

REGISTRATION OF DOGS

AN ACT TO PROVIDE FOR THE REGISTRATION OF DOGS AND VACCINATION OF DOGS FOR THE SUPPRESSION OF RABIES IN SRI LANKA; TO ESTABLISH THE NATIONAL RABIES ERADICATION ADVISORY COMMITTEE; TO REPEAL THE REGISTRATION OF DOGS ORDINANCE (CHAPTER 477) AND THE RABIES ORDINANCE (CHAPTER 476) AND FOR MATTERS CONNECTED THEREWITH OR INCIDENTAL THERETO.

BE it enacted by the Parliament of the Democratic Socialist Republic of Sri Lanka as follows:-

- Short title. 1. This Act may be cited as the Registration of Dogs Act, No. of 2016.
- Registration and vaccination of Dogs. 2. (1) Every Local Authority shall ensure that every dog kept within the area of its administrative limits is vaccinated for rabies and registered.
- (2) (a) Upon such vaccination of a dog the Local Authority, a Veterinary Surgeon or any other authorized officer of the relevant area shall issue a certificate of vaccination for rabies.
- (b) Upon such registration the Local Authority, shall allocate a registration number for each dog and issue a certificate of registration as may be prescribed.
- (3) Every person who apply for a registration of a dog shall produce the certificate of vaccination for rabies issued by the Local Authority, Veterinary Surgeon or any other authorized officer.
- (4) The Local Authority shall prescribe fees for vaccination and registration for each dog.
- Owner or person in charge is liable. 3. (1) The owner or any person having under his charge a dog which is over six weeks of age is kept or permitted to live or remain shall be liable to vaccinate and register such dog.

(2) Every owner or any other person having under his charge a dog which is over six weeks of age shall cause such dog to be vaccinated for rabies annually.

Non possession of certificate of registration and vaccination.

4. (1) Every owner or any other person in charge of a dog, shall produce the valid certificate of vaccination and certificate of registration when required by the authorized officer.

(2) If any owner or a person in charge of a dog does not possess a valid certificate of vaccination or the certificate of registration he shall be granted a period of fourteen days by a notice issued by the authorized officer to vaccinate and register such dog.

(3) If any owner or any other person in charge of a dog, who could not obtain certificates of registration or vaccination within fourteen days due to unavoidable circumstances, authorized officer may extend the period for further fourteen days.

(4) If the person to whom a notice is issued under subsection (2) fails to vaccinate or register the dog accordingly, he shall be liable to a penalty of two thousand rupees payable to the Local Authority.

Register of Dogs.

(5) For the purposes of this Act, every Local Authority shall open and maintain a book as may be prescribed and called as "Register of Dogs".

Transfer of ownership of dogs.

6. Where any dog is transferred by sale or gift or by any other manner by its owner to any other person it shall not be necessary for such person to register such dog if such dog is registered once, provided such person shall have in his possession the certificate already issued endorsed in his favour by such owner.

Breeding center for dogs.

7. (1) No person shall keep a breeding center for dogs for sale (whether by him or any other person) except under the authority of a license granted by the Local Authority any premises where the area in which such breeding center is established.

(2) Any person who intends to carry on breeding center for dogs for sale shall make an application for the Licence of such center in the prescribed form to the Local Authority .

(3) The application shall be accompanied by the prescribed particulars and a prescribed fee.

(4) The Local Authority shall on receipt of an application under subsection (2) conduct an inspection which is carried out by a Veterinary Surgeon or an authorized officer and whenever possible a member of an Animal Welfare Organization also accompany such officer.

(5) (a) Where an inspection is carried out under subsection (4) the authorized officer shall submit a report to the Local Authority.

(b) The Local Authority may upon taking into consideration of report submitted by the authorized officer grant a licence or refuse the registration.

For the purpose of this section "premises" includes "private dwelling".

(6) Minister may make regulations in relation to breeding centers.

Offences.

