



ශ්‍රී ලංකා ප්‍රජාතාන්ත්‍රික සමාජවාදී ජනරජයේ ගැසට් පත්‍රය
අති විශේෂ
The Gazette of the Democratic Socialist Republic of Sri Lanka
EXTRAORDINARY

අංක 2318/54 - 2023 පෙබරවාරි මස 10 වැනි සිකුරාදා - 2023.02.10
No. 2318/54 - FRIDAY, FEBRUARY 10, 2023

(Published by Authority)

PART IV (A) — PROVINCIAL COUNCILS

Provincial Councils Notifications

PROVINCIAL COUNCIL OF WESTERN PROVINCE

AMENDED Draft Statute of the Department of Animal Production and Health, Western Province is stated below.

CHANDANA RANAWEERA ARACHCHI,
Secretary of the Ministry of Agriculture, Lands, Irrigation,
Fisheries, Animal Production and Health and
Agrarian Development of Western Province.

At the Ministry of Agriculture, Lands, Irrigation, Fisheries,
Animal Production and Health and Agrarian Development
of Western Province,
Situated at, No. 204, 7th Floor,
Denzil Kobbekaduwe Mawatha,
Battaramulla.
10th February, 2023.



Statute of Animal Production and Health of Western Province No. 01 of 2023

A statute to provide provisions to establish the Western Provincial Department of Animal Production and Health for conserving, protecting, improving the livestock of Western Province and to prevent animal diseases, to treat animals and to facilitate the administration affairs relevant to it including the incidentals thereto.

Be it enacted by the Western Province Provincial Council of Democratic Socialist Republic of Sri Lanka.

Short Title and
the Date of
Operation

1. This statute is referred to as the Statute of Animal Production and Health of Western Province No. 01 of 2023 and shall come into operation on the date of receiving the assent of the Governor of Western Province.

PART I

Establishment of the Western Provincial Department of Animal Production and Health

The Office of
the Director
of Western
Provincial
Animal
Production
and Health,
Establishment
of the Western
Provincial
Department
of Animal
Production and
Health and its
Staff

2. For the fulfillment of the objectives of this Statute, an office referred to as the Director of Western Provincial Animal Production and Health is hereby made and to perform and discharge functions and duties of the office, a Department referred to as Western Provincial Department of Animal Production and Health is established hereby.
 - (1) The Director of Animal Production and Health of Western Province shall be the Head of Western Provincial Department of Animal Production and Health.
 - (2) There shall be a staff to execute the powers of the Director of Animal Production and Health, who is hereinafter referred to as the “Director”
 - (3) A Veterinary Medical Officer of Sri Lanka Animal Production and Health Service - Grade 1, shall be appointed as the “Director”.
 - (4) To execute, perform and discharge powers, functions and duties of the Director, there shall be an Additional Provincial Director, a Subject related Specialist, Deputy Directors, Divisional Veterinary Medical Officers and Officers of Animal Husbandry.
 - (5) The Director may delegate in writing, the functions and powers vested upon him to the posts of Additional Provincial Director, a Subject related Specialist, Deputy Directors, Divisional Veterinary Medical Officers and Officers of Animal Husbandry.
 - (6) Provisions of Provincial Council Act No.42 of 1987 shall be applied for appointing, transferring, dismissing the staff of the Department including the Director and for the control of discipline regarding the staff and other incidental matters.

PART II

Objectives, Powers and Functions of the Department

Objectives of
the Department

3. The objectives of the Department are conserving, protecting and enhancing the livestock of the province, preventing the diseases of all the animals, making treatments and carrying out technical and administration affairs relevant thereto.
4. The powers of the Director shall be as follows,

