

ශ්‍රී ලංකා ප්‍රජාතාන්ත්‍රික සමාජවාදී ජනරජයේ ගැසට් පත්‍රය  
අති විශේෂ

# The Gazette of the Democratic Socialist Republic of Sri Lanka

## EXTRAORDINARY

අංක 2060/32 - 2018 මාර්තු මස 03 වැනි සෙනසුරාදා - 2018.03.03  
No. 2060/32 - SATURDAY MARCH 03, 2018

(Published by Authority)

## PART IV (A) — PROVINCIAL COUNCILS

### Provincial Councils Notifications

#### NORTH CENTRAL PROVINCIAL COUNCIL

#### North Central Province Council Preventing Public Health Nuisances Statute No. 02 of 2017

THE aforesaid passed by the North Central Provincial Council of Sri Lanka Democratic Socialist Republic & the assent by the Hon. Governor on 30th January 2018 is hereby, there, published by me for information.

H. L. S. WIJESINGHA,  
Secretary,  
North Central Provincial Council.

North Central Provincial Council,  
19th February 2018.



**STATUTE OF PREVENTING PUBLIC HEALTH NUISANCES OF THE NORTH  
CENTRAL PROVINCE PROVINCIAL COUNCIL NO.02 OF 2017**

This Statute is for planing the rules and regulations to uplift and conserve the public health, prevent the nuisance and diseases spreading through mosquitoes, control other public health nuisances and matter related or consequential to them. The Statute is incompatible to the nuisances Activity Ordinance Act, No. 15 of 1882 amended by Act, No. 61 of 1939 and Act, No. 57 of 1946 and Breeding of Mosquito and prevention Act, No. 11 of 2007. Long Name.

The powers vested by law on the provincial Administrative Institutions will not be deprived or limited by this Statute.

The North Central Province Provincial Council of the Democratic Socialist Republic of Sri Lanka Declares it follows. Short Title and Date of implementation.

01. This Statute will be called as the Statute of Preventing Public Health Nuisance of the North Central Provincial Council No. 02 of 2017 and it will be effective from the date of assent by the Governor. That date should be notified through a Gazette Notification by the Minister.

**Part I  
Offences**

**02. Under this statute, the actions statutes below are offences.**

- |   |   |
|---|---|
| (a) Throwing or depositing or allowing to enter animal excreta or any filthy dirt, garbage or anything that emits a bad smell or something that is unclean or that emits a bad smell or allowing to flow from or wash out from or enter from their house or building or land or allowing any amount of similar water to become unclean or polluted in to any drain, moat, waterway, lake, reservoir, water well, water vessel, flowing water or irrigation by any person. | Putting Waste material in to Water.                                   |
| (b) Keeping or allowing to keep things such as an animal, excreta, meat, fish, fruits or vegetable that are unsuitable for human consumption in a market, shop, building, bazaar, a place used to sell meat, birds such as kitchen, fish, fruits or vegetables or keeping of allowing to keep in any such place or street by any person.  | Keeping things that are unsuitable for human consumption for selling. |
| (c) By any person, selling or presenting or publicly displaying anything that is in an unsuitable condition to be used as human food or drink or knowing that is in a unsuitable condition or with the belief that there is reason for it to be unsuitable.   | Selling, harmful things as food.                                      |
| (d) Any person throwing or putting or causing his/her servant to do so, any soil, waste water or rubbish or dirt or ash or broken glass or earthenware pots or any other debris or any article or material or liquid in such a manner that it is a hindrance to the health, on to a road or public place or to be a by - road or drain.   | Throwing garbage on to a road or drain or public place.               |
| (e) Washing vehicles on a main road, street, highway, foot path or an entry road using water from water mass/column or water well or any source of water, by any person, in such a manner that it makes them unclean or is a nuisance to the public health.   | Washing Vehicles.   |
| (f) Causing or allowing any animal or animals to pass faeces or urinate, by any person, on any main road, highway, street, foot path, entry road, or public place.  | Animals defilling an entry road or public places.                     |
| (g) Allowing keep any rubbish, animal parts,, litter or any other thing that emits noxious smell or stench, without depositing it in a relevent vessel or in a place well covered, keeping such vessel  | Keeping garbage or any such thing.                                    |

in state of loath some or stench or neglecting without taking suitable action to depose the things from it and clean it by any person who resides in a house, building or land or else in a road, street or main road, or near such a place in a populated area.

