



**PARLIAMENT OF THE DEMOCRATIC
SOCIALIST REPUBLIC OF
SRI LANKA**

**ANIMALS (AMENDMENT)
ACT, No. 10 OF 2009**

[Certified on 17th March, 2009]

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Animals (Amendment) Act, No. 10 of 2009

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L. D.—O. 62/2006.

AN ACT TO AMEND THE ANIMALS ACT, NO. 29 OF 1958

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

1. This Act may be cited as the Animals (Amendment) Act, No. 10 of 2009. Short title.

2. The Animals Act, No. 29 of 1958 (hereinafter referred to as the principal enactment) is hereby amended by the insertion immediately after section 3A thereof of the following new section which shall have effect as section 3AA of that enactment :— Insertion of new section 3AA in Act No.29 of 1958.

“Care of animals against whom offences are committed.

3AA. (1) Notwithstanding anything to the contrary in any other written law, where an offence in relation to an animal is committed and where such offence is brought to the notice of the Magistrate having competent jurisdiction, the Magistrate may, pending the determination of the case, make an interim Order to the effect that the animal against whom the offence has been committed—

- (a) be handed into the custody of an Animal Care Centre approved by the Minister by Order published in the *Gazette*;
- (b) be handed over to any non-governmental organization whose primary objective is concerned with the welfare of animals; or
- (c) be handed over to the custody of any person whom the court is satisfied, is actively engaged in caring for animals.

(2) It shall be the duty of such Animal Care Centre, non-governmental organization or

person as the case may be, to care for such animal until the final determination of the proceedings.

(3) Where the person who committed the offence referred to in subsection (1) is convicted of such offence, the Magistrate shall in addition to the punishment he may impose in relation thereto—

- (a) make order that the animal be confiscated; or
- (b) make order that the animal be handed over to the owner of the animal, upon his establishing ownership of the animal and on the owner showing cause that the offence was committed or was sought to have been committed without his knowledge or connivance.

(4) Where an order is made for the confiscation of the animal, the Magistrate shall confirm the interim order made under subsection (1) and provide for the handing over of the custody and care of the animal to an approved Animal Care Centre, non-governmental organization or person referred to, respectively in paragraphs (a), (b) and (c), of subsection (1).

(5) The Minister may make regulations specifying —

- (a) the standards to be maintained by;
- (b) the manner of obtaining approval and the procedure to be followed for the establishment of; and

(c) the procedure for the monitoring and inspection of,

any animal care centre, non governmental organization or person referred to in paragraphs (a), (b) and (c) respectively of subsection (1).”.

3. Section 3D of the principal enactment is hereby amended by the renumbering of that section as section 3E of that enactment.

Renumbering of section 3D of the principal enactment.

4. The following new section is hereby inserted immediately before the section 3E of the principal enactment and shall have effect as section 3D of that enactment:—

Insertion of new section 3D in the principal enactment.

“Penalty for the offences committed under Part II.

3D. Any person who contravenes the provisions of this Part of this Act or any regulation made thereunder, shall commit an offence and shall on conviction after summary trial by a Magistrate be liable to a fine not exceeding fifty thousand rupees or to imprisonment of either description for a term not exceeding three years or to both such fine and imprisonment.”.

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

Sinhala text to prevail in case of inconsistency.

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