

ශ්‍රී ලංකා ප්‍රජාතාන්ත්‍රික සමාජවාදී ජනරජයේ ගැසට් පත්‍රය

අති විශේෂ

The Gazette of the Democratic Socialist Republic of Sri Lanka
EXTRAORDINARY

අංක 1984/6 - 2016 සැප්තැම්බර් මස 13 වැනි අඟහරුවාදා - 2016.09.13
No.1984/6 - TUESDAY SEPTEMBER 13, 2016

(Published by Authority)

PART IV (A) — PROVINCIAL COUNCILS

Provincial Councils Notifications

NORTH WESTERN PROVINCE PROVINCIAL COUNCIL

Livestock Statute No. Of 2016 of the Provincial Council of the North Western Province

A statute to provide for the implementation of Provincial Livestock Policies towards a Sustainable Development in the North Western Province; for the realization of objectives; for the formulation, implementation and operation of plans with regard to the preservation, taking care and development of livestock and for matters connected therewith and incidental thereto and to provide for the repeal of North Western Provincial Animal Husbandry Statute No.04 of 1998.

Long title

This Statute shall be inconsistent as applicable with the Animal Act, No. 29 of 1958 as amended by the Act, No. 10 of 1968, the Act, No. 46 of 1988 and the Act, No. 10 of 2009; the Animal Feed Act, No. 10 of 1986; the Butchers Ordinance No. 9 of 1893; the Animal Diseases Act, No 59 of 1992; the Epidemic Act, No. 33 of 1952; Anti Rabies Act, No. 23 of 1956; Veterinary Surgeons and Practitioners Act, No. 16 of 1998; Butches Act, of 1968; and the Meat Inspection Act, of 2004.

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

- 01. This Statute may be cited as the Livestock Statute No. of 2016 of the Provincial Council of the North Western Province.
- 02. This Statute shall come into operation on such date as may be appointed by the Governor of the North Western Province.
- 03. Objectives of the Statute:
 - (1) To provide for the planning, formulation, implementation, operation and regulation of policies relating to livestock in compliance with the national policies and needs of the province;
 - (2) To provide for the preservation, regulation, caring, improving of livestock and production and use of animal feed and medicines and prevention of animal diseases;
 - (3) To establish the North Western Provincial Department of Animal Productions and Health;
 - (4) To establish the North Western Provincial Livestock Development Committee;

Short title

Date of operation

Objectives of the Statute



- (5) To empower famers engaged in the livestock sector in the North Western Province;
- (6) To establish Zonal and Regional Livestock Development Committees and Rural Livestock Development Societies of those engaged in the livestock sector in the North Western Province;
- (7) To ensure the maintenance of environment friendly farms of prescribed standard and healthy and qualitative animal production in the province;
- (8) To establish and maintain the North Western Provincial Dairy Promotion Fund.

PART I

Policy Planning, Management and Regulation

- | | |
|---|---|
| Policy Planning on Animal Production and Health | 04. The Provincial Ministry in charge of the subject shall be vested with the policy planning on animal production and development in the North Western Province in compliance with the national policy and needs of the province for which purpose, proposals from the Rural, Regional, Zonal and Provincial Livestock Committees established within the province may be sought. |
| Provincial Livestock Development Plan | 05. The Provincial Director shall prepare a five year Provincial Livestock Development Plan giving due consideration to the proposals referred to at Section 04 above and submit same for the approval of the Provincial Livestock Development Committee once in every five years. |
| Provision of services | 06. The Provincial Ministry and the Department in charge of the subject shall provide livestock and health, breeding, extension, training, marketing, promotion and provincial research services needed by those engaged in livestock sector within the province. |
| Demarcation of Animal Development Advisory Divisions, Regional Veterinary Medical Officer's Divisions and Zones | 07. The Animal Development Advisory Divisions, Regional Veterinary Medical Officer's Divisions and Zones shall be demarcated on the basis of the National policy and extension of the population, extent of land, animal population, climatic conditions and administrative boundaries in the province. |
| Research Institutions to be established and maintained | 08. Research Institutions may be established and maintained for the needs of the province. |
| Human resources development Units to be established | 09. Human resources development Divisions or Units may be established for the purpose of empowering stakeholders with a view to promoting livestock development. |

PART II

Establishment, composition, powers and functions of the Provincial Department of Animal Production and Health

- | | |
|---------------------------------|---|
| Establishment of the Department | 10. There shall be established a Department which shall be called "North Western Provincial Department of Animal Production and Health" (herein after referred to as the "Department") to implement the provisions and to achieve objectives of this Statute. |
|---------------------------------|---|

