

A statute to Provide for the establishment of the provincial department of Animal Production and Health; To protect, develop, regulate, maintain, and preserve livestock and the prevention of the animal diseases within the -----province; and for Matters connected therewith or Incidental thereto .

This Statute shall be inconsistent with the Animals Act, No. 29 of 1958

Be it enacted by the Provincial Council ----- of the Democratic Socialist Republic of Sri Lanka as follows :

Short Title and date of operation

1. This Statute may be cited as the Animal Husbandry Statute, No.-- - of 20--- of the Provincial Council of the ----- Province and shall come into force on the date it receives the assent of the Governor of the ----- ---- Province.

Objects of the Statute

2. Objects of the Statute shall be:

- (a) to ensure the maintenance of a healthy and productive livestock in the Province contributing to the food and nutrition security;
- (b) to ensure the quality assurance in the production, processing, distribution and sale of livestock products while ensuring the protection of Environment;
- (c) to promote and develop sustainable livestock industry towards social and economic development.

PART I

Establishment of the----- Provincial Department of Animal Production and Health

3. There shall be established a Department called “ the ----- ----- --- Provincial Department of Animal Production and Health” (herein after referred to as “the Department”) which shall be administered in accordance with the provisions of this Statute.

____ Provincial Director of Animal Production and

4. (1) There shall be appointed a Director of Animal Production and Health (hereinafter referred to as " the Director")who shall be a

Health

veterinary surgeon **having years of experience.**

(2) The Director shall be charged with the administration of the provisions of this Statute.

(3) There may also be appointed an Additional Director, such number of Deputy Directors and Assistant Directors of Animal Production and Health **from among veterinary surgeons**, livestock development officers and such other officers as may be required for the purpose of assisting the Director in the implementation of the provisions of this Statute.

(4)The Director may, delegate any power, duty or function assigned to the Director under this Statute, subject to the general direction and control of the Director to the Additional Director, Deputy Director or Assistant Director or to any other officer who is authorized in writing by the Director.

(5) The provisions of Part IV of the Provincial councils Act, No.42 of 1987 shall apply to the appointment ,transfer, dismissal and disciplinary control of officers of the department.

(6) Every Person holding office in the Department on the day immediately before the date of coming into operation of this Statute shall continue to hold such office under the same terms and conditions

Functions of the
Department

5. (1)The functions of the Department shall be-

- (a) to advise the minister on matters relating to the sustainable development of animal husbandry and livestock production;
- (b) to promote and to grant such assistance and technical guidance for integrated sustainable livestock production ensuring the sustainable utilization of the resources including the preservation and development of genetic resources of livestock;
- (c) to promote the adoption of good management practices local or international in livestock production, and to take measures to improve the genetic quality of livestock;

- (d) to provide for the control and prevention of animal diseases including the management of any outbreak of contagious , infectious animal diseases or epidemics;
- (e) to inspect, farms to ensure the compliance with provisions of the Statute;
- (f) to enhance the provision of veterinary services and to regulate and monitor the manufacture and importation of veterinary drugs and the veterinary biological products;
- (g) to levy fees or other charges for services performed, or facilities or equipment provided, by the Department;
- (h) to formulate animal husbandry development plans quality standards and to undertake surveys to promote a sustainable animal husbandry;
- (i) to promote animal production extension services and scientific breeding and the maintenance of optimum animal health;
- (j) to facilitate and promote scientific research in animal husbandry and livestock and to liaise and coordinate with institutions including universities in Sri Lanka or abroad engaged in such research and disseminate such research findings for the purpose of development of animal husbandry and livestock production in the province ;
- (k) to ensure the compliance with the provision of this statute and to investigate any complaints for noncompliance of its provisions;
- (l) to disseminate information and knowledge to the farming community and the public regarding the importance of animal husbandry and the protection of animals and environment for a sustainable development;

- (m) to promote, facilitate and encourage the application of technological advances, modernization methods in animal husbandry for enhancing the quality and productivity of livestock;
- (n) to collect statistical data and maintain a provincial database manually or electronically of matters relating to animal husbandry in the province for planning and management purposes;
- (o) to establish zones and demarcate such administrative areas for livestock production;
- (p) to regulate and monitor the production, processing, distribution and sale of livestock and livestock products in the Province;
- (q) to facilitate and provide for capacity building of the persons and organizations engaged in animal husbandry in the province;
- (r) to control and prevent diseases of animals and to promote animal welfare ensuring the provision of for the purpose of improving the productivity, quality and safety of livestock production;
- (s) to register and regulate Livestock development organization and to provide assistance to the members of such organization registered with the Department;
- (t) to co-ordinate and collaborate with the relevant government institutions including the government institutions relating to health care, Agriculture and animal husbandry for the overall development of animal husbandry;
- (u) to perform any other function which is not inconsistent with the provisions of this Statute ,in the attainment of its objects.