Keeping a place  
unclean

- (h) Keeping or allowing to keep a place unclean or in a manner detrimental or bothersome to the health of any person or allowing such a place to be overgrown with plants in a manner bothersome to public health by the owner of a rentable or non-rentable house, building or land situated by a side certain road, street or highway or by any person residing in such a place.

Open Burring of  
polythene, Plastic  
articles or  
poisonous chemicals  
an offence

- (i) No person shall burn polythene, plastic articles or poisonous chemical in any open place surface of any house, building or land by a person residing in or owing such a place.

Rearing animals  
such as cattle, goats,  
pigs etc.

- (k) Rearing cattle, goats, swine's, Chicken, ducks, turkeys and other birds against formal standards imposed by the rules and regulations, ordinance acts, Statutes or conditions in such a manner that is a nuisance or detrimental to the public or the health of any person.

Leaving houses etc.  
in a dilapidated state  
or to dilapidation.

- (l) Any person, whoever he/she may own a house, building or a parapet wall leaving it in a crumbling state or leaving a house or a building in a state of risk to the persons residing in them or to the houses and buildings in the neighborhood or to those who reside in them or passers - by.

Allowing waste or  
stagnated water to  
stagnate further.

- (m) Allowing waste or stagnated water to be in a place inside one's place of living or allowing toilet or cess pit material to overflow or to leak out by any person.

Keeping a workshop  
in such a manner  
that it is  
detrimental to  
public health.

- (n) Even though under a license obtained from a relevent authority utilized any place situated within the area of authority of the North Central Province Provincial council for certain workshop or place of business in a manner detrimental to public health or violating the conditions stated in that license.

Storing of any  
drugs, chemicals and  
gases to be nuisance.

- (o) No person shall keep or store any drug chemical in a manner so as to be a nuisance to or injurious to the health of any person.

Creating hidrance  
through radio or  
any other media.

- (p) Anyone making amplifications, broadcasts, or transmits very load sound through sound systems or television or any other media in any residential area, commercial place or an open place where there is movement of people in such a manner that it is a hindrance to the public.

Oppressions created  
through sound.

- (q) Anyone, in a private residence, amplifying, broadcasting, or transmitting very loud sound through a sound systems, radio, television or cassette player or any such appliance in such a manner that is a hindrance to the neighboring residential place in that environment.

Engaging in trade  
activities in a  
manner that  
generates sound.

- (r) Engaging in trade activities, production food items, engaging in technical activities, involvement in industrial work, conducting a industry or acting in such a manner that it generates sound that is oppressive to residential places, schools, hospitals or other places where people live or where there is movement of people or doing any other thing which creates oppressive sound, which is detrimental to public health by any individual in a house or trade place or hostel or restaurant in any environment.

When deciding the sound levels for the sub clauses, (o), (p) and (q) sound limits imposed by the National Environment Act, No. 47 of 1980 and subsequent amendments to the said act.

Obstructing drains  
and roads

- (s) Carrying out unauthorized construction, repairing motor vehicles or machinery or storing, depositing or putting building materials, damaged materials or timber or sown wood or any

type of material by any individual on the main roads, streets, high ways, foot paths, sidewalks, or drain maintained in relation to the roads in a manner that obstruct them.

- (t) putting or allowing to flow waste water or toilet and/ or urinal waste that is deposited from any private or public premises, by any person, on to a main road, street, highways, foot path, access road, or in to a drain of such or a land adjacent to a public place. Allowing waste water and toilet water to flow
- (u) Creating on obstacle on a water way that is a natural path of draining of water. Obstacle on a water way

## Part II Legal Action

03.

- (1) Any person who ever he/ she may, engaging in any of the offences stated above in sub clauses a, b, c, d, e, f, g, h, and i of clause will be an offender under this statute. Ability to impose a fine for some offences shown unde clause 2.
- (2) According the above sub clause 1 any person guilty of any offence, when found guilty after a summery trail in the presence of a magistrate, the magistrate could order fine of not less than Rupees five Thousand and not more than Rupees Twenty Five Thousand.
- (3) The amount imposed as a fine in the clause 3(2) above shall credited to the provincial Council Fund by the magistrate.