- | | |
|--|--|
| <p>11. The North Western Provincial Department of Animal Production and Health shall, by the name assigned to it be a body corporate and shall have a perpetual succession and a common seal and may carry out all functions related to the livestock sector and sue and be sued in such name.</p> | <p>Department to be a body corporate</p> |
| <p>12. The Governor of the North Western Province shall with the concurrence of the Provincial Minister in-charge of the subject, appoint a Class I Veterinary Medical Officer of the Animal Production and Health Service to the post of North Western Provincial Director of Animal Production and Health (hereinafter referred to as the “Director”) to exercise the powers vested in the Department.</p> | <p>Appointment of the Provincial Director</p> |
| <p>13. For the purpose of execution of the duties and functions of the Department there may be appointed Additional Provincial Directors, Subject Specialists, Deputy Directors, Veterinary Medical officers, Animal Husbandry Officers, Animal Development Instructors, and other ancillary staff.</p> | <p>Constitution of the Department</p> |
| <p>14. All officers and employees who are in service of the North Western Provincial Department of Animal Production and Health on the day of coming into operation of this Statute shall be deemed to have appointed under this Statute.</p> | <p>Appointment of the staff</p> |
| <p>15. (1) Powers to execute the directions and orders made for the purpose of provisions of this Statute and matters incidental thereto shall be vested in the Director subject to the general administration of the Secretary.</p> <p>(2) The Director may exercise the powers vested in him by delegating such powers to other officers of the Department as the case may be.</p> <p>(3) The Director shall account to the Secretary for the management of all physical, financial and human resources including moveable and immoveable assets of the Department.</p> | <p>Powers and responsibilities of the Director</p> |
| <p>16. (1) The Provincial Director or any other officer duly authorized by the Director shall have the powers to enter and inspect any farm or manufacturing plant or sales centre or cold storage at any time for the purpose of execution of provisions of this Statute.</p> <p>(2) No person shall obstruct any authorized officer exercising his powers under this Statute or regulations made there under.</p> <p>(3) The owner or the person in charge of or every person present at the site subjected to inspection shall be bound to provide the officer carrying out the inspection under subsection (1) above with samples or other information as required by the officer in carrying out his duties.</p> <p>(4) No person shall provide false or misleading samples or information to any officer engaged in obtaining samples or information in a formal manner.</p> | <p>Power to inspect farm or processing plans</p> |
| <p>17. The Department shall execute following functions for the development, preservation, extension and regularization of livestock in the province:</p> <p>(1) to formulate and implement the annual plan in compliance with five year Plan;</p> <p>(2) to ensure healthcare of animal by control, prevention of and treatment to animal disease;</p> | <p>Duties and responsibilities of the Department</p> |

- (3) to carry out breeding for the maintenance of an environmental friendly animal population of high genetic quality which suits the needs of the province;
- (4) to implement extension and training programmes;
- (5) to implement production and sales promotional programmes;
- (6) to conduct provincial researches and surveys and publicize their results;
- (7) to introduce new technology and farm mechanizations which suit the province;
- (8) to liaise with research institutes of national, provincial and regional level, universities and other institutes related to animal husbandry;
- (9) to introduce and sale high quality breeding and plant materials necessary for the development of animal farming;
- (10) to register, issue licenses to, supervise and regulate rural, regional, zonal livestock development committees, animal farms, animal caretakers, distributors, mobile sellers, producers and distributors of veterinary medicines, equipment and feed and all voluntary organizations and individuals involved in the livestock sector;
- (11) to maintain and update all data bases related to livestock sector;
- (12) to ensure hygiene and quality of animal productions and standardization of farms;
- (13) to maintain laboratories to commensurate with the needs of the province;
- (14) to prevent and control animal diseases in the province;
- (15) to provide for and regulate the environmental friendly animal farms, processing plants, cold storages, sales outlets, in accordance with accepted standards;
- (16) to prevent and control diseases transmitted from animals to humans;
- (17) to ensure animal welfare;
- (18) to grant permission to transport animal within North Western Province;
- (19) to organize provincial exhibitions and competitions in relation to the livestock sector in order to appreciate those who are engaged in the sector;
- (20) to inspect accounts of and give necessary advice to rural, regional and zonal livestock development committees;
- (21) to regulate manufacture, sale, and use of animal feed, animal breeding matters, veterinary medicines, and chemicals.

18. (1) The Annual Development Plan for the ensuing year pertaining to the development of the Livestock Institutions and Promotion of Animal Husbandry based on the Provincial Livestock Development Plan prepared in keeping with the provisions of the Section 05 of this Statute should be submitted by the Director to the Secretary for approval prior to 31st of October.

- (2) The Annual Performance Report should be prepared by the Director prior to 15th of March of the following year and submitted to the Secretary.