(2) The Director shall, in the implementation of the provisions of

this Statute, have regard to the national policy, and the international best practices in animal husbandry.

PART II

LIVESTOCK DEVELOPMENT PLANS

Provincial Livestock
Development five
year Plan

6. (1) The Director shall formulate a five year Provincial Livestock Development Plan for the development of the livestock in respect of each species of the animal in the province .

(2) The Director shall, for the purposes of subsection (1) relevant government and non-government organization relating to Agriculture, health Environment any other request for shall other information as may be necessary.

(3) In formulating the plan the Director General shall take into consideration --

- (a) resources in the province relating to animal husbandry and livestock including the extent of land area, animal population, provincial demand of livestock, geographical distribution and locations, climatic conditions, animal feed and fodder, availability of pasterns;
- (b) the demands of the province relating to the development of animal husbandry in respect of each species of animals;
- (c) short term and long term livestock development programs, schemes and projects, creation of commercial ventures with public, private partnerships in the province;
- (d) sustainable utilization of resources and the promotion of animal welfare and health in the province;
- (e) prevention and confirm of animal diseases and

protection of environment,;

- (f) Improvement of infrastructure in relation to the development of the animal husbandry industry including dairy development in the province;
- (g) protection of genetic resources development of livestock breeding and improvement of livestock in the province;
- (h) research and development including the establishment of research institutions, Laboratories;
- (i) Promotion of entrepreneurship in animal husbandry, facilitation of the income generation of the farming households in the province development of market oriented commercial products in livestock production.

(3) The Director shall submit the five-year plan to the secretary and the Secretary shall, upon the receipt of the five year plan transmit it to the minister for approval.

(4) Every approved five-year plan may be reviewed, revised, or amended as the case may be in order to reflect any change in the policy or objectives of this Statute with the approval of the Minister.

Annual Plan

7.(1)The Director shall formulate an annual plan for the succeeding year which identifies the specific measures required to be taken based on the performance of the previous year, including the measures to be taken to promote livestock sector at household and commercial level.

(2) Every annual plan shall be transmitted to the Secretary to be transmitted to the Minister. before the ---- day of -----of the year preceding the year to which the Annual Health Plan relates.

PART III

REGISTRATION OF LIVESTOCK FARMS

Registration of
livestock farms

8.(1) From and after the date of coming into operation of this Statute, every person who establishes a livestock farm for breeding or production shall be required to obtain a certificate of registration (hereinafter referred to as “the certificate”) under this Statute prior to such establishment.

(2) Every application for a certificate of registration referred to in subsection (1) shall be made to the department in such form as may be prescribed together with such prescribed fee.

(3) Upon receipt of an application the Director shall, where the director is satisfied that such farm conforms with the prescribed standards relating to the location of the farm, farming methods, animal husbandry systems, waste management systems issue a certificate of registration to such person.

(4) Every such Certificate shall (i) be in the prescribed Form and be subject to such terms and conditions as may be prescribed and unless it is cancelled earlier be in force for a period of twelve months from the date of its issue.

PART IV

ESTABLISHMENT OF LIVESTOCK FARMERS’ SOCIETIES

Livestock Farmers’
Societies

9. (1) There may be established, for each GramaNiladari division or for a portion of a GramaNiladari division or for several GramaNiladari divisions, one or more Livestock Farmers’ Societies, for the purpose of sustainable development of livestock industry.

(2) A society may apply to the Director in the manner together with such fees as may be prescribed by regulations under this Statute.

(3) A society registered under subsection (1) (hereinafter referred to as “the registered society”) shall be a body corporate having perpetual succession and a common seal and may sue and be sued in its corporate name.

(4) The Director shall cause a notification of registration of such society to be published in the gazette.

(5) Every person who engages or intends to engage in animal husbandry and livestock production as a livestock farmer shall be eligible for membership of a Farmers' society established under subsection (1), if-

- (a) he is a citizen of Sri Lanka ;
- (b) he is not less than.....years of age ;
- (c) he is engaged in animal husbandry and livestock production as his livelihood in the area where such society is established.