## Part III Issuing Notices

04. (1) According to the rules and regulations stated under the sub clauses j, k, l, m, n, o, p, q, r, s, t and u of the above clause 2. On the occasion if the relevant officer or the authorized officer finds that in any premises or anything that is kept or being maintained there is detrimental to the public health then the relevant officer or the authorized officer cloud order through a written notice to the owner or the resident or the caretaker of that premises to follow or take one or more of the steps stated in that written notice within the period started specifically in that notice. Ability to order to take some action relevant to avoid hindrance to public health.
- (a) To maintaining cleanly a house, building or land located in any street, highway or public road or in the neighborhood of such a place in such a manner that it is not detrimental to the health of any person.
- (b) To remove from that place a moat, a gutter, a drain, a pit, and cesspit or any such thing or a vessel which emits bad adour that is detrimental to public health or arranging such a place in a manner that is not oppressive to the public.
- (c) to rear cattle, goats, pigs, ducks, turkeys, or other birds in such a mannner that is not detrimental to public health.
- (d) To arrange or remove a dilapidated house, building or parapet wall so that it will not be a danger to the residents or the neighbors.
- (e) To remove or not construct any fence, parapet wall, concrete or iron covering on any street, road, path or public drain, in a manner obstructing that street, road path or drain.
- (f) To avoid allowing waste or polluted water to stagnate in any place within the place by any residing in that place or stop the material in a toilet or a cesspit overflowing or leaking out.

- (g) To take appropriate steps to maintain the functioning of any workshop or business place without being oppressive to public health.
- (h) To keep any article, metrical or liquid in a manner that it will not be oppressive or hindrance to public health.
- (i) To stop broadcast, transmits, or amplifying with high sound, through a sound system, television or any other electronic media, in an open place where people move about or in a place of business, in a manner that it is oppressive to the public.
- (j) To stop broadcasting or transmitting or amplifying sound through a sound system, radio, television or CD player or any such appliance with high sound within any private residential place which is oppressive to neighboring residential places of that premises.
- (k) To not engage in trade activities, production of food, engage in industrial activities, doing workshop work or conducting an industry, which generates oppressive sound to residential place, school, hospital or other places where people live or move about or stop such other activity that generates any oppressive sound.
- (l) To remove any unauthorized construction that obstructs a main road, road, foot path, sidewalk, or a drain maintained in relation to a road, or not store or deposit or place building material, damaged material, block of wood or sown wood or timber or not to carryout repairing of motor vehicles and machinery.
- (m) To not put or allow over following of waste water or toilet or urinal wastes discharged from any private or public premises on to any main road, road, foot path, entry road or the drain in that road or public place or adjoining land.
- (n) Not to create obstruction or to remove obstruction to the flow of water along the natural waterway that is there to allow water to flow.

#### Part IV

##### Penalty and charges for non-compliance

Noncompliance to orders stipulated under sub clause 4(i) being an offence.

- (2) As per above stated sub clause 1 of clause 4 of this statute, any person who violating the orders or neglecting to comply to the orders of prevent from carrying out or remove or stop certain nuisance or thing which is detrimental to public health shall be an offender this statute.
- (3) Any person who is guilty of an offence according to the above sub clause 2 will be subjected to a punishment under clause 8 of this statute.

#### Part V

##### Offences of mosquito breeding places

Process of preventing diseases and oppressions spread by mosquitoes.

- 05. Owner / resident and or caretaker of every premises should take the following actions to assure the actions of preventing and removing all diseases bred by mosquitos and destroying and removing the breeding places of mosquitos.
- (1) To remover destroy open tins, bottles, boxes, coconut shells, coconut hucks, tire or other material or vessel containing water, which are contained in or within certain premises, or dispose them usefully and safely in any other way in a manner water will not stagnate.
- (2) Removing all obstacles so that water could flow well in rain gutters, gutters, and pipes, through which water flows or drains.