PART III

Registration of Institutions and individuals

19. Every farm, manufacturing plant, sales outlets, cold storage, rural, regional or zonal livestock development committee related to livestock sector in the North Western Province, every animal caretaker, distributor, mobile salesman, producer or distributor of veterinary medicines, equipment or animal feed, every institute, voluntary organization or individual that purchase livestock produced in the North Western Province shall obtain and annually renew the Certificate of Registration issued by the Director. Institutions and individuals to register
20. For the purpose of registration, the applicant shall: Requirements for the registration
- (1) make the application on the specimen prescribed by the Director;
- (2) pay a registration fee as prescribed by the Minister;
- (3) comply with the criteria and standards specified by regulations made under Section 84 (1) of this Statute;
- (4) fulfill all other legal requirements as required.
21. No person shall transfer or alienate the certificate of registration or alter any information contained therein without the approval of the Director. Certificate of registration not to alienate
22. The Director shall not entertain any application for registration made under Section 19 unless it meets the requirements specified in Section 20 and shall inform thereof to the applicant in writing. Rejection of registration
23. (1) When the Director determines that any institution, individual or volunteer organization that has been registered under Section 19 of this Statute, acts in contravention of the objectives of the Statute or does not comply with the standards specified by regulations, the registration of such institution, individual or volunteer organization may be temporarily suspended. Temporary suspension of registration
- (2) In the event of temporarily suspension of registration, the Director shall inform in writing the reasons lead to such suspension to the holder of the Certificate of Registration.
- (3) When the registration is temporarily suspended, if the institution, individual or volunteer organization whose registration is so suspended takes actions to make good the reasons lead to such suspension and to meet the stipulated requirements within a reasonable time as determined by the Director, the registration of such institution, individual or volunteer organization shall be reinstated.
24. If the institution, individual or volunteer organization whose registration has been suspended fails to meet the requirements within the stipulated reasonable time as per Section 23 (3) of this Statute, the Director shall cancel the registration and inform thereof to the institution, individual or volunteer organization concerned. Cancellation of registration

Appeals from rejection or cancellation of registration.

25. The party which is in receipt of a notice to the effect that the application for the registration was rejected under Section 22 of this Statute or that the registration was cancelled under Section 24, may make an appeal there from to the Minister in charge of the subject within 45 days from the receipt of such notice.

Powers to determine appeals.

26. (1) When an appeal is received under Section 25 of this Statute the Minister shall direct the Secretary to conduct an inquiry and determine thereon.

(2) The Secretary after conducting an inquiry shall make recommendations to the Minister to confirm or revise or reject the determination of the Director.

(3) The Secretary shall submit his recommendations within 45 days from the receipt of the appeal and the decision of the Minister thereon shall be final and conclusive.

Order to close down on rejection or cancellation of registration.

27. (1) When a person who has been convicted of the offence of maintaining a farm, cold storage, manufacturing plant or sales outlet without a license issued under this Statute or regulations made thereunder, continues to maintain the farm, cold storage, manufacturing plant or sales outlet, an order may be issued on a request made in that regard by the Director or any other person authorized by him, directing such person to close down such farm, cold storage, manufacturing plant or sales outlet until such time the person concerned obtains a license again.

(2) In any proceeding under subsection (1) above, the certificate issued by the Director or any other officer duly authorized by him shall be prima facie evidence of the content therein to the effect that the person whose name appears on the certificate continues to maintain the farm, cold storage, manufacturing plant or the sales outlet without a license.

(3) Provided however that, in the event of submission of an appeal under Section 25 of this Statute, the closure shall be deferred pending the determination of the appellate inquiry.

(4) When the decision of the Director is confirmed at the appellate inquiry and under Section 23 (2) of this Statute, action shall be taken to close down within 30 days from the date of the appellate determination.

Closing order under special circumstances.

28. When the Director identifies any premises as a threat to the maintenance of animal welfare of the province, he shall obtain a temporary closing order in that regard from a Magistrate court.

Closure.

29. (1) When any person fails to comply with the closing order issued under Section 27(1) of this Statute, the Magistrate shall issue an order requiring and authorizing the fiscal of the court to close down the farm, cold storage, manufacturing plant or sales outlet mentioned in the said order and the fiscal shall execute such order on a date prior to not later than seven full days or sooner than three full days from the date of the order. The order shall be sufficient authority for the fiscal or any other police officer authorized by him for the purpose to enter the farm, cold storage, manufacturing plant or sales outlet together with the assistants deemed necessary for the purpose of closing down such farm, cold storage, manufacturing plant or sales outlet.