8. (1) A person commit an offence if the person-

- (a) is in charge of a female dog;
- (b) allows the dog to breed in a way that contravenes breeding standard;
- (c) does so with the intention of making a profit or commercial gain;

(2) The provisions of subsection (1) shall not apply if the person allows the dog to breed in accordance with the written approval of a Veterinary Surgeon.

(3) Any person who contravenes the provisions of this section shall commits an offence and shall on conviction after trial by a Magistrate be liable to a fine not exceeding rupees or to imprisonment for a period not exceeding two months or to both such fine and imprisonment.

Inspection of premises.

9. (a) A Local Authority may authorize in writing of authorized officer or Veterinary Surgeon to inspect any premises within the area of its

administrative limits in respect of an application in accordance with the provisions of section 7.

(b) Any person authorized under this section may, on producing authority if so required, enter any such premises at all reasonable times and inspect, such premises and any dogs found thereon or anything there in, for the purpose of preventing infections or contagious diseases of dogs.

Revocation of Licence.

10. (1) A licence granted under this section shall be in force for a period of twelve months from the date of issue and may be renewed for further period of twelve months at a time.

(2) The application for a renewal of licence shall be in the prescribed form and shall be accompanied by a prescribed fee.

Control of Dogs Population.

11. (1) Every Local Authority shall cause all roaming dogs to be sterilized or castrated as the case may be.

(2) For the purpose of this section, sterilization or castration of dogs shall be performed only by a Veterinary Surgeon or an officer assigned under his supervision.

Cancellation of suspension of a licence.

12. (1) If any holder of the licence has failed to comply with any condition of the licence or has violated any provision of this Act or any regulation made thereunder, the Local Authority shall issue a notice of cancellation or suspension to be issued to the holder of licence in respect of breeding center.

(2) Where the holder of licence doesn't apply for a renewal of such licence three months before its expiry date, the licence shall be deemed to have been automatically been cancelled.

Appeals

13. (1) Any person aggrieved by a decision refusing the issue or renewal, as the case may be, of a licence or the suspension or cancellation of a licence may within thirty days of the date of receipt of the written communication informing such person of the refusal or the suspension or cancellation, as the case may be, appeal against such decision to the Secretary to the Ministry of the Minister.

(2) The decision on any appeal submitted under subsection (1) shall be made within sixty days of the receipt of such appeal and the person making such appeal shall be informed of the decision made on it.

Seizure of stray dogs.

14. Every Local Authority shall cause all stray dogs to be seized, and such dogs shall be dealt with as follows:-

(a) Every dog so seized shall be detained in some proper place and be there kept for such period not less than three days from the date of such seizure, as the Local Authority may think expedient, provided that where the owner or other person who had in charge of the dog is known, the Local Authority shall cause notice to be forthwith given to either of them of the seizure and detention of the dogs and upon reasonable expenses incurred in respect of such seizure and detention, together with the registration fee in case of an unregistered dog, shall, unless such Authority shall refuse to issue a certificate in respect of such dog, deliver the dog to the person noticed or his agent, without prejudice however to the recovery of any penalty for the infringement of any of the provisions of this Act.

(b) If the dog so seized and detained is not claimed within three days after the notice aforesaid has been served, or any, in case no owner or any other person in charge of the dog, within such period not less than three days after such seizure as the Local Authority may think expedient, or in case of non-payment of the reasonable expenses incurred in respect of such seizure and detention, and the registration fee if it be due as aforesaid, it shall be competent to the Local Authority to cause the dog to be destroyed or otherwise disposed of in such manner as to the Local Authority shall seem fit.

By-Laws.

15. (1) Every Local Authority may make By-laws relating to –

- (a) the collection and levying of fees that are payable under this Act;
- (b) conditions relating to licenses or certificates;
- (c) terms and conditions relating to breeding centers for dogs.

National Rabies
Eradication
Advisory *
Committee.