- (3) Maintaining in a good state the water vessels, water tanks, refrigerators, air conditioners, or any other vessels in which water is stored or stagnated by keeping them closed or covered in order to prevent breeding of mosquitoes.
- (4) By maintaining any water well situated in the premises and its surrounding in a good state, maintaining it in manner that mosquitoes cannot breed and through this preventing breeding of mosquitoes.
- (5) Keeping any artificial pond, water reservoir or pound in any premises in a manner those mosquitoes.
- (6) Removing the shrubs and plants that is congenial for water to stagnate in a manner that mosquitoes could breed and any thicket and all kinds of plants that have become a place for water to stagnate in a place whether it is situated inside or outside of any building of structure that is located in any premises used as a residential place or suitably removing that danger.
- (7) Removing or preventing any other background within or inside the premises that is congenial for breeding of mosquitoes.
- (8) In a premise where construction is being carried out, maintaining that premises in a manner that mosquitoes will not breed there and in buildings that are with a concrete roof, that roof should be maintained in such a manner that in no way water should stagnate on it.
- (9) Maintaining without cavities by sealing water drainage pits or septic tanks of a premise so as mosquitoes breeding therein cannot come out, or prevent from using iron or P.V.C. pipes on thoes pits that allow harmful air to emit.

#### Part VI Spot Fine

06. (1) In any premises started in the above sub clauses 1 of clause 5, on occation when the relevent officer or the authorized officer finds that mosquito larvae have been bred within that environment in open tin , bottle, box, cocunut shell, cocunut husks or any other article or article where water is stagnated, when the owner, resident or caretaker of the place where the offence has taken place accepts that offence, then on his wish instead of filling chargers in the presence of a magistrate, the authorized officer could impose a spot fine of not less than Rupees Five hundred and not more than Rupee Three Thousand in the presence of any Government officer. The owner or the resident of that place should remove or destroy the vessel or the article that is full of water which contains or not contains mosquito larva, in the presence of the relevent officer or the authorized officer.
- (1) The spot fine stated in 6(1) should be paid to a government post office situated in the authority area of the North Central Provincial Council and receipt should be obtained and that receipt should be submitted to the health Officer of that division within 10 days. If it is not carried out, it is compulsory to file legal action against him / her in a magistrate court.
- (2) The spot fine stated in 6(1) should be paid to the General Fund of the North Central Province Provincial Council.
- (3) Those who do not adhere to the oder stated in the above sub clause 1 of the clause 5 and the places shown by the sub clauses 2, 3, 4, 5, 6, 7 and 8 the owners or residents of all premises, where breeding of mosquito larva is allowed and where mosquito larva have been bred, be presented to the magistrate court of that division and filling action is compulsory according to the clause 8 of this statute.

Ability to  
impose a spot  
fine on the  
occasion of  
finding that  
there are  
mosquito larvae.

Legal action may  
be taken for  
defaulted spot  
pine payments.

Part VII  
Order for Prevention Public nuisance.

07. According to the rules and regulations stated in the above clause 5, on the occasion when the relevant authority or the authorized officer finds that in any premises or anything that has been kept there or maintained there is congenial to breeding of mosquitos, the relevant authority or authorized office could order the owner, resident or caretaker through a written notice to follow or to take necessary action on, within the specifically stated period in that notice, one or more of the following actions.
- Ability to order the owner or resident to take specific action.
- (1) To repair so as to properly let water to flow in rain gutters, pipes or drains, located within the certain premises or certain building contained therein and are filled with water making those places congenial to breeding of mosquitoes.
  - (2) To maintained in good condition the water vessel or a tank to collect rain water, water tank, refrigerator, air conditioner or any other vessel for collecting water in certain premises by keeping it closed and covered and to construct or repair so that the water in it could be disposed from time to time.
  - (3) Removing the water from a tank that collects rain water, water tank or a artificial pond or reservoir, in any premises cleaning them, and when they are not used anymore, to close them by the owner or the resident.
  - (4) To maintain any water well in the environment in such manner to prevent of mosquitoes.
  - (5) To fill up any excavation pit that allows collection of water and pollute it, unused water well, cesspit, pond or any other place, moving the water from them or take other suitable action for it.
  - (6) To remove the water from marshy land, water courses and places where water stagnates in any premises or removing the danger by biological methods.
  - (7) To remove, pluck off and destroy water plants or any other plant or plants that could hold water that have been found to facilitate breeding of mosquitoes.
  - (8) To maintain a premise where construction is in progress or the buildings with concrete roof in such a manner that water will not stagnate to breed mosquitoes.
  - (9) Maintaining without cavities by sealing water drainage pits or septic tanks of premises so as mosquitoes breeding therein cannot come out, or prevent from fixing iron or P.V.C. pipes on the concrete slabs that cover those pits.
  - (10) To take any other steps those are considered necessary by the authority or authorized officer.