(6) Rules may be made under this Statute Providing for the election of the office bearers of a committee of management of the society and the term of office of the members thereof, Procedure to be followed in transaction of business at meetings, the quorum for any meeting, admission, removal, resignation and vacation of members, appointment of officers to the staff of the society, the terms and conditions subject to which such Societies shall be registered, appeals against refusal of registration, maintenance and audit of the Accounts, settlement of disputes between the Society and a member of the-Society, grounds for cancellation of registration, appeals against cancellation of registration, liquidation after cancellation of registration, powers of a liquidator .

(7)Every rule made under subsection(6) shall be published in gazette.

Powers and functions of a registered Society

10. A registered society shall have the following powers and functions-

- (a) to borrow, raise money and to obtain loans from banks or financial institutions in the exercise and performance of its powers and functions of the Society;
- (b) to receive or collect grants, and donations;
- (c) to acquire, hold, take or give on lease or hire, mortgage, pledge, sell or otherwise dispose of any movable or immovable property;
- (d) to provide assistance, including technical and financial assistance through loans, subsidies and grants to members of the society engaged in the livestock production;
- (e) to provide advisory services to promote technologically

advanced animal husbandry system, among the members of the society ensure proper utilization of modern animal husbandry practices for increased productivity; and

(f) to promote the effective and efficient management of animal husbandry waste;

(g) to promote the utilization of modern technology and production methods in animal husbandry and livestock by members of the society;

(h) to provide welfare facilities to the members of the Society.

(i) to coordinate with the relevant divisional veterinary institutions for information and technology transfer and to promote the knowledge, capacity and confidence of the members towards development of the livestock industry;

(j) protect the interests of the members of the societies.

(2) A registered Society established in an area referred to in subsection (1) of section 8 shall, elect a member from among the members of the society to represent its membership in the Livestock development Council established for that area .

(3) A registered society shall render assistance to such Livestock development Council as shall be required by the Livestock development council in the exercise of its powers and the discharge of its functions under this Statute.

PART V

LIVESTOCK DEVELOPMENT COUNCILS

Establishment of
livestock
development
Councils

11. (1) There may be established a livestock development Council (hereinafter referred to as ("the Council")) for each veterinary surgeon range area.

(2) Every Council shall be a body corporate with perpetual succession and a common seal and may sue and be sued in its corporate name.

(3) Every Council shall consist of –

(a) (i) the Deputy Director of the provincial department of animal husbandry or a representative nominated by him;

(ii) veterinary surgeon in charge of the respective veterinary range who shall be the chairman;

(iii)

(iv)

(v)

(b) Following appointed members by the minister-

(i) at least one representative nominated by each registered society in the veterinary surgeon range;

(ii) persons appointed by the Minister from among persons who are engaged, or who have gained knowledge and experience in animal husbandry and livestock, or agriculture, (hereinafter referred to as “the appointed members”);

(4) The term of office of a member of a Council shall beyears, provided however, that a member who ceases to hold office by effluxion of time shall be eligible for re-appointment.

(5) Every appointed member shall, unless he vacates office earlier by death, resignation or removal, hold office for a period ofyears from the date of his appointment and shall unless he has been removed from office, be eligible for re-appointment.

(6) In the event of the vacation of office by death, resignation or removal of any appointed member, the Minister, having regard to the provisions of section 3(b) appoint any other person to succeed such member. Any member so appointed shall hold office for the unexpired term of office of the member whom he succeeds.

(7) A person appointed as a member of a Council under subsection

(3) (b) may resign his office by a letter addressed to the Council.

(8) If a member fails to attend three consecutive meetings of such Council without reasonable cause such member shall be deemed to have vacated his office of the Council.

(9) Where a representative of a Farmers' society vacates office, such Farmers' society shall nominate another person in his place.

(10) The Chairman shall preside at all meetings of the Council at which he is present. In the absence of the Chairman from any meeting of the Council, the members present at such meeting shall choose from among themselves another member to preside at that meeting.

(11) The *quorum* for any meeting of the Council shall be.... members.

(12) The Council shall meet as often as necessary, and in any case at least once in each month, at such time and place as the Council may determine.

(13) The Council shall, subject to the other provisions of this Statute and any regulation made thereunder, regulate the procedure in regard to its meetings and the transaction of business at such meetings.

Powers and
functions of the
Councils

12. (1) Every Council shall have the following functions:-

- (a) to formulate and implement the development programmes, disease control measures and health care of livestock ;
- (b) to collect data relating to the livestock industry at the veterinary range level for transmission to the department for planning purposes;
- (c) to provide training and education programmes to livestock farmers on aspects of development, quality assurance processes, technology, management and marketing aspects of livestock production;
- (d) to promote the livestock industry as a livelihood

among the people in the province and to empower them with necessary capacities.