- (1) Prescribing the standard to be applied for the following institutions and entering to the following institutions at any necessary occasion, at any reasonable time of the day for obtaining information relevant to the task or for inspecting, checking the necessary documents and for taking them into custody. Powers of the Director
- (a) Animal farms that are being conducted within the province;
 - (b) Places where animals are fed for animal reproduction, breeding, selling, entertainment and for any intention, slaughtering huts and slaughtering centers where animals are butchered;
 - (c) Centers where animal feed is produced, stored, accumulated, distributed and sold;
 - (d) Hospitals and Centers that are being maintained to treat animals;
 - (e) Centers where livestock medicines are produced, stored, accumulated, distributed and sold;
 - (f) Centers where livestock products and related products are produced, stored, accumulated, distributed and sold, animal welfare & detention centers.
- (2) Implementing disease prevention programmes, necessary to prevent the diseases communicable among animals and diseases communicable to the humans from animals, obtaining samples to prevent epidemics and making directions according to the inspections.
- (3) Controlling the transportation of animals, animal productions, livestock medicines, livestock bio products within the province, to the outside of the province and to the province and fulfilling incidental matters connected thereto.
- (4) Controlling the transportation of animals within the province, bringing animals to the province, carrying animals to the outside of the province, where an epidemic is spreading in the province.
- (5) In case of an epidemic is spreading among animals, publishing a *gazette* notification declaring the particular region as an infected area.
- (6) Registering and regulating the following institutions, which are relevant to the field of livestock within the province.
- (a) Animal farms that are being maintained within the province;
 - (b) Places where animals are fed for animal reproduction, breeding, selling, entertainment and for any intention, slaughtering huts and slaughtering centers where animals are butchered;
 - (c) Centers where animal feed is produced, stored, accumulated, distributed and sold;
 - (d) Hospitals and Centers that are being maintained to treat animals;
 - (e) Centers where livestock medicines are produced, stored, accumulated, distributed and sold;
 - (f) Centers where livestock products and related products are produced, stored, accumulated, distributed and sold, animal welfare & detention centers.
- (7) Determining and levying the fees for the services rendered by the Department.
- (8) Establishing the divisional and district offices necessary to fulfill the functions mentioned in the statute.

- (9) Issuing licenses to be issued under this statute.
- (10) Consolidating the allegations regarding the offences that can be counted under this statute.
- (11) All the powers that are necessary to attain what-so-ever matter that can be counted under the objectives mentioned in this Statute.

5. Implementation of the functions of the Department within the province shall be as follows.

- (1) Upgrading the heredity of animals, providing facilities and technology necessary for breeding.
- (2) Preventing the diseases of all the animals, making treatments, diagnosing and regulating those tasks.
- (3) Providing facilities and technical services necessary for producing, storing, accumulating, conserving, transporting, distributing and selling livestock and livestock products.
- (4) Providing technical services and facilities necessary for the management of animal farms that are being conducted within the province.
- (5) Introducing programmes on nutrition necessary for the livestock industry, introducing new varieties of animal feed, providing culture materials of grass varieties necessary for the province, establishing and conserving grasslands.
- (6) Conducting studies necessary to uplift the field of livestock.
- (7) On a request of the institution, preparing livestock plans for institutions, matching the requirements of such institution, bringing the project proposal methods into action and providing assistance for it.
- (8) Planning, following up and evaluating the development projects relevant to the field of livestock.
- (9) Providing project services relevant to the field of livestock, implementing awareness programmes and training programmes.
- (10) Implementing environmental and public health & safety programmes relevant to the field of livestock.
- (11) Maintaining an information center, a data bank, a unit of plans and operations relevant to the field of livestock.
- (12) Managing the human, physical and financial resources necessary to fulfill the objectives of this Statute.
- (13) Maintaining the laboratories and laboratory services.
- (14) Fulfilling the duty or duties relevant to the statute.
- (15) Substantiation before the Court regarding what-so-ever offence under this statute.

The ministers' ability to issue orders
Annual Control Report

6. The minister may issue special or general orders in writing, to the Department regarding the execution of powers of the Director and the Director shall bring such orders into action.
7. The Director shall submit an Annual Control Report including the details of maintaining the affairs of the Department, executing the powers of the Director, actions taken to reach the objectives of this statute and proposals, to the Minister in-charge of the Subject, before exceeding six months counted from the end of each year.

