

CHAPTER 574

REGISTRATION OF DOGS

Ordinances AN ORDINANCE TO PROVIDE FOR THE REGISTRATION OF DOGS.

- Nos.25 of 1901.
- 20 of 1915.
- 3 of 1920,
- 21 of 1921.
- 26 of 1938,
- 61 of 1939.
- 12 of 1945.
- 23 of 1946,
- 29 of 1947,

Act
No. 60 of 1961.

[3rd January. 1902.]

Short title- 1. This Ordinance may be cited as the Dog Registration Ordinance.

or revoke as and whenever the Minister shall determine.

Interpretation. 2. In this Ordinance—

" Government Agent" shall mean the Government Agent for the time being of the administrative district in which anything shall be done or may be required to be done under the provisions of this Ordinance ;

4. When any province, district, town, village area, or place has been brought under the operation of this Ordinance, it shall be lawful to the proper authority, and such proper authority is hereby authorized and empowered, to charge an annual registration fee not exceeding five rupees on each dog kept within the limits of a town wherein a Municipal Council, Urban Council, or Town Council has been or may hereafter be established, or within the limits of any village area brought under the operation of the Village Councils Ordinance, and not exceeding twenty-five cents on each dog kept outside such limits, and to make, from time to time, such by-laws as shall be necessary for collecting and levying the same, and for providing for the issue and refusal of certificates of registration, and the issue of such certificates with conditions attached thereto, and for the disposal or destruction of any dog in respect of which a certificate has been refused, or in respect of which the conditions attached to the certificate have not been complied with ; and any person residing in any such province, district, town, village area, or place having in his custody or possession any dog or dogs shall apply for a certificate of registration for each such dog from the proper authority, and the proper authority may issue in respect of each such dog a certificate to such person, which shall entitle such person to keep such dog until the thirty-first day of March of the

[§ 31, 60 of 1961.]

" proper authority" shall mean, within any town wherein a Municipal Council, Urban Council, or Town Council has been or may hereafter be established, the Mayor of such Municipal Council, or Chairman of such Urban Council or Town Council, and within the limits of any village area which has been brought or may hereafter be brought under the operation of the Village Councils Ordinance, the Chairman of the Village Council, and without the limits of any such town or village area, the Government Agent or any person duly authorized by him in writing.

[§ 31, 60 of 1961.]

Minister may bring provinces, districts, towns, &c.. under the operation of this Ordinance. [§ 31, 60 of 1961.]

3. It shall be lawful for the Minister by Order to be for that purpose published in the Gazette, to bring any province, district, town, village area. or place under the operation of this Ordinance, and to define the limits of such province, district, town, village area. or place for the purposes of this Ordinance, and such Order to amend, alter,

year next following the date of such certificate:

Provided that within any town wherein a Municipal Council has been or may be hereafter established the powers vested in the proper authority under this section of charging an annual registration fee, and making, from time to time, such by-laws as shall be necessary shall be exercised by such Municipal Council, and not by the Mayor thereof;

Provided, further, that within the limits of the Colombo Municipality the proper authority may charge an annual registration fee not exceeding seven rupees and fifty cents in the case of female dogs.

Publication of by-laws.

5. All by-laws made under section 4 shall be published in the Gazette in the Sinhala, Tamil and English languages respectively, and from the date of such publication shall have the same force as if they had been enacted in this Ordinance.

Approval of by-laws.

6. All by-laws made under section 4 shall be laid before Parliament if Parliament is in session within one month of such publication, and if not in session within one month of the commencement of the session next ensuing, and any by-law which has been disapproved by resolution of Parliament shall cease to have any force or effect.

Occupier of house liable.

7. The occupier of any house or premises where any dog or dogs are kept or permitted to live or remain shall be liable to pay the registration fee for such dog or dogs, and in default of such payment shall be liable to the penalties incurred by persons keeping unregistered dogs. unless the said occupier can prove to the satisfaction of the Magistrate* of the division within which he resides that he is not the owner or has not the custody of such dog or dogs, and that such dog or dogs were kept or permitted to live or remain in the said house or premises without his sanction or knowledge :

Provided always that where there are more occupiers than one of the house or premises let in separate apartments or

lodgings or otherwise, the occupier of that particular part of the premises in which such dog or dogs shall have been kept or permitted to live and remain shall be liable to pay the registration fee for such dog or dogs.