Part VIII  
Penalty and Charges for non-compliance

08. (1) Any person who does the offence shown under the clause 2 of this statute or violates any order to orders, imposed by the 5th clause of this statute or violates the order made according to the clause 4 and or 7 or neglects to act accordingly to it, or any person stated in sub clause 4 of clause 6 is guilty of an offence under this statute.
- Not acting according to the orders imposed by clauses 4, 5 and 7 is an offence.
- (2) Any person, who is accused of any offence according to the above sub clause (1), after a summary trial in the presence of a magistrate, when found guilty of the offence, is subject to a punishment as started below.

- (a) If that offence is done for the first time the magistrate could impose a fine of not less than Rupees Three Thousand and not more than Rupees Five Twenty Five thousand or not more than 06 months light imprisonment or both punishments stated above.
- (b) If the offence is done for the second time or after that the magistrate could impose a fine of not less than Rupees Five Thousand and not more than Rupees Fifty Thousand or an imprisonment not more than 06 months or both punishments shown above.
- (3) Every person engaged in an offence under the sub clause (1), in the event of carrying out the same offence even after the specific numbr of days allotted in the announcement made by the authorized officer from the date of revelation of that offence, apart from the penalties mentioned in sub clause (2), shall be subjected to an additional penalty of rupees two hundred (Rs. 200) for each day that offence is continued.
- (4) In addition to the imposement of the penalty stated in sub clause 8(2), when convicted on neglecting to act in accordance with a task assigned under clause 7 of this statute, the owner occupier or caretaker of that premises may be ordered by the magistrate to comply to the orders given by the authorized officer and to act according to the said tasks in under to prevent actions detrimental to public health.

#### Part IX

#### Issuing Orders by authorized officer and relevant authority

Relevant  
authority should  
get work done or  
take action.

09. An owner, occupier or any person who has been issued with a written notice under clauses 4 and 7 of this statute, on the occasion neglecting to act in compliance to orders specified in that notice or not taking action as per such orders within the time period allotted in that Notice, or in an instance an caretaker cannot or difficult to be identified definitely, if the authority or his authorized officer decides that the public nuisance should be removed immediately, the following measures may be taken.

- (1) Removing that public health nuisance, through the actions desided by the relevant authority, under the supervision of the relevant authority or the authorized officer.
- (2) Money spent as expences incurred for removing that public health nuisance or taking neccessary steps should be paid by the owner or resident or relevant person of that premises and according to the voucher given indicating that amount, that amount should be paid within 03 working days, The receipt thus obtained should be submitted to the office of the Medical Officer of Health where that premises is located.
- (3) On the occasion that amount of money is not paid within the specified period and in the proper manner a low suit should be filed in relevant magistrate court against that person or owner or resident.

Reimubursing  
expenses  
incurred as  
expenditure  
under clause 9.

- (4) On occation when neglected the payment of money under sub clause (3) of clause 9, a certificate containing the details about the amount of money that should be levied as expences incurred on fulfilling that duty or tasking steps should be submitted by the ralevant authority or authorized officer to the magistrate holding jurisdiction of that division. The magistrate could oder to pay that amount of money stated in that certificate after a summery trail on leavying that amount of money.
- (5) During the legal action relevant to above clause 3, when the relevant person is found guilty according to clause 8(2) that person is livable to pay in addition to the applicable fine for creating a public health nuisance and the cost nuisance and the cost of the steps taken by the relevant authority or the representative of the relevant authority remove that nuisance and a fine of 50% of the total amount of the file.