PART III

Registration and Issuance of License

8. (1) Every institution that engages in under mentioned functions within the province, shall be registered in the Department and every such registered person shall obtain an annual license. Registration and Obtaining a License
- (a) Animal farms that are being maintained within the province;
- (b) Places where animals are fed for animal reproduction, breeding, selling, entertainment and for any intention, slaughtering huts and slaughtering centers where animals are butchered;
- (c) Centers where animal feed is produced, stored, accumulated, distributed and sold;
- (d) Hospitals and Centers that are being maintained to treat animals;
- (e) Centers where livestock medicines are produced, stored, accumulated, distributed and sold;
- (f) Centers where livestock products and related products are produced, stored, accumulated, distributed and sold, animal welfare & detention centers..
- (2) Conditions and regulations relevant to obtain the registration and license under this section, shall be in accordance with the rules enacted by the minister under this statute.

PART IV

Offences and Penalties

9. Any of the deeds or omissions mentioned below is an offence under this Statute and such a person shall, on conviction before a Magistrate Court be liable to a fine not exceeding fifty thousand rupees (Rs. 50,000/-) or to imprisonment for a term not exceeding six months or to both such fine and imprisonment. Offences and Penalties
- (1) Interfering the Director or an officer for whom the power has been delegated in executing powers under this statute.
- (2) Conducting an institution without obtaining a license that shall be obtained under this statute.
- (3) Conducting animal clinics, animal hospitals and animal treating centers without a Veterinary Medical Officer registered in the Veterinary Council.
- (4) Treating animals and doing surgeries without the registration or approval of the Veterinary Council.
- (5) Issuing, selling livestock medicine, vaccinations without a written prescription of a Veterinary Medical Officer registered in Veterinary Council.
- (6) Giving antibiotics to animals which are bred for meat without the supervision of a Veterinary Medical Officer registered in Veterinary Council.
- (7) Rejecting to provide information, furnishing false information in case of been requested the information relevant to fulfill the functions under this statute.
- (8) Where an area is declared as an infected area by a *gazette notification*, transporting animals, animal productions including prohibited materials to the outside of that area or to that area.

(9) Violation of rules enacted under this statute.

Closing the business having obtained a completion order

10. Under this statute, each person who is guilty for an offence of conducting a premises without a license, shall obtain a license from the Director during a reasonable time period, after being the offender. In case of conducting the business further, without a license, the Director or an officer for whom the power has been delegated, shall report it to the Magistrate's Court. The decision of the Magistrate's Court to close the business through a completion order, until a license will be obtained to conduct the business from the Director is lawful.

PART V

General

Rules

11. (1) The Minister may, make rules, not inconsistent with the provisions of the Statute and without prejudice to the generality of powers conferred under this statute regarding the matters mentioned under this Statute and to implement, empower provisions under this Statute, determine work procedures relevant to issue a license and to determine the matters related to the registration which is under this statute in respect of all or any of the matters.
- (2) Every rule made by the minister shall be published in the *Gazette* and shall come into operation since the date of such publication or a coming date mentioned in the rule.
- (3) Every rule made by the minister shall be laid before the Provincial Council for approval within three months of such publication.

If not approved by the Provincial Council, that shall also be notified by a *gazette notification* and since that day onwards, those regulations shall be considered as repealed yet without causing any prejudice to the actions taken so far thereunder.

Financial Provisions for the affairs of the Department

12. The Director can receive the financial aids awarded by persons or institutions to fulfill the objectives of this Statute and such financial aids shall be credited to the Provincial General Fund.

officers and employees of the Department shall be deemed to be public servants

13. All the officers and employees of the Department shall be deemed to be public servants within the meaning and for the purposes of the Panel Code and the Department shall be deemed to be a Scheduled Institution within the meaning of Bribery Act.

14. No suit or prosecution shall lay against any public officer for any act, which in good faith is/isn't done, under this statute.

15. In this Statute, unless the context otherwise requires,
“Province” means the Western Province,
“Provincial Council” means the Western Province Provincial Council,
“Minister” means the Minister of Animal Production and Health of the Board of Ministers of the Western Province,
“Chief Secretary” means the Chief Secretary of the Western Province.

Sinhala Text to prevail in case of inconsistency

16. In the event of any inconsistency in the Sinhala and Tamil text, Sinhala text shall prevail.

EOG 02 – 0117