PART IV

Provincial Livestock Development Committee

30. There shall be established a Provincial Livestock Development Committee to facilitate the implementation of the Livestock Statute of the Province. The Provincial Minister in charge of the subject of Livestock shall be the Chairman of the Committee and the Secretary to the Provincial Ministry in charge of the subject of Livestock shall be the Secretary to the Committee. This Committee may function in collaboration with the Provincial Agriculture Committee and Provincial Irrigation Committee.
31. (1) The constitution of the Committee shall be as follows:
- I. five Council Members nominated by the Advisory Committee to the Provincial Ministry in charge of the subject of Livestock to represent each Veterinary Medical Officer's Division;
- II. District Secretaries of the Districts of Kurunegala and Puttlam or their representatives;
- III. North Western Provincial Director of Animal Production and Health;
- IV. North Western Provincial Director of Agriculture;
- V. North Western Provincial Director of Irrigation;
- VI. Deputy and Assistant Commissioners of Agrarian Services of the Districts of Kurunegala and Puttlam;
- VII. North Western Provincial Commissioners of Land;
- VIII. North Western Provincial Director of Health;
- IX. North Western Provincial Commissioners of Co-operative Development;
- X. Director of North Western Provincial Environment Authority;
- XI. a representative nominated by the Director General of the Department of Animal Production and Health;
- XII. District Managers of the Agricultural and Agrarian Insurance Board;
- XIII. Deputy Directors in charge of zones of the Provincial Department of Animal Production and Health;
- XIV. Representatives of State banks as determined;
- XV. Chairpersons of Zonal Livestock Development Committees;
- XVI. A Provincial Representative of the Livestock Development Board;
- XVII. Three Heads of Institutes involved in livestock Development;
- XVIII. Three representatives of Dairy Purchasing Institutions on order of purchase.

Provincial
Livestock
Development
Committee

The Constitution
of the Committee

- (2) The Committee may co-opt the representatives or individuals of organizations and institutions for the deliberations of the Committee as may be determined by the Minister.
- Appointment of members to the Provincial Livestock Development Committee.
32. The members mentioned under I to XIII in subsection 31 (1) of this Statute shall be ex-officio members of the Committee and those other members mentioned under XIV to XVI may be appointed by the Minister at his discretion.
- Term of office of appointed members.
33. The term of office of the members appointed by the Minister shall be two years.
- Vacation of membership and filling up of vacancies.
34. Where a member appointed by the Minister vacates office by expiry of term of office, resignation, removal by the Minister at his discretion, absence from three consecutive meetings or death or insanity, the Minister shall fill the vacancy so created.
- Meetings of the Committee.
35. The Provincial Committee shall meet at least once in every two months and if found necessary the Secretary may convene supplementary meetings of the Committee on the direction of the Chairman.
- Quorum of the Committee.
36. (1). The quorum of the Committee shall be $\frac{1}{4}$ of the membership.
- (2). The existence of vacancies in the Committee shall not hinder the conduct of meetings of the Committee or the making of decisions at such meetings.
- Powers and functions of the Committee.
37. The functions of the Provincial Livestock Development Committee shall be:-
- (1) to submit recommendations and proposals for the formulation of policies pertaining to matters stipulated in this Statute in compliance with the National Policy and needs of the province;
- (2) to provide necessary advice for the operation and implementation of matters stipulated in the Statute;
- (3) to approve the five year Livestock Development Plan and other long term and medium term development plans forwarded to the Committee;
- (4) to take follow up actions and to review the formulation and implementation of the Provincial Livestock Development Policy while providing necessary resources, guidance and assistance for the same;
- (5) to grant prior approval for any programme or project for the extension and promotion of and education on livestock, provision of services and for researches on livestock to be implemented within the province by any governmental or non-governmental organization, institution, foundation, society, project, programme or similar institution, individual or group of persons and to take appropriate action when relevant conditions are violated.
- Procedures and remuneration for participation.
38. (1) The Committee may make procedures for the conduct of business of the meetings of the Committee.
- (2) The members of the Committee participating in the meetings thereof may be remunerated at such rates as may be determined by the Minister and be approved by the Governor.

PART V

Rural Livestock Development Societies

39. The farmers engaged in livestock activities in a Grama Niladhari Division or any part thereof or several divisions may get together and set up Rural Livestock Development Societies for each field of Animal Husbandry or amalgamating two or more such fields and every such society shall be registered with the Department. Setting up and registration of societies.
40. Rural Livestock Development Society shall, by the name assigned to it be a body corporate and shall have perpetual succession and a common seal and may carry out all functions related to the livestock sector and may sue and be sued in such name. Rural Livestock Development Society to be a body corporate.
41. The object of setting up of these societies shall be to develop the livestock sector by mobilizing those who are engaged in the livestock sector at rural level and thereby empowering them. The object of setting up of societies The object of setting up of societies.
42. Qualifications to be eligible for membership: Membership
- (1) to be a citizen of Sri Lanka;
- (2) to be not less than 18 years of age;
- (3) the farm to be located within the area of authority of the Livestock Development Society;
- (4) the farm to have registered with the Department of Animal Productions.
43. Every Rural Livestock Development Society shall appoint an executive committee comprising of Chairman, Secretary, Treasure, Vice-chairman, Co-Secretary, and six members and the term of office of such office bearers shall be one year from the appointment. Constitution and term of office.
44. (1) The Director shall prepare the constitution for the Rural Livestock Development Societies which shall be approved by the Minister. Constitution of societies.
- (2) Every Rural Livestock Development Society shall comply with the constitution.
45. The powers and functions of Rural Livestock Development Societies: Powers and functions.
- (1) to formulate and implement livestock development plan for the area of authority of the society in compliance with the provincial plan and coordinate and regulate the implementation of the said plan;
- (2) to facilitate and liaise with relevant institutions for the development of farms of members;
- (3) to resolve issues relating to livestock sector arising within the area of authority of the society;
- (4) to maintain an updated data base relevant to the sector and disseminate such data to relevant parties when the need arises;
- (5) to implement loan schemes for members of the society;
- (6) to implement programmes to enhance the funds of the society;

