

**CHAPTER 575**

**RABIES**

*Ordinances* AN ORDINANCE TO PROVIDE FOR THE SUPPRESSION OF RABIES IN SRI LANKA.

- Nos. 7 of 1893.
- 7 of 1906.
- 24 of 1921.
- 6 of 1929,
- 17 of 1930.
- 16 of 1934,
- 61 of 1939,
- 13 of 1941,
- 23 of 1946.
- 29 of 1947,

*Acts*

- Nos.22of 1955.
- 23 of 1956.

[2nd January, 1894.]

Short title. **1.** This Ordinance may be cited as the Rabies Ordinance.

Interpretation. **2.** In this Ordinance, unless the subject or context otherwise requires—

" disease " means rabies, and " diseased " means affected with rabies ;

" police officer" includes inspectors, sergeants, and constables of police, and grama seva niladharis and peace officers;

" stray dog " means any dog wandering at large and not being under the control or charge of any person ;

" suspected " means suspected of rabies, and " suspected animal " includes any animal which has been bitten by any diseased or suspected dog, or which has been in contact with any diseased or suspected animal, or which has been otherwise exposed to the infection of rabies.

Definition of local authority. **3.** In this Ordinance, unless the subject or context otherwise requires, the expression " local authority" denotes a person falling under any of the descriptions hereafter following, namely:—

(a) within the limits of a Municipality, the Mayor of the Municipal Council;

(b) within the limits of an Urban Council or a Town Council, the Chairman of such Council;

(c) outside the limits of a Municipality, Urban Council, or Town Council and within the limits of the administrative district, the Government Agent thereof;

(d) every police officer and every person duly authorized in writing by the Mayor of a Municipal Council, or Chairman of an Urban Council or Town Council, or by the Government Agent to act in his behalf for the purpose of carrying out the provisions of this Ordinance.

**4.** Every local authority shall cause all stray dogs found within his jurisdiction to be seized, and such dogs shall be dealt with as follows:—

All stray dogs to be seized.

(a) if the dog is not diseased or suspected, it shall be detained in some proper place and be there kept for such period as the local authority may think expedient, provided that where the owner or other person who had 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 dog, and upon receiving payment of the reasonable expenses incurred in respect of such seizure and detention shall deliver the dog to the person noticed or his agent, without prejudice however to

How to be dealt with.

the recovery of any penalty for the infringement of any of the provisions of this Ordinance ;

(3) It shall be the duty of every such police officer— Duty of police officer.

Unclaimed dogs.

(b) if the dog so seized and detained be not claimed within two days after the notice aforesaid has been served, or, in case no owner or other person is known to be in charge of the dog, within three days of such seizure, or in case of non-payment of the reasonable expenses incurred in respect of such seizure and detention, it shall be competent to the local authority to cause the dog to be destroyed or otherwise disposed of in such manner as the local authority shall deem expedient.

(a) to kill every dog or other animal which is diseased or which after any visit and inspection is found to have become diseased ;

(b) from time to time to visit and inspect any such suspected or bitten dog or other animal;

(c) after every visit and inspection to report the condition of such dog or other animal to the local authority specified in (a), (b), and (c) of section 3, within whose jurisdiction such dog or other animal is, and such local authority shall determine the time when such visits and inspection shall cease.

Person who knowingly suffers a dog to make such person's house its ordinary place of resort deemed to be the owner of such dog.

5. Every person who shall knowingly suffer a dog to make such person's house or premises its ordinary place of resort shall be deemed and held to be the owner of such dog for the purposes of this Ordinance, and shall be liable civilly and criminally for all mischief done and all acts of nuisance committed by such dog.

8. A police officer receiving credible information of the existence of rabies, or having reasonable ground to suspect the existence of rabies, shall forthwith proceed to the place where such rabies is reported to exist, and put in force the powers conferred on him by this Ordinance or by the regulations made thereunder. Police officer to proceed to place where rabies exists.

