

CHAPTER 568

DRIED MEAT

Ordinances
Nos 19 of 1908,
1 of 1927,
11 of 1941,
Act
No. 22 of 1955.

AN ORDINANCE TO RESTRICT THE TRAFFIC IN DRIED MEAT IN CERTAIN DISTRICTS IN ORDER TO CHECK THE WASTEFUL DESTRUCTION OF GAME.

[31st October. 1908.]

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

Interpretation. **2.** (1) Except where the context otherwise requires, the expression "dried meat" means the dried or salted flesh of any animal, but does not include dried or salted fish or any dried or salted meat which has been imported from beyond the seas.

Burden of proof. (2) The onus of proving that any dried meat has been so imported shall in any proceedings under this Ordinance be on the accused.

Application of Ordinance. **3.** (1) The Minister may, from time to time, by Order declare that it shall be unlawful to remove dried meat from any administrative district or divisional Assistant Government Agent's division therein named (which administrative districts and divisional Assistant Government Agents' divisions are in this Ordinance referred to as "proclaimed areas"), except in accordance with any conditions which may be set forth in the said Order, which said conditions may include the payment of money to the Government for the privilege of removing dried meat.

(2) The Minister may, from time to time, vary, amend, or revoke any such Order.

Prohibition of removal of dried meat. **4.** It shall be unlawful for any person to remove dried meat in quantities exceeding fifteen pounds from any proclaimed area in contravention of an Order issued under section 3.

***5.** Any person who removes or attempts to remove dried meat in contravention of this Ordinance or any Order issued thereunder shall be guilty of an offence, and shall be liable on conviction thereof to a fine not exceeding fifty rupees, and, in default of payment, to imprisonment of either description for a term not exceeding three months; and on a second or subsequent conviction he shall be liable to a fine not exceeding one hundred rupees, and, in default of payment, to imprisonment of either description for a term not exceeding six months. Upon any conviction the dried meat in respect of which such conviction was had and all vessels containing the same, and every wagon, cart, boat, vessel, animal, or other conveyance used for or employed in the removal of the same, may be forfeited.

6. It shall be lawful for any Assistant Conservator of Forests or for any police officer not below the rank of a Sergeant, or for any other forest officer or grama seva niladhari who is authorized in writing by the Government Agent to carry out the provisions of this Ordinance, upon reasonable suspicion, to stop and examine any cart, carriage, boat, pack animal, or other means of conveyance for the purpose of ascertaining whether dried meat is contained therein or carried thereby; and if the person in charge of such cart, carriage, boat, pack animal, or other means of conveyance refuses to allow such officer to examine the same, or prevents or obstructs him from so doing, he shall be guilty of an offence, and shall be liable on conviction thereof to a fine not exceeding fifty rupees,

Power of certain officers to examine carts, &c.

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

or in default of payment to imprisonment of either description for a term not exceeding three months. Where upon such examination any quantity of dried meat exceeding fifteen pounds in weight is found, such officer may seize such dried meat together with the vessel, cart, carriage, boat, pack animal, or other means whereby or -wherein the same is conveyed, and bring the same before the nearest Magistrate's Court to be dealt with according to law.

under this Ordinance may direct that a portion not exceeding one-half of the fine actually recovered, and also a like portion of the proceeds of the sale of any thing or animal forfeited as aforesaid, shall be paid to any person giving information which has led to the conviction.

Person found removing dried meat suspected to have been removed in contravention of the Ordinance may be charged.

7. Where any person is found removing dried meat in any quantity exceeding fifteen pounds in such circumstances as to give rise to reasonable suspicion that he has brought it from a proclaimed area in contravention of this Ordinance, he may be charged with removing dried meat in contravention of this Ordinance; and if the person so charged does not prove to the satisfaction of the Magistrate that he did not remove such dried meat in contravention of this Ordinance, and the Magistrate is satisfied that, having regard to the place where the dried meat was found and to all the circumstances of the case, there are reasonable grounds for believing that the person charged removed the dried meal in contravention of this Ordinance, such person may be convicted of an offence under section 4 of this Ordinance, and shall be liable to the penalty provided by section 5.

9. The Minister may by Order prohibit the exportation of dried meat during such period as may seem expedient, except in accordance with any conditions which may be set forth in the said Order, which said conditions may include the imposition of fees for the inspection of meat proposed to be exported, and may in like manner alter, amend, or revoke any such Order.

Power of Minister to prohibit exportation of dried meat,

After any such Order and during the period therein named, it shall be unlawful for any person to export dried meat in contravention of the said Order; and any person unlawfully exporting or attempting to export dried meat during such period shall be guilty of an offence, and shall be liable on conviction to simple or rigorous imprisonment for a term which may extend to six months, or to a fine not exceeding one hundred rupees, or to both, and the dried meat in respect of which such conviction was had and all receptacles containing the same shall be forfeited.

Reward to informer.

8. Any offence under this Ordinance may be inquired into, tried, and determined by the Magistrate's Court of the division in which the offence was committed wholly or in part, and such court shall have jurisdiction to award the maximum punishment prescribed therefor, and to declare and adjudge any dried meat, vessel, conveyance, animal, or thing liable to be confiscated under section 5 of this Ordinance forfeited, and to condemn the same, whatever may be the amount or value thereof, anything in the Code of Criminal Procedure Act to the contrary notwithstanding; and any Magistrate by whom any person is convicted of an offence

10. (1) Whenever the tenant of any land in the Kandyan provinces is bound, in respect of his tenure,* to supply dried meat in any specified quantity, nothing in this Ordinance shall be taken to prevent such tenant from removing meal in such quantity as may be necessary to enable him to render such service.

Exception with regard to service tenures.

(2) Whenever, in any proceedings under this Ordinance, it is alleged by way of defence that any dried meat was removed for the purpose of rendering any such service as aforesaid, the burden of proving that the dried meat was removed bona fide for such purpose and in no larger quantity than was necessary therefor shall lie on the person alleging such defence.

* Regarding the application of the Service Tenures Ordinance to Nindagama lands—See Sections 2 and 3 of the Nindagama Lands Act.

DRIED MEAT

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Disallowance
of Orders.

11. All Orders issued under this Ordinance shall as soon as conveniently may be, be laid on the table of Parliament, and may at any of the next three meetings of Parliament be disallowed by resolution of Parliament, and if so disallowed shall be annulled, but without prejudice to anything already done thereunder, and if not so disallowed shall be deemed to be valid.