(2) The Council shall formulate such livestock development plans and programs for the area and transmit same to the department for the purpose of formulation of annual and livestock development plans.

(3) The council shall in the formulation of the plans referred to in subsection(2) have regard to the animal husbandry resources, scope and demands of the area in relation to livestock development ,pasture development ,value addition of livestock products ,animal health and welfare, animal breeding and extension services, generation of employment in the livestock sector, in the area under its authority.

(4) The Council shall establish and maintain a register including particulars relating to all livestock farms ,livestock activities ,owners of and species of animals in such farms or in custody, diseases of animals for livestock development purposes.

Authorized officers
Power of Authority
to authorize any
officer to enter and
inspect premises

13. The Director or where he considers it necessary for the purpose of discharging the functions of the department authorize in writing any officer to enter and search at all reasonable hours of the day. An officer so authorized is hereinafter referred to as an "authorized officer".

Powers at
inspection and
search

14. Any authorized officer may-

- (a) for the purpose of ascertaining whether the provisions of this Act are complied with, enter and inspect any farm engaged in animal husbandry and livestock production;
- (b) examine any books, registers or records maintained under this Statute, and make extracts or copies therefrom;
- (c) Every person who obstructs or resists such officer in the exercise of any power conferred on him by subsection (1) shall commit an offence.

Annual Report

7. (1) Director shall submit to the Secretary, before the end of the first quarter of every year, a report with regard to the activities carried out by the department in the preceding year.

(2) The report shall identify, with statistics, the successes and the

weaknesses in implementing the Annual Livestock Development Plan during the preceding year, and recommend measures to correct any weaknesses identified or to address emerging issues relating to animal husbandry and livestock sector.

PAR T VI

OFFENCES AND PENALTIES

Offences and penalties

15. Every person who commits an offence, under this Statute shall, on conviction after summary trial before a Magistrate be liable to imprisonment not exceeding years or a fine of not exceeding rupees or both such fine and imprisonment.

Offences by body of persons.

16. Where an offence under this Statute is committed by a body of persons, then,-

(a) if that body of persons is a body corporate, every director and officer of that body corporate;

(b) if that body of persons is a firm, every partner of that firm, shall be deemed to be guilty of that offence:

Provided however, that a director or an officer of such body corporate, or a partner of such firm, shall not be deemed to be guilty of such offence if he proves that such offence was committed without his knowledge or that he exercised, due diligence to prevent the commission of such offence.

Regulations

17. (1) The Minister may make regulations in respect of matters for which regulations are authorized or required to be made or to be prescribed by this Statute.

(2) In particular and without prejudice to the generality of the powers conferred by sub section(1),the Minister may make regulations in respect of all or any of the following matters:-

(a) specifying the criteria to be adopted in respect of registration of livestock farms;

(b) form and manner of registration of livestock farms:

(c) specifying the Zones and administrative areas for livestock production,

(d) specifying the quality standards for livestock products.

(3) Every regulation made by the Minister shall be published in the Gazette and shall come into operation on the date of such publication or

on such later date as may be specified, in the regulation.

(4) Every regulation made by the Minister shall as soon as convenient, after the date of its publication, be brought before Provincial Council for approval. Any regulation which is not so approved shall be deemed to be rescinded from the date of such disapproval but without prejudice to anything previously done thereunder.

(5) Notification of the date on which any regulation is deemed to be so rescinded shall be published in the Gazette.

Interpretation

18. For the purposes of this Statute-

“Genetic Resources” means Genetic resources (GRs) refer to **genetic** material of actual or potential value;

“**Genetic** material” means any material of plant, animal, microbial or other origin containing functional units of heredity;

Governor” “ means the Governor of theProvince;

“ Livestock” includes cattle, buffalo ,goats, sheep, swine, hare, poultry, raised on a farm or household?

“Livestock farm” a place where livestock is raised;

“Minister” means the Minister in charge of the subject of livestock ;

“Province” means the

“Provincial Council” means a Provincial council established under Chapter XVIIA of the Constitution of the Democratic Socialist Republic of Sri Lanka;

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

Savings	16. Notwithstanding any other Provisions of this Statute-, (a)----- department of animal production and health existing on the day immediately before the date of coming into operation of this Statute shall be deemed to be established under this Statute; (b all assets movable and immovable of such institutions existing on the day immediately before the date of coming into operation of this Statute shall be
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	<p>vested in the department established under this Statute;</p> <p>(a) Every Person holding office in the department on the day immediately before the date of coming into operation of this Statute shall continue to hold such office under the same terms and conditions;</p>
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