- (6) Any amount of money imposed as fine under the sub clause 8(2), the amount of money imposed as an additional fine under sub clause 8(3) and the amount of money imposed as an additional fine under clause 9(5) should be remitted to the Provincial Council Fund by the magistrate.
10. (1) By the written notice sent, by the authority or authorized person, to the owner or resident or any relevant person of any premises, that owner or resident could be ordered to spray, on the advice of the relevant authority, the pesticides or biological control method stated in that notice within the stated period on any pond, water vessel, reservoir or any other place, which is found to gather water and promotes public health nuisance. Spraying pesticides.
- (2) Every person who neglects to take action, within the stipulated period, according to the notice issued as stated in the above sub clause (1) will be guilty of an offence under this statute and on such an occasion that person will be subject to the punishment stated under the sub clause 8(2).
11. (1) A person vested with the authority to carry out or fulfill the work or duties of the relevant authority or authorized officer under this statute, when that person carries out or fulfills that work or duty lawfully, any owner, resident or any other person knowingly or willfully should not show objection or obstruct the relevant authority or authorized officer or another person vested with such authority. Opposing or obstructing the relevant authority and such persons.
- (2) Any owner, resident or any other person who acts by violating the rules and regulations of the sub clause (1) of this clause will be guilty of an offence under this statute and convicted as guilty after a summary trial conducted in the presence of a magistrate should be subjected to fine of not less than Rupees Ten Thousand and not more than Rupees Fifty Thousand or imprisonment for a period not more than six (6) months or both fine and imprisonment.
- Part X**  
**Legal Action for Neglect Order of Authorized Offices**
12. (1) The owner resident or any other person should not knowingly or willfully take any situational action that will make way to, Decreasing the efficiency of any steps taken.
- (a) Incomplete any step taken to prevent breeding of mosquitoes that is being carried out or followed in any premises or
- (b) Reduce the efficiency of any step taken to prevent any public health nuisance that is being carried out or followed in any premises.
- (2) Any owner, resident or any other person who acts by violating the rules and regulations of the sub clause (1) will become guilty of an offence under this statute and convicted as guilty after a summary trial conducted in the presence of a magistrate should be subjected to fine of not less than Rupees Five Thousand and not more than Rupees Twenty Five Thousand.
- (3) In addition to the penalty stated in above sub clause (2), the magistrate order the action carried out or action taken to reduce efficiency be ameliorated.
13. (1) In any premises when more than one person is resident or any property is jointly owned by more than one person to enforce the rules and regulations of this statute, acting or neglecting according to the orders imposed by this statute or under it, each such resident and each owner should be subjected separately to the responsibility. CO-owners and CO-residents should be subjected separately.
14. (1) Any drain, stream, waterway or marshy land, cemetery, garbage disposal place or any land, entrusted to be maintained properly by any local government, institution situated within the When the local government institutions, etc

entrusted with the maintenance of drains, canals etc, failed to maintain them they should be issued with an order.

administrative limits of North Central Province Council or road Development authority or the Provincial road Development Authority or urban Development Authority or low land Development Board or any other authority or institution in the event it is found to have become a place congenial for breeding of mosquitoes due to neglected or delay in properly maintaining it by the said institution, the relevant authority has the power to issue order he / she considers necessary or appropriate to correct that situation and prevent breeding of mosquitoes.

- (2) If there is any local government institution or Road Development Authority or provincial Road Development Authority or Urban Development Authority or Lowland Development Board or any other authority or institution that neglects to take action according to any order issued sub clause (1), it is guilty of an offence under this statute and the relevant authority should file a law suit against that institution or should file legal action against any other authority appointed to act on behalf of that institution under any law applicable to institutions.

#### Part XI

#### Power to entry of Premises

Authority to enter and examine.

15. Under this statute, the relevant authority or authorized officer or an officer vested with power by the relevant authority is empowered to entry any premises at an ordinary time.
- (1) To examine or inspect nuisances to public health or other nuisances in this statute.
- (2) The relevant authority or authorized officer or an officer vested with power by the relevant authority is empowered to examine or inspect whether the action has been taken according to the written instruction given to the resident or the owner.

#### Part XII

#### Power of relevant authority

Assigning the powers of the relevant authority.

16. (1) On any occasion considered to be necessary or appreciate by the relevant authority, to implement or fulfill any work or duty assigned to him / her under this statute, authority could be vested on the Director of Divisional Health Services of the North Central Province and if the work or duty assigned to any officer, that work and duty should be fulfilled by that officer under the control and supervision of the relevant authority.

Issuing orders by the relevant authority.