- (7) to work for the welfare of members of the society;
- (8) to nominate a member to represent the Regional Livestock Development Committee;
- (9) to assist in the implementation of insurance scheme; (10) to organize programmes to create new farmers.
- Meetings of the Society and the quorum of such meetings
46. (1) The Secretary shall convene meetings of the Society once in every month or two months and may convene supplementary meetings of the Society at the request of the majority of members.
- (2) The quorum of the meetings shall be more than 1/3 of the membership.
- Vacation of membership or office
47. (1) When a member vacates office by reason of :
- I. resignation;
- II. absence from three consecutive meetings;
- III. death or insanity;
- IV. removal at the will of the majority members on grounds of any breach of the Statute or distancing from the livestock sector; such member shall cease to be a member.
- (2) When a member ceases to be a member or resigns or is removed at the will of the majority members, the office of such member shall cease.
- The Fund of the Society
48. There shall be paid into the Rural Livestock Development Fund:
- I. the membership subscription;
- II. donations by the State, Provincial, Non-governmental organizations;
- III. donations by individuals;
- IV. interest and dividends of the fund;
- V. All money received from other sources.
- Accounts of the Fund of the Society
49. The Account of the Fund.
- (1) The account of the Fund shall be maintained in a State Bank and the accounts of fund shall be maintained as provided by the constitution of the society.
- (2) The Director or any other officer authorized by him shall examine the accounts of the Fund annually or as appropriate.
- Supervision of Societies
50. (1) The supervision of the affairs of, examination of books of and providing guidance and advice to Rural Livestock Development Societies established within his area of authority shall be vested in the Animal Development Advisor.
- (2) Any officer duly authorized by the director for the purpose may supervise and examine the books of Rural Livestock Development Societies.

51. (1). The Director shall appoint a staff grade public officer as the liquidator to cancel the registration and to liquidate any registered Rural Livestock Development Society on any one or more of the following grounds:
- (i) the membership declines to less than eleven;
- (ii) being defunct for a period exceeding one year;
- (iii) has acted contrary to its objects;
- (iv) number of members not less than two thirds (2/3) of the membership making a request to the Director citing that the society has failed to act for the achievement of its objectives.
- (2). The liquidator appointed under Subsection 51(1) above shall have the following powers subject to the prior approval of the Secretary to the provincial Ministry in charge of the subject:
- (i) to determine the priority among the creditors of the society;
- (ii) to sale properties of the society;
- (iii) to settle any claims by or against the society;
- (iv) to distribute assets of the society as required.
- (3). The Liquidation Notice of the liquidator shall be published in newspapers published in all three languages viz Sinhala, Tamil and English.
- (4). When a society is liquidated, the fund of the society shall be used for the settlement of liquidation expenses in the first instance and thereafter for the settlement of its liabilities. The surplus of funds on liquidation shall be credited to the Dairy Promotion Fund.
- Cancellation of registration and liquidation.

PART VI

Regional Livestock Development Committee

52. There shall be established a Regional Livestock Development Committee for each Regional Veterinary Medical Officer's Division and be registered with the Department.
53. (1) The Director shall prepare the Constitution of the Regional Livestock Development Committees which shall be approved by the Minister.
- (2) Every Regional Livestock Development Committee shall act in compliance to the said constitution.
54. (1). The Committee shall constitute of the followings;
- (i) Veterinary Medical Officer;
- (ii) Animal Development Instructors;
- Establishment of Regional Livestock Development Committees
- Constitution of the Committees
- The constitution of the Committee

- (iii) Ten members elected by the majority vote of the representatives nominated by Rural Livestock Development Societies;
- (iv) An Agro Development Officer;
- (v) A Public Health Inspector;
- (vi) An Agriculture Instructor nominated by the Provincial Director of Agriculture;
- (vii) A Coconut Development Officer;
- (viii) An officer involved in the sector nominated by the Divisional Secretary ;
- (ix) An Environmental Officer of a Local Authority;
- (x) Regional Agents of Dairy Purchasing Companies within the North Western Province.