When may a person kill any dog.

6. It shall be lawful for any person to kill upon the spot any dog which shall attack him, and to pursue and kill any dog not being securely tied up or otherwise confined which he shall have reasonable ground to believe to be diseased.

9. It shall be lawful for the local authority specified in (a), (b), and (c) of section 3 of this Ordinance to give public warning by beat of tom-tom, and by such other means as he may deem expedient, of the existence of rabies within his jurisdiction, and it shall be lawful for any such local authority (subject to the approval of the Minister), from time to time or at any time to make, and when made revoke, add to, alter, and amend, regulations for the following purposes, or any of them :— Regulations.

Notice by owner or possessor of diseased dog or other animal to police officer.

7. (1) Every owner or other person having under his charge a dog or other animal which is diseased or suspected, or has been bitten by a dog or other animal reasonably suspected, shall cause such dog or animal to be securely tied or otherwise confined, and shall forthwith give notice of the fact of such dog or animal being so diseased, suspected, or bitten, to a police officer of the district wherein the dog or animal so diseased, suspected, or bitten, is or was.

(a) for providing 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) for providing for the keeping of dogs under control by the owner or person in charge thereof in such manner as may be prescribed by such regulations;

Action to be taken on receiving a notice under subsection (1).

(2) The police officer receiving such notice shall forthwith transmit the information to the local authority specified in (a), (b), and (c) of section 3 of this Ordinance, who shall likewise inform the Director of Health Services and the Government Veterinary Surgeon.

- (c) for providing for the seizure, detention, and disposal, including destruction, of dogs not being kept under control in the manner prescribed by such regulations;
- (d) for providing for the recovery by the local authority of the expenses incurred in respect of the detention of any dog seized and detained and disposed of under any such regulations from the owners thereof;
- (e) for prohibiting or regulating the holding of shows or exhibitions of dogs, and the exposing of dogs for exhibition or sale thereat,;
- (f) for the establishment within the jurisdiction of any such local authority of inoculation stations for the inoculation or testing of dogs or suspected animals and for the regulation, management and control of such stations ;
- (g) for the compulsory testing of dogs or suspected animals in order to detect the presence of rabies; for the compulsory preventive inoculation against rabies of dogs or suspected animals; and for the imposition and recovery of fees in respect of such testing or inoculation.

Publication of regulations.

**10.** Any regulation when made, added to, altered or amended by the local authority and approved of by the Minister. under this Ordinance, shall be published in the Gazette, and shall when so published, until the same is revoked in manner aforesaid, have the force of law.

Destruction of dogs on proclamation by local authority.

**11.** (1) Notwithstanding any of the provisions of this Ordinance, where a local authority within the meaning of section 3 (a), (b), or (c) is satisfied that rabies exists, or that there is a danger of rabies within the limits of his jurisdiction, he shall by written notice to be posted in prominent places within the jurisdiction, and by beat of tomtom, and by such other means, as he shall deem expedient, proclaim the area comprised within the said limits, or any part

thereof including one or more villages or estates only, 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 so proclaimed, and not being tied up or led shall be liable to be destroyed forthwith by any person authorized in writing, either generally or specially, by the local authority for that purpose, and the expenses of any such destruction in areas outside the limits of a Municipality, Urban Council, or Town Council, shall be paid from general revenue.

(3) Any such proclamation shall take effect on being proclaimed as provided by subsection (1), and shall be published in a subsequent issue of the Gazette.

(4) Any such proclamation shall expire at the end of six months from the date thereof, but without prejudice to the power of the local authority to issue another proclamation under this section.

**12.** Every police officer and every person duly authorized under section 3, paragraph (d), shall cause to be destroyed every diseased dog within his district, and if he thinks fit any suspected dog or any diseased animal other than a dog within his district, provided that if the owner of such dog or animal gives notice in writing to the local authority that he objects to such dog or animal being destroyed, the local authority shall cause it to be examined by a medical officer of the Department of Health, and if such officer is of opinion that such dog or animal ought to be destroyed the local authority shall cause the same to be destroyed.