- (2) Orders considered necessary in relation to the rules and regulations of this statute and the order made under them by the relevant authority could be carried out by the Director of Divisional Health Services or a Medical officer of Health or the Provincial Administrative Public Health Inspector or District Administrative public Health Inspector and every officer who has received such order should act accordingly to them.
- (3) Any officer who has been vested with the authority under the sub clause (1) of this clause, when carrying out and fulfilling the work and duty so vested on him / her, should implement the authority of entering and inspecting in the same manner as provided to the relevant authority under the clause 15 of this statute and any obstruction made to that officer will be an offence under the clause 12 of this statute.

An offence should be offence symbolic.

17. Whatever contradiction stated in the code of criminal procedure Act, No. 15 of 1979, every offence under this statute should be considered as a symbolic offence for the interpretation of that Act and its function.

- |     |  |   |
|-----|--|---|
| 18. | Under the code of criminal procedure Act, No. 15 of 1979, for the matter of implementing the authority vested on all officers when fulfilling that work or duty by the relevant authority or authorized officer and any other person who has been assigned his/ her work and duty, according to the meaning of the code of criminal procedure Act, No. 15 of 1979, should be considered as peace officers. | Relevant Authority and such others should be peace authorities. |
| 19. | Under this statute, if a certain person is committing the offence the notice to be handed over to that person could be personally handed over to him / her or to any other person residing in that premises or by pasting it in a place where it could be obviously seen, or by making it to be received through Registered post.  | Handing over the notice.  |

### Part XIII Legal Action

- |     |  |                             |
|-----|--|-----------------------------|
| 20. | A prosecution for an offence under this statute or any regulations made there under shall not be instituted. | Institution of proceedings. |
|     | (a) Except by an Authority Officers, and   |                             |
|     | (b) after the expiration of a period of three months from the date of detection of that offence.             |                             |

### Part XIV Regulation

- |     |  |        |
|-----|--|--------|
| 21. | North Central Province minister in charge of the subject could compile rules in relation to the following matters.   | Rules. |
|     | (1) (a) In relation to disposal of dust, ash, rubbish, dirt, fertilizer, animal, waste and faeces, carcasses kept collected in any place by the owner of any premises or resident or the owner of any animal and in relation to avoid keeping such things collected, in a street or on the side of a street in a manner that it becomes an oppression to any person. |        |
|     | (b) For cleaning, covering or filling such places like ponds, water courses, open ditches drains, and letting to run water having or used to collect unclean water or things that could be uncongenial to health.  |        |
|     | (c) For purifying, cleaning, providing ventilation to and disinfecting houses, buildings, religious places, any public place and places where people gather by the owners or residents of any premises and those who are responsible for the safety of that premises.  |        |
|     | (d) For avoiding and eradicating epidemics, situational diseases or contagious diseases spread by touching.  |        |
|     | (e) Formats that should be used for the purpose of orders complied under this statute and format used when filling a lawsuit at the court of law by the relevant officer or authorized officer.  |        |
|     | (f) Action that should be taken and the pesticide that should be used by the owner or resident of any premises to avoid public health nuisances.   |        |
|     | (g) Issuing guidelines for the eradication of disease spread through mosquitoes to avoid public health nuisances.  |        |

(h) In relation to a penalty ordered by the court of law regarding an offence under this statute, awarding to the authorized officer or officers who discovered the offence a certain amount of the penalty levied as an incentive.

(i) In relation to any other matter necessary for the implementation of the rules and regulations of this statute.

(2) Every rule that is made by the minister should be published in the *Gazette* and they should be implemented from the date of publishing or from the date stated in that order.

(3) Every Rule that is made by the minister, after publishing in the *Gazette*, should be presented to the North Central Province Council for approval as soon as possible.

(4) Any rule that is not so approved should be considered as invalid from the date of that annulment, but there should not be any prejudice for anything that has been done earlier under it.

(5) The date of any rule that is considered as made invalid should be published in the *Gazette*.

Security for  
bona-fide acts.

22. The authority to carry out any work or duty assigned to the relevant authority under this statute, when it is assigned to certain authorized officer under the sub clause (2) of the clause 16 of this statute, according to the situation, in relation to any action, with good intention, carried out or assumed to be carried out by that Authorized officer, no civil or criminal action should be taken in the court against that Authorized officer.

Officers of public  
service to  
provide  
assistance.

