) *Where any offence is compounded under this section, the full facts of the Case shall forthwith be reported to the Director.*

(4) *All sums of money received under this section shall be Credited to the Consolidated Fund of Sri Lanka..*

3C.(1) No person shall transport any animal within, to, or from any Administrative District except under the authority of a transport permit issued by the District Secretary of a Division of that Administrative District, for that purpose.

(2) Every application for a transport permit shall be made to the District Secretary of the division of that Administrative District within, or from, which any animal is to be transported, in such form as may be prescribed and shall be accompanied by the a health certificate issued by the Govt. VS of the area and prescribed fee.

Every transport permit shall, unless it is cancelled earlier, be In force for a period of two weeks from the date of its issue.

(4) If an Animal transport from one district to another and is the animal is kept in the new location for more than one week the owner report the presence of new animals to the area Veterinary Surgeon.

3D. All offences under this Part or any regulation made thereunder shall be cognizable offences for the purpose of the application of the provision of the Code of Criminal Procedure Act, No. 15 of 1979 notwithstanding anything contained in the First Schedule to that Act.

‘ Offences under this part to be cognizable ’

4. The Buffaloes Protection Ordinance is hereby repealed.

Repeal of Charter 329

PART II

BRANDING OF CATTLE and Buffaloes

5 Every person who has any cattle or buffalo over the age of eighteen months belonging to him shall, unless brand marks have been made on such cattle in accordance with regulations in force under the Cattle Ordinance and such brand marks have not become indistinct, cause such cattle to be branded in accordance with such regulations as may be in force under this Act relating to the branding of cattle. The breeding of animals could be done using humane method such as ear tagging, freeze branding etc.

Cattle above age of eighteen months to be branded

Insertion of new sections 5A by the amended Act . No. 46 of 1988

5A. A person required under section 5 to have his cattle branded shall not cause such cattle or buffalo be branded in places other than those specified in such regulations as may be in force under this Act relating to the branding of cattle.

Replacement of section 6 by the amended Act. No. 46 of 1988.

-- “ Return of description and brand marks on cattle to be furnished to the GVS by owners “

6. **Every person who has any cattle belonging to him shall furnish, not later than the thirty-first day of January in each year, to the Government Veterinary Surgeons of the area in which such cattle are kept, a return, in such form as may be prescribed, the description of, and the brand marks on, each head of such cattle**

Replacement of section 7 of the Act. 49 of 1958

7. Every **Government Veterinary Surgeon** shall –

“ Duty of GVS to maintain Cattle Register and issue Cattle Vouchers ”

(a) . **maintain, in such form as may be prescribed, a register of the description and the brand marks on, cattle within his area ; and**

(b) **issue, or cause to be issued, to the owner of cattle or buffalo branded in accordance with such regulations as may be in force under this Act relating to the branding of cattle a voucher in the prescribed form in respect of each head of such cattle**

Cattle vouchers

8. (1) A voucher issued in respect of a head of cattle under the regulations in force under the Cattle Ordinance shall, unless the brand marks specified in that voucher as those on the head of cattle have become indistinct, be deemed to be in force as if it were a voucher issued under section 7.
- (2) Where in any legal proceedings any question arises as to the ownership of any animal, the voucher issued or deemed to be issued under section 7 shall be admissible in evidence and shall be sufficient *prima facie* evidence of any fact stated therein as to the ownership of that animal.
9. **The Government Veterinary Surgeon of the area** may, if he considers it necessary, direct to owner of any animal to have that animal branded, within such time as he may specify, with such other marks as he may require so as to indicate the locality in which that animal is kept and such owner shall carry out such direction.

Replacement of section 9 of the Act. No. 49 of 1958

“Power of the GVS to direct owner of an animal to brand with marks to indicate locality”