8. Every proper authority shall keep a book to be called " The Register of Dogs ", in which he shall register the issue of every certificate, the date thereof, and the name and residence of the person to whom such certificate issued, as also the description of the dog or dogs as contained in the certificate.

Register of dogs.

9. Where any dog shall be transferred by sale or gift by its owner to any other person it shall not be necessary for such person to take out a new certificate for such dog if such dog shall have been registered within the year in which such transfer took place, provided such person shall have in his possession the certificate already, issued endorsed in his favour by such owner.

Certificate to be obtained on transfer of a dog.

10. Every proper authority shall cause all stray dogs to be seized, and such dogs shall be dealt with as follows :—

Seizure of stray dogs

- (1) Every dog so seized shall be detained in some proper place and be there kept for such period not less than three days from the date of such seizure, as the proper authority may think expedient, provided that where the owner or other person who had charge of the dog is known, the proper 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, together with the registration fee in the case of an unregistered dog, shall, unless the proper authority shall refuse to issue a certificate in respect of such dog, deliver the dog to the person noticed or his agent, without prejudice however to the recovery of any penalty for the infringement of any of the provisions of this Ordinance.

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

(2) 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 such period not less than three days after such seizure as the proper authority may think expedient, or in case of non-payment of the reasonable expenses incurred in respect of such seizure and detention, and the registration fee if it be due as aforesaid, it shall be competent to the proper authority to cause the dog to be destroyed or otherwise disposed of in such manner as to the proper authority shall seem fit.

default of payment to simple imprisonment for a period not exceeding two weeks.

12. Every person having in his possession any dog shall produce the certificate for such dog whenever so required by a Magistrate, police officer, or peace officer, or by a proper authority, or any other person duly authorized by him in writing, and in case of refusal he shall, if such dog has been duly registered, be liable to a fine not exceeding five rupees.

Production of certificate,

13. No fine shall be imposed by a Magistrate in any case in which it shall appear to his satisfaction that the person failing to comply with the provisions of this Ordinance or any by-law made thereunder has not wilfully been guilty of such failure :

Fine not to be imposed when default not wilful.

Penalties.

***11.** (1) Any person who shall from and after the thirty-first day of March in each year after the coming into operation of this Ordinance have in his possession or custody within any province, district, town, village area, or place brought under the operation of this Ordinance any dog not duly registered in accordance with the provisions of this Ordinance, shall be liable on conviction to a fine not exceeding twenty rupees, and in default of payment to simple imprisonment for a period not exceeding two weeks, and the Magistrate[^] shall further order such person forthwith to apply for a certificate for such dog, and the proper authority may thereupon issue such certificate upon payment of the proper registration fee by such person, and such certificate shall be held to be valid until the thirty-first day of March of the year next following the date of such certificate : and if after such order such person shall continue to keep any dog without having applied for, or having applied for and been refused, a certificate, he shall in addition to the fine imposed for the second and any subsequent offence, pay a sum not exceeding fifty cents for each day he shall have kept a dog without a certificate.

Provided always that such Magistrate[^] shall forthwith order such person to apply for a certificate for the dog or dogs in his possession or custody, or otherwise comply with the provisions of this Ordinance, and that such person shall forthwith comply with such order.

[§31, 60 of 1961.]

14. All sums paid for certificates under the provisions of this Ordinance, and all penalties recovered under the provisions of this Ordinance from the inhabitants of any Municipal town, shall be taken and received by the Municipal Council of such town for the Municipal Fund, and all such like sums and penalties paid by or recovered from the inhabitants of any Urban Council or Town Council town shall be taken and received by the Urban Council or Town Council of such town for the local fund and all such like sums and penalties paid by or recovered from the inhabitants residing within the limits of any village area brought under the operation of the Village Councils Ordinance, shall be taken and received by the Village Council for the fund of the said Council.

Municipal Councils, Urban Councils and Town Councils entitled to duties.

[§31, 60 of 1961.]

(2) Any person committing a breach of any by-law made under the provisions of section 4 shall be liable on conviction to a fine not exceeding twenty rupees, and in

15. The Municipal Magistrate of any town shall hear, try, and determine any offence committed under this Ordinance within the Municipality or in breach of any by-law lawfully enacted under this Ordinance, and shall have jurisdiction to award such punishment to the offenders as is authorized by law.

Power given to Municipal Magistrate to try cases.

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

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