23. Assisting in the actions taken under this statute to avoid public health nuisance is the responsibility of all government officers including the police, civil security Task Force, Grama Niladhari and Local government Institution's.

Relevant  
Authority.

24. For the work of this statute the Director the Director of provincial Health services should be the relevant authority and he / she should take the responsibility to apply the rules and regulations of this statute fruitfully.

25. The implementation of the work, duties and authority of this statute should be carried out by the relevant authority under the direction and supervision of the secretary to the ministry.

#### Part XV Authorized Officers

Authorized  
officers.

26. (1) At any occasion when the relevant authority considers necessary and suitable, to implement or fulfill any work for duty assigned to him / her under this statute, authorized officers could be appointed under the control and supervision of the relevant authority.

(2) Under the above sub clause the authorized officers should be Directors of Divisional Health Services, Medical officers of Health, Provincial Administrative public health inspectors, District administrative public health inspectors, Administrative public health inspectors of the offices of the medical officer of Health of the North Central Province, chief public Health Inspectors of the relevant Local Government Institutions of the North Central Province and all other public Health Inspectors. These authorized officers should be the Authorized officers only in their duty area under this statute.

Sinhala version is  
valid when there  
is contradiction.

27. If there is any contradiction among the Sinhala, Tamil, and English versions of this statute, then the Sinhala version should enforced.

Interpretation.

28. Unless an interpretation becomes necessary in relation to terms in this statute:

**"Minister"**

Means the Minister in charge of the subject of Health in the North Central Province Council.

**"Secretary to the Ministry"**

Means the Secretary to Ministry in charge of the subject Health in the North Central Province.

**"Director of Provincial Health Services"**

Means the Director of Health Services, North Central Province or any person appointed to perform the duties of that post or to cover the duties or to fulfill the duties.

**"Director of Divisional Health Services"**

Means the Directors of Divisional Health Services of the, North Central Province Provincial Council Department of Health Services appointed for the Districts in the North Central Province or the officer appointed to perform the duties of that post or to cover the duties or to fulfill the duties.

**"Medical Officer of Health"**

Means an Officer appointed to the post of Medical officer of Health to the North Central Province Department of Health Services or an officer appointed to perform in that post or cover the duties or to fulfill the duties and Chief Medical Officer of Health or Medical officer of Health serving within the administrative limits or any municipality or in that municipality.

**"Provisional Administrative public Health inspector"**

Means an Officer appointed, to the post of Provincial Administrative Public Health Inspector of the North Central Provisional Department of Health Services or to perform the duties of that post or cover the duties or fulfill the duties.

**"District Public Health Inspector"**

Means an Officer appointed, to the post of administrative public Health inspector in medical officer of Health functioning under the North Central Province Provincial Department of Health services or to perform the duties of that post or cover the duties or fulfill the duties.

**"Chief Public Health Inspector"**

Means an Officer appointed, to the post of Chief Public Health Inspector of a Local Government institution of the North Central Province or to perform the duties of that post or cover the duties or fulfill the duties.

**"Public Health Inspector"**

Means an Officer appointed, to the post of or to perform the duties of that post or cover the duties or fulfill the duties of the Public Health Inspector of the North Central Province Provincial Department of Health Services.

**"Resident"**

Means a, Person, who on his/ her behalf or as a representative of another person, is holding the custody, management or control of a premises or residing in that premises.

**"Owner"**

Means any Person who is the owner, lessee or having some ownership to receive the rent or produce of that premises or any person, institution, corporation, or office holding the responsibility of properly maintaining that premises.

**"Caretaker"**

Means a Person holding custody, management or control of certain premises as a representative or employee of certain person or appointed by the court of law as a holder of power of attorney to that premises or on behalf of a minor.

**"Person"**

Means any individual or any institution or a private board.

**"Public Nuisance"**

Certain Nuisance caused through water pollution, soil pollution, and loud sound or by any other activity, conducted by the man himself in a manner obstructing better maintains of physical, psychological, economic and social conditions of human beings in public Nuisance.

**"Premises"**

Means any land and any building situated on it or a part of that building.

**"Article"**

Means certain thing made up from anything including glass, metal, wood, plastic, fiber or rubber which cannot be used or consumed yet, can become a threat to the health of certain person.