16. There shall be established a National Rabies Eradication Advisory Committee (hereinafter in this Act referred to as the "National Committee") consisting of the following members appointed by the Minister –

(1) ex-officio members, namely –

- (a) the Secretary of the Ministry of Local Government and Provincial Council or his nominee who shall be the Chairman of the National Committee;
- (b) the Secretary of the Ministry of Health or his nominee;
- (c) the Additional Secretary in-charge of the subject of Local Government in the Ministry of Local Government and Provincial Council or his nominee;
- (d) the Deputy Director General in charge of the subject of Public Health Services in the Ministry of Health;
- (e) the Director, Public Health Veterinary of the Ministry of Health.
- (f) the Chief Epidemiologist of the Ministry of Health;
- (g) a Virologist nominated by the Minister in charge of the subject of Health on the recommendation of the Medical Research Institute;
- (h) the Director-General of the Department of Livestock Development;
- (i) a Provincial Director of Health services nominated by the Minister of Health;
- (j) a representative of the Ministry of Livestock Development nominated by the Minister;
- (k) a nominee from each Provincial Council, in consultation with provincial Ministers in-charge of the subject of Local Government;

- (l) a Senior Officer nominated by the Inspector General of Police;
- (m) a representative of the Veterinary Council of Sri Lanka, nominated by the Minister in consultation with the Veterinary Council of Sri Lanka established by the Veterinary Surgeons and practitioners Act, No. 46 of 1956; and
- (n) four members nominated by the Minister in consultation with the Minister in charge of the subject of Health representing registered Animal Welfare organizations;

(2) The Chairman and every other member of the Committee shall, unless he earlier vacates office by resignation, death or removal, hold office for a period of three years from the date of his appointment and shall be eligible for re-appointment.

(3) The quorum for any meeting of the National Committee shall be seven members.

(4) The National Committee shall meet at least once in two months.

(5) Subject to the provisions of this Act, the National Committee may regulate its own procedure.

Remuneration of the members of the National Committee.

17. The members of the National Committee shall not receive any remuneration for being in the National Committee except an honorarium which may be given for attending at the meetings of the National Committee.

Functions of the National Rabies Eradication Advisory committee.

18. The functions of the National Committee shall be –

- (a) to advise the relevant Ministers and the Provincial Ministers assigned the subject of Local Government and other related Institutions on matters arising out of the administration of this Act;
- (b) to monitor the implementation of the provisions of this Act by the authorities vested with the powers and functions entrusted under this Act and to recommend remedial measures, where necessary;

- (c) to create public awareness on the prevention of rabies;
- (d) to solicit cooperation and funding for rabies eradication;
- (e) to observe national and international developments in the field of eradication of rabies and management, development of vaccines and cost effective methods of vaccination;
- (f) to take measures to control the dog population of the country;
- (g) to conduct dog population census once in every five years;
- (h) to appoint sub-committees in Provincial level, District level and Divisional level for the effective discharge of its function; and
- (i) to carry out any other function that may be assigned to it under this Act.

Regional Rabies
Eradication
Committee.

19. There shall be a Regional Rabies Eradication Advisory Committee for each Local Authority area (hereinafter referred to as the "Regional Committee") consist of –

(1) (a) ex-officio members, namely –

- (i) Head of Local Authority – who shall be the Chairman of the Regional Committee.
- (ii) Divisional Secretary or his representative;
- (iii) Assistant commissioner of Local Government or his representative;
- (iv) the Medical Officer of health in charge of the Local Authority;

- (l) a Senior Officer nominated by the Inspector General of Police;
- (m) a representative of the Veterinary Council of Sri Lanka, nominated by the Minister in consultation with the Veterinary Council of Sri Lanka established by the Veterinary Surgeons and practitioners Act, No. 46 of 1956; and
- (n) four members nominated by the Minister in consultation with the Minister in charge of the subject of Health representing registered Animal Welfare organizations;

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- (b) to monitor the implementation of the provisions of this Act by the authorities vested with the powers and functions entrusted under this Act and to recommend remedial measures, where necessary;

(v) the Veterinary Surgeon in-charge of the Divisional Secretary's Authority;

(vi) an officer representing the Inspector of Police of the Local Authority;

(vii) the secretary of relevant Local Authority; and

(b) nominated members:-

(i) two members of the public appointed by the head of the Local Authority and one of whom shall be from an organization engaged in Animal Welfare activities or humanitarian activities.