(2). Where a nominated member vacates office, the Deputy Director in charge of the Zones shall on the recommendation of the Veterinary Medical Officer, nominate another member to represent the relevant field of the member who vacates office.

Associated membership

55. The representatives of governmental, non-governmental and private organizations engaged in the livestock sector may obtain the associated membership of the Committee with the approval of the Committee and they shall not be entitled to voting at the meetings or to hold any office of the Committee.

The Chairperson and the Secretary of the Committee

56. The Chairperson of the Regional Livestock Development Committee shall be elected from among the members of Rural Livestock Development Societies and the Veterinary Medical Officer of the Division shall be the ex-officio Secretary to the Committee.

The term of office of members

57. The term of office of the non ex-officio members shall terminate when they cease to be members of the society they represent.

Meetings and quorum of the Committee

58. Meetings of the Committee shall be convened once in every three months and the quorum of such meeting shall be over 1/3 of the membership.

Functions of the Committee

59. Functions of the Committee shall be as follows:

- (1) to formulate the Regional Livestock Development Plan based on the Provincial Livestock Development Plan;
- (2) to formulate special project proposals in accordance with the regional potentialities and to seek financial provisions for the same while coordinating among other relevant institutions;
- (3) to provide necessary assistance and guidance to formulate the Rural Livestock Development Plan;
- (4) to take action on matters referred to the Committee by the Rural Livestock Development Societies;
- (5) to ensure the efficient and effective utilization of funds received for the livestock sector;
- (6) To nominate representatives to the Zonal Livestock Development Committee;

- (7) to liaise between Rural Livestock Development Societies and Zonal Livestock Development Committee;
- (8) to allocate financial provisions received for the livestock sector within the area of authority of the Regional Committee to the beneficiaries;
- (9) to take action to ensure that the beneficiaries have easy access to the inputs of the livestock sector.

PART VII

Zonal Livestock Development Committee

60. There shall be established a Zonal Livestock Development Committee for each zone as demarcated under Section 7 of this Statute and shall be registered with the Department. Zonal Livestock Development Committees
61. The Director shall prepare the constitution of the Zonal Livestock Development Committees which shall be approved by the Minister and every Zonal Livestock Development Committee shall act in compliance to the said constitution. The constitution of Committees
62. The constitution of the Committee shall be as follows: The constitution of the Committee
 - (1) Deputy Director in-charge of the Zone;
 - (2) Chairpersons of Regional Livestock Development Committees;
 - (3) four Veterinary Medical Officers appointed by the Director;
 - (4) four senior Animal Development Instructors appointed by the Director;
 - (5) a Livestock Investigation Officer;
 - (6) an Assistant Director Nominated by the Director;
 - (7) representatives of the Livestock Development Board and dairy purchasing companies;
 - (8) a representative of the Agrarian Insurance Board ;
 - (9) a representative of the District Secretary;
 - (10) a representative of the Central Environment Authority;
 - (11) District Health Services Director or his representative.
63. The representatives of governmental, non-governmental and private organizations engaged in the livestock sector may obtain the associated membership of the Committee with the approval of the Committee and they shall not be entitled to voting at the meetings or to hold any office of the Committee. Associated membership
64. The Chairperson of the Zonal Livestock Development Committee shall be elected from among the Chairpersons of Regional Livestock Development Committees and the Deputy Director in charge of the Zone shall be the ex-officio Secretary to the Committee. The Chairperson and the Secretary of the Committee

The term of office	65. The term of office of a non ex-officio member shall terminate when he ceases to be a member of the Regional Livestock Development Committee.
Meetings and quorum of the Committee	66. Meetings of the Committee shall be convened once in every four months and the quorum of such meeting shall be over 1/3 of the membership. The Secretary may convene supplementary meetings of the Committee under special circumstances on notice thereof to the Chairperson.
Functions of the Committee	67. Functions of the Committee shall be as follows: <ol style="list-style-type: none"> (1) to actively participate in the formulation and implementation of the Zonal Livestock Development Plan; (2) to liaise with the Provincial Livestock Development Committee; (3) to take action on matters referred to the Committee by the Regional Livestock Development Committees; (4) To submit proposals for the formulation of Provincial Livestock Development Plan; (5) to coordinate among Regional Livestock Development Committees; (6) To nominate three representatives of the dairy sector to the Management Board of the Dairy Development fund.