Destruction of diseased dogs. Destruction of suspected dogs and diseased animals other than dogs. Notice by owner to local authority.

**\*13.** The following penalties are imposed for the following acts and omissions, which are hereby declared to be offences under this Ordinance ;—

Penalties for offences.

(1) If anything is done or omitted to be done in contravention of this Ordinance or of any regulations made by a local authority under

Contravention of Ordinance or regulations.

\* Primary Court has exclusive jurisdiction under section 33 of the Judicature Act read with Gazette Extraordinary No. 43/4 of 1979-07-02.

section 9 of this Ordinance, the owner of the dog and the person for the time being in charge thereof shall each, according to and in respect of his own acts and defaults, be liable on conviction to a fine not exceeding one hundred rupees.

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

Penalty for failure to give notice under section 7.

(2) Any owner or person knowingly having in his possession a diseased or suspected dog or other animal, or a dog or other animal which has been bitten by a dog or other animal reasonably suspected to be diseased, shall if he fail to give notice of the same to a police officer as required by section 7 of this Ordinance, be liable on conviction to a fine not exceeding one hundred rupees, or to simple or rigorous imprisonment for a period not exceeding three months, or both.

he shall, on conviction, be liable to a fine not exceeding one hundred rupees, or to simple or rigorous imprisonment for a period not exceeding three months, or to both such fine and imprisonment.

Failure of police officer to perform duty imposed under section 7.

(3) Every police officer receiving notice as regards a diseased dog shall, if he fail to perform any duty imposed on him by section 7 of this Ordinance, be liable on conviction to a fine not exceeding one hundred rupees, or to simple or rigorous imprisonment for a period not exceeding three months or both.

14. (1) It shall be lawful for the Minister by Order to be published in the Gazette, to prohibit from time to time, as he may think desirable, the importation into Sri Lanka from any place where he has reason to believe that rabies exists, of dogs, or to order that no dog shall be imported without a licence in writing under the hand of the Principal Collector of Customs containing such conditions as the Principal Collector of Customs may, from time to time, direct to be inserted therein.

(2) The said licence shall bear a stamp of five rupees, which shall be supplied by the person to whom the same is issued :

Allowing diseased dogs to go at large.

(4) Every owner of a dog or other animal which is diseased or suspected, or has been bitten by a dog or other animal reasonably 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 or animal suspected to be diseased, shall be liable on conviction to a fine not exceeding one hundred rupees, or to simple or rigorous imprisonment for a period not exceeding three months or both.

Provided, however, that all licences issued in respect of such dogs or classes of dogs as may be specified by the Minister by notification in the Gazette, shall be exempted from the requirements of this subsection.

(3) Any person who knowingly imports or attempts to import any dog contrary to the prohibition or order contained in such Order, or who contravenes any condition contained in any such licence, shall be guilty of an offence, and shall be liable on conviction thereof to a fine not exceeding one hundred rupees, or in default to simple imprisonment for a period not exceeding three months.

Interference with dog seizures, &c.

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

(4) The Minister may, by Order published in the Gazette, extend the provisions of this section, subject to any exceptions and modifications set forth in the said Order, to any other animals by which,

in the Minister's judgment, rabies is liable to be carried. Criminal Procedure Act or in any other enactment to the contrary notwithstanding.

Magistrate's Court to have jurisdiction.

**15.** Every prosecution under this Ordinance may be instituted in the Magistrate's Court\* of the division in which the offence was committed or where the offender is found, anything in the Code of

**16.** It shall be lawful for the court imposing a fine under this Ordinance to award to the informer any share not exceeding a moiety of so much of the fine as is actually recovered and realized. Informer's share.

\* Triable also by a Primary Court under section 33 of the Judicature Act read with Gazette Extraordinary No. 43/4 or 1979-07-02.