(2) The quorum for meetings shall be four members.

(3) The term of office of a nominated member shall be three years.

The functions of the Regional committee.

20. The functions of the Regional Committee shall be-

(a) to take measures to control dogs population;

(b) to create public awareness on the prevention of rabies; and

(c) to take steps to eradicate rabies;

Powers of authorized officer.

21. (1) Where any authorized officer has reasonable grounds to believe that there has been a violation of any provision of this Act or any regulation made thereunder he may -

(a) at any reasonable time enter any place where he believes any rabies dog, unregistered dog or dog which is not vaccinated is kept;

(b) examine any dog in or on the premises;

(c) seize and detain for such time as may be necessary any such dog referred to in paragraph (a);

(d) inspect the premises and anything in or on the premises; (including a document)

- (e) for the purpose of carrying out effective search operation, stop or detain any vehicle in which that any diseased dog is being conveyed, search that vehicle and examine any dog;
- (f) carry out any order of destruction of any dog issued by the Local Authority or Veterinary Surgeon;
- (g) take copies of, or extracts from, any document in or on the premises;
- (h) take photographs, make films, or videotapes of the premises of any dog in the premises;
- (i) seize any dog, or anything (including a document), that the authorized officer believes on reasonable grounds to be connected with an offence;
- (j) require any person in or on the premises to give the authorized officer such assistance as is reasonable to enable such officer to exercise his or her powers under this section;
- (k) take a sample of tissue, blood, urine or other bodily material from a dog on the premises;
- (l) ask questions of any person in or on the premises if the officer considers it reasonable to enable him to exercise powers under this section.

(2) An authorized officer acting under this section may, if so required, produce his authority.

(3) The owner or person in charge of a place which by an authorized officer enters in pursuance of section (1) and every person found therein shall give the Authorized officer all reasonable assistance and furnish him with such assistance as he may require.

Regulations.

22. The Minister may make regulations—

- (a) to provide for the muzzling of dogs while in or on any public road or place, with such exemptions (if any) as the local authority may think fit;

- (b) to provide for the keeping of dogs under control by the owner or person in charge thereof;
- (c) to provide for the seizure, detention, and disposal, including destruction of dogs not being kept under control in the manner prescribed by such regulations;
- (d) to provide for the recovery by the Local Authority of the expenses incurred in respect of the detention of any dog seized, detained or disposed of, from the owners thereof;
- (e) to regulate the holding of shows or exhibitions of dogs and the exposing of dogs for exhibition or sale thereat;
- (f) to establish centers within the area of any Local Authority as inoculation centers for the inoculation or testing of dogs and for the regulation and control of such centers;
- (g) to provide for compulsory testing of dogs or suspected animals in order to detect the presence of rabies;
- (h) to impose and recovery of fees in respect of testing or inoculation of dogs;
- (i) to control the excess dog population by sterilization or castration;
- (j) to provide for registration, renewal and licensing;
- (k) the procedure of field inspection;
- (l) the fees to be levied for registration or licensing;
- (m) registers to be maintained by the Local Authority;
- (n) conditions relating to sale of dogs in breeding centers;
- (o) conditions relating to quarantine of dogs; and
- (p) conditions relating to control of pests in dogs.

Destruction of dogs on notice issued by local Authority.

23. (1) Notwithstanding any of the provisions of this Ordinance, where a rabies exists, or that there is a danger of rabies within the limits of Local Authority, such Local Authority shall, by written notice to be posted in prominent places or by broadcast within the area, and by such other means,

proclaim the area comprised within the said limits, or any part thereof including one or more villages as an area within which rabies exists or within which there is a danger of rabies, as the case may be.