PART VIII

Dairy Development Fund

Dairy Development Fund Fund to be a body corporate	68. There shall be established a Fund hereinafter referred to as the Dairy Development Fund.
	69. The Fund by the name assigned to it be a body corporate and shall have perpetual succession and a common seal and may carry out all functions related to the livestock sector and may sue and be sued in such name.
Director to be responsible for the administration of the Fund	70. The Director of the North Western Provincial Department of Animal Production and Health shall be responsible for the administration of the Fund.
Board of Management of the Fund	71. There shall be appointed a Board of Management for the administration, management and control of the Dairy Development Fund.
Constitution of the Board of Management	72. (1) The Board of Management of the Dairy Development Fund hereinafter referred to as the "Fund" shall constitute of the following: <ol style="list-style-type: none"> (I) Secretary to the Provincial Ministry in-charge of the subject; (II) the Regional manager of the MILCO Ltd. and two agents of two dairy purchasing private companies; (III) a specialist in the field of dairy farming; (IV) three representatives engaged in the dairy sector and nominated by the Zonal Livestock Development Committees.

- (2) The members other than the Secretary to the Provincial Ministry in-charge of the subject shall be appointed by the Minister.
73. (1) The Secretary to the Provincial Ministry in-charge of the subject shall be the ex-officio chairperson of the Board of Management
Chairperson and Secretary of the Board of Management.
- (2) The Director of the Provincial Department of Animal Production and Health shall be the Secretary to the Board of Management.
74. (1) The term of office of a member appointed by the Minister shall be three years from the date of appointment and the office of such member shall terminate on the cessation of membership of the Rural, Regional or Zonal Livestock Development Committees.
Appointment, term of office and cessation of membership of members of the Board
- (2) The Minister shall have the power to remove any member appointed by him at any time when the Minister is satisfied that such member does not duly execute the duties and responsibilities of the office and his holding the office is harmful to the Board.
- (3) The membership of an ex-officio member shall terminate when he ceases to hold the office on which he was appointed to the Board.
- (4) Any member other than ex-officio members of the Board may resign from office by a written request addressed to the Minister.
- (5) The membership of a member shall terminate by reason of his death or insanity.
- (6) The term of office of any member appointed to fill a vacancy created by reason of resignation or removal of any member shall be limited to the remaining period of his predecessor.
75. The members and the Secretary of the Board participating in the meetings of the Board may be remunerated at such rates as may be determined by the Minister with the approval of the Governor.
Remuneration for participation.
76. The quorum of the meetings of the Board shall at least be 05 members including the chairperson.
The quorum of the Board
77. (1) The Director of the Provincial Department of Animal Production and Health shall maintain a current account in a State bank in favour of the Fund.
Bank account of the Fund
- (2) All monies paid into the Fund shall be deposited to the credit of the account.
- (3) When excessive monies are collected such monies may be deposited in a fixed deposit in a State bank.
78. There shall be paid into Fund:
Payments into the Fund
- (1) such sums of money out of the Provincial Council Fund as may be allocated in accordance with the Livestock Development Plan prepared annually for the purpose of livestock development;
- (2) all sums of money received from public institutions or Local Authorities;
- (3) the contributions received from companies engaged in purchasing of over 1000 liters on a daily basis within the province at a rate of rupees one per every liter of milk so purchased;

- (4) all monies received as donations and gifts from local, foreign, government, non-government and private organizations which contribute for the animal development in the province;
- (5) the interest of the fixed deposit;
- (6) the insurance premium;
- (7) the surplus remaining after liquidation of Rural Livestock Development Societies;
- (8) all monies collected as fines by the court on conviction of offences committed in contravention of provisions of this Statute;
- (9) all monies received as loan installments and interests;
- (10) such sums of money received as fees for registration of institutions and farms; and
- (11) all monies received from other sources.
- Payment out of the Fund
79. The Director of the Department of Animal Production and Health may pay out of the Fund for the following purposes subject to the approval of the Board of Management and in compliance with the provisions of North Western Provincial Financial Regulations and the Financial Regulation of the Democratic Socialist Republic of Sri Lanka:
- (1) for dairy promotional programmes;
- (2) for providing loans to beneficiaries;
- (3) for the payment of insurance claims;
- (4) for establishments and administration expenses.
- Functions of the Fund
80. The functions of the Fund shall be as follows:
- (1) to implement dairy promotional programmes;
- (2) to implement relief programmes;
- (3) to implement insurance programmes;
- (4) to implement farmer empowering programmes;
- (5) to carry out provincial research activities;
- (6) to develop human resource.
- Audit of accounts of the Fund
81. The accounts of the Fund shall be audited annually by the Auditor-General.
- Regulations
82. The Minister may make regulation as may be required for the purpose of the Statute.

83. (1) The functions of the Fund shall be attended to by the staffs of the Provincial Ministry in-charge of the subject and the Department of Animal Production and Health. The staff of the fund and remuneration to the staff
- (2) Where the staff should be paid an additional remuneration, the staff may be remunerated at such rates as may be determined by the Minister subject to the approval of the Governor.

PART IX

General

84. (1) The Minister shall issue necessary instructions, guidance and orders for the implementation of provisions of the Statute. Powers of the Minister
- (2) The Minister shall demarcate the divisions referred to in Section 7 of this Statute and such demarcations shall be published in the *Gazette*.
- (3) The Minister shall have the power to impose restrictions as appropriate in transporting animals within and out of the province.
- (4) The Minister shall have the power to make regulations in respect of prevention and control of animal diseases within the province.
85. (1) Every regulation made by the Minister under Section 84 (1) of this Statute shall be published in the *Gazette* and shall come into operation on the date of such publication or on such date as may be specified in such regulation. Regulations
- (2) Every regulation made by the Minister shall as soon as it is convenient after its publication in the *Gazette*, be brought before the Provincial Council for approval. Any regulation which is not so approved by the Provincial Council shall be deemed to be rescinded as from the date of disapproval but without prejudices to anything previously made thereunder and a notification of the date on which any such regulation is deemed rescinded shall be published in the *Gazette*.
86. (1) Any person aggrieved by any regulation made under this Statute or by any order or decision made by any officer, may prefer an appeal to the Minister. Appeals
- (2) The Minister may affirm, vary or amend the order or decision against which the appeal has been preferred on the recommendation made by an officer or a Board of Inquiry appointed by the Secretary by order of the Minister, after an inquiry into the matter.
87. Every party registered under Section 19 shall provide accurate information relating to the livestock sector on demand to the Director. Right to information
88. Every institute which is registered under Section 19 and engaged in purchasing milk, meat and eggs produced in the province, shall submit to the Director a monthly report indicating the amounts it purchased during the month in the format as may be specified by the Director before the 15th day of the following month. Monthly report
89. Every institute which is registered under Section 19 of this Statute and purchases more than 1000 liters of milk a day shall make a contribution of Rupees one for every liter of milk it purchases to the Dairy Development Fund. Contribution

Approval for projects and programmes to be obtained

90. Every Government or non-government institution, organization, foundation, forum, project, programme or similar institution, person or group of persons shall obtain the approval of the Provincial Livestock Development Committee prior to commencing any project or programme for the extension and promotion of livestock, provision of education, services and for the conduct of researches on livestock within the province.

PART X

Offences and Penalties

Offences

91. Every person who contravenes any provisions of this Statute or any regulation made thereunder shall be guilty of an offence under this Statute.

Penalty for contravention of this Statute

92. Every person who contravenes or fails to comply with any provision of Sections 16, 19, 21, 87, 88, 89 and 90 of this Statute or any regulation made thereunder shall on conviction after summary trial by a Magistrate be punishable with imprisonment for a term not exceeding 12 months or to a fine not exceeding rupees hundred thousand or to both such fine and imprisonment.

Power to institute action.

93. Where an offence under this Statute is committed, the Provincial Director or any other officer authorized by him shall have the power to institute action.

PART XI

Interpretation

Interpretation

94. In this Statute unless the context otherwise requires:-

“Province” means the North Western Province ;

“Provincial Council” means the Provincial Council of the North Western Province ;

“Governor” means the Governor of Provincial Council of the North Western Province ;

“Minister” means the Minister in-Charge of the subject of Livestock of the Provincial Council of the North Western Province ;

“Provincial Ministry” means the Ministry in-Charge of the subject of Livestock of the Provincial Council of the North Western Province;

“Secretary” means the Secretary to the Ministry in-Charge of the subject of Livestock of the Provincial Council of the North Western Province ;

“Department” means the North Western Provincial Department of Animal Production and Health;

“Director” means the Director of North Western Provincial Department of Animal Production and Health;

“Provincial Livestock Research” means experiments carried out at the provincial level (other than those to form basic theories) to resolve technical and related issues that may

arise in the process of livestock development at provincial level; to obtain recommendations on innovations; and to establish the relevance of recommendations made and technologies introduced;

“Farm” means the units where stock such as cattle, buffalos, goats, sheep, swine, hare, poultry, quills, ducks and turkey are raised and maintained;

“Manufacturing plant” means a place where food, materials, utensils, medicine related to the livestock sector and animal feed are manufactured or value added;

“Livestock” means the stock such as cattle, buffaloes, goats, sheep, swine, hare, poultry, quills, ducks and turkey;

“State Bank” means the Bank of Ceylon, People’s Bank and National Savings Bank;

“Reasonable time” means a period of time as may be determined as the case may be by the Director in relation to any matter depending on its nature.

95. In the event of any inconsistency between the Sinhala, Tamil and English texts of this Statute, the Sinhala text shall prevail.

Sinhala text to prevail in case of inconsistency.

09-977