(2) Any dog found in any public place or road, or any place other than a private building, compound, or garden, within any area or part thereof and not being tied up or led shall be liable to be destroyed forthwith by any person authorized in writing, by the Local Authority for that purpose.

(3) Any such notice shall take effect on being proclaimed as provided by subsection (1), and shall be published in the *Gazette* or newspapers.

Euthanize of
diseased dogs,
Destruction of
suspected dogs.

24. Every Veterinary Surgeon, authorized officer, Police Officer or any other person duly authorized by the Local Authority shall destroy or cause to be destroyed every diseased dog or suspected dog within the area;

Provided that, if the owner of such dog gives notice in writing to the Local Authority such authority shall cause it to be examined by a Veterinary Surgeon or , and if such officer is of opinion that such dog ought to be destroyed, the Local Authority shall cause the same to be destroyed.

Offences.

25. (1) Any owner or person knowingly having in his possession a diseased or suspected dog, which has been bitten by a dog reasonably suspected to be diseased, shall if he fail to give notice of the same to a Local Authority as required by this Act, be liable on conviction to a fine not exceeding ten thousand rupees, or to imprisonment for a period not exceeding three months or to both such fine and imprisonment.

(2) Every Local Authority receiving notice as regards a diseased dog shall, if he fail to perform any duty imposed on such Authority, be liable on conviction to a fine not exceeding ten thousand rupees, or to imprisonment for a period not exceeding three months or to both such fine and imprisonment.

(3) Every owner of a dog or person in charge of a dog which is diseased or suspected to be diseased, who shall permit the same to go at large after being informed or knowing it to be diseased, suspected or to have been bitten by any dog suspected to be diseased, shall be liable on conviction to a fine not exceeding ten thousand rupees, or to imprisonment for a period not exceeding three months or to both fine and imprisonment.

(5) If any person –

(a) removes a dog from the custody of any other person who has lawfully seized it, or

(b) in any way molests, obstructs or prevents any other person in or from lawfully seizing, detaining or destroying a dog.

he shall, on conviction, be liable to a fine not exceeding ten thousand rupees, or to imprisonment for a period not exceeding three months, or to both such fine and imprisonment.

Importation of animals.

26. The Minister may allow import of a dog by a licence issued under the Customs Ordinance subject to quarantine as may be prescribed

Duty of Veterinary Surgeon.

27. Every Veterinary Surgeon shall maintain in such form as may be prescribed, a register of vaccinated dogs in the area.

Responsibility of an owner.

28. The owner of the dog shall be liable in damages caused in an attack on any person or animal by the dog and for injuries done by it.

Where certificate is conclusive evidence.

29. A certificate of Veterinary Surgeon to the effect that dog is or was affected with a disease specified in the certificate shall, for the purpose of this Act, be conclusive evidence in a court.

Offence under the Act to be cognizable.

30. All offences under this Act shall be deemed to be cognizable offences within the meaning of the Code of Criminal Procedure Act, No. 15 of 1979.

Forfeiture reimbursement of expenses, after conviction.

31. (1) Where a person is convicted of an offence in relation to do under this Act, the Magistrate may, in addition to any punishment that may be imposed, make order for –

(a) the forfeiture of the dog in respect of which the offence was committed;

(b) the forfeiture of any weapon, instrument or vehicle used in the commission of the offence; or

(c) the reimbursement of expenses incurred by any person or institution in whose custody any dog was placed in term of the provisions of this Act.

(2) The Magistrate in making an order under paragraph (a) of subsection (1) may direct that the care and custody of the dog given to a suitable person. An "Animal Welfare Centre" or other suitable institution with the consent such person, or the person in charge of the Institution.

For the purpose of this section, "Animal welfare centre" means a centre or an institution nominated by the Minister by order published in the *Gazette*.

Placing dogs in shelter & c. doing investigation.

32. A Magistrate may, upon application made there by a Police officer, or on his own motion make an order that any dog in respect of whom an offence is alleged to have been committed, or is being committed or is likely to be committed be placed in the care and custody of a suitable person, a State farm animal shelter or other suitable Institution who or which is willing to take custody of such dog, upon being satisfied that it is necessary to do so to prevent the continued commission of an offence or for the purpose of providing such dog with necessary care or medical treatment.

Quarantine of dogs.

33. (1) Every dog imported into Sri Lanka shall be subject to quarantine for a minimum period of thirty days unless requires it to be produced from time to time at such place and by such persons as may be prescribed.

(2) It shall be the duty of the importer –

(a) to provide an adequate supply of food and water for any dog ordered to be kept in quarantine; and

(b) to bear all expenses incurred in the treatment and maintenance of every dog kept in quarantine and in the disposal of the carcass of any dog that may die in quarantine.

(3) Every importer shall be required to pay a quarantine fee in such amount as may be prescribed,

(4) Where any dog is subject to quarantine is found to be deceased, it shall be lawful for the authorized officer to order the destruction of such dog and the disposal of the carcass thereof.

Repeal and savings.*

34. (1) The Dog Registration Ordinance and the Rabies Ordinance are hereby repealed.

(2) Notwithstanding the repeal of the Dog Registration Ordinance and the Rabies Ordinance. (hereinafter referred to as the repealed Acts).

(a) all contracts and agreements entered into under the repealed Acts and subsisting on the day immediately preceding the date of operation shall, with effect from the date of operation, be contracts and agreements entered into under this Act and may be enforced accordingly;

(b) all suits prosecutions, appeals or other legal proceedings which have been instituted in any or tribunal and pending before such court or tribunal on the day immediately preceding the date of operation shall with effect from the date of operation be deemed to have been instituted may be continued accordingly.

(c) all decrees, orders and judgements entered or made by a competent court or tribunal on the day preceding the date of operation shall with effect from the date of operation be deemed to have been made under this Act and may be enforced accordingly.

(d) every regulation or rule made under the repealed Acts and in force on the day immediately preceding the date of operation and not inconsistent with the provisions of this Act, shall with effect from the date of operation be deemed to have been made under this Act and may accordingly be amended or rescinded by regulations or rules made under this Act;

(e) every licence or registration issued under repealed Act and in force immediately prior to the date of operation of this Act shall with effect from the date of operation be deemed to be a licence or registration granted under the provisions of this Act;

- (f) every application for a licence or registration made under the provisions of the repealed Acts shall with effect from the date of operation be deemed to be an application made under this Act and shall be dealt with accordingly.

Interpretation.

35. In this Act, unless the context otherwise requires:-

“authorized officer” includes a Police Officer, Medical Officer of Health, Veterinary Surgeon or any other officer duly authorized in writing by the Mayor of the Municipal Council, Chairman of the Urban Council or Pradeshiya Sabha, to act on his behalf for the purpose of carrying out the provisions of this Act.

“Breeding center for dogs” means any premises (including a private dwelling) where a business of breeding dogs for sale is carried on;

“euthanize” means put to death humanely a sick or injured animal by giving drugs enabling them to die without pain;

“Local Authority” means any Municipal Council, Urban Council or a Pradeshiya Sabha and includes any authority created or established by or under any law to exercise, perform or discharge powers, duties and functions corresponding to or similar to powers, duties and functions exercised, performed and discharged by any such council or sabha;

“Minister” means minister of the Ministry in charge of the subject of Local Authority.”.

“Veterinary Surgeon” means a veterinary Surgeon registered under the Veterinary Surgeons and Practitioners Act, No. 46 of 1956.

Sinhala text to prevail in case of inconsistency.

36. In the event of any inconsistency between the Sinhala and Tamil texts of this Act, the Sinhala text shall prevail.