

BUTCHERS

AN ORDINANCE TO AMEND THE LAW RELATING TO BUTCHERS AND THE
SLAUGHTER OF CATTLE AND TO PROVIDE FOR THE ESTABLISHMENT OF
PUBLIC SLAUGHTERHOUSES-

Ordinance Nos,

9 of 1893

44 of 1947

Law Nos, 31

of 1976

Act Nos,

2 of 1951

48 of 1953

60 of 1981

12 of 2005

13 of 2008

CHAPTER I

Short title.

1. This Ordinance may be cited as the Butchers Ordinance.*

(* Primary Court has exclusive jurisdiction in respect of all offences under this Ordinance except an offence under section 24 thereof-See section 33 of the Judicature Act, read with Gazette Extraordinary No. 43/4 of 1979-07-02.)

Interpretation.

2. In this Ordinance, unless the context otherwise requires-

'administrative region' means an administrative region defined by Order made under section 2 of the Local Government (Administrative Regions) Ordinance;

'Assistant Commissioner of Local Government' means the Assistant Commissioner of Local Government for any administrative region;

'animals' shall include cattle, sheep, goats, pigs and turtles;

'butcher' shall include every person that slaughters animals or exposes for sale the meat of animals slaughtered in Sri Lanka;

'cattle' shall include oxen, bulls, cows, calves, and tame buffaloes;

'licensed butcher' shall include every person who obtains a licence under section 4 of this Ordinance.

Proper authority. 3. Save as otherwise expressly provided in section 27 (2) for the purposes of this Ordinance, the expression 'proper authority'-

(a) in relation to any area within the administrative limits of a Municipal Council, means the Mayor of the Council or any person authorized by him in writing in that behalf;

(b) in relation to any area within the administrative limits of any Urban Council, Town Council, or Village Council, means the Chairman of the Council or any person authorized by him in writing in that behalf;

(c) in relation to any other area, means the Assistant Commissioner of Local Government for the administrative region within which such area is situated or any person authorized by him in writing in that behalf;

Licence for butchers.
[5, 12 of 2005]

4.(1) No person shall carry on the trade of a butcher except under the authority of an annual licence or a temporary licence in that behalf issued by the proper authority.

(2) Every person who, not being the holder of a licence issued by the proper authority in that behalf and for the time being in force, carries on the trade of a butcher, shall be guilty of an offence and shall on conviction be liable to a fine not less than two thousand rupees and not exceeding twenty thousand rupees or in default of payment to imprisonment of either description for a term not exceeding six months.

Form and duration of licence. 5. Every such licence shall be as near as may be, in the form A in the Schedule and shall, unless previously revoked as hereinafter provided, cease to be in force on the thirty-first day of December next ensuing the date thereof.

Butchers licensed for owns to give 6. Every person before he obtains a licence to carry on the trade of a butcher shall, together with two sufficient sureties, execute and

bonds.

deliver to the proper authority issuing the licence a Joint and several bond for a sum not exceeding five hundred rupees, and the said bond and the conditions thereof (which conditions shall be settled by the proper authority) shall be, with such variations as the circumstances require, in the form B in the Schedule.

Applications or licences.

7.(1) Every person who desires to obtain a licence to carry on the trade of a butcher shall make an application in writing in that behalf to the proper authority. The application shall be signed by the applicant and shall state his name and the premises at which he intends to carry on such trade.

(2) Upon the receipt of an application for a licence, the proper authority shall publish a notice in the Gazette-

(a) stating that the application has been made and specifying the name of the applicant and the premises at which he intends to carry on the trade; and

(b) calling upon every person residing within the limits of the area of such authority, who desires to object to the issue of such licence, to furnish to the proper authority in duplicate, within such time as may be specified in the notice, a written statement of the grounds of his objection.

(3)

(a) The proper authority shall cause a copy of every statement of objections furnished to him in respect of any application to be served on the person by whom the application has been made.

(b) The proper authority shall, after giving the applicant, and each person by whom a statement of objections is furnished (hereinafter referred to as an 'objector'), an opportunity of being heard, make order allowing or disallowing the application.

The order shall contain a statement of the grounds upon which it is made and the proper authority shall cause a copy thereof to be served on the applicant and each objector.

(4) Any applicant for a licence or any objector to the issue of such licence, if he is aggrieved by the order of the proper authority, may, within ten days from the date of the service on him of the order, appeal against the order to the Minister in the manner set out in section 9.

(5) Subject to the provisions of paragraph (b) of subsection (1) of section 12, effect shall not be given to any order allowing an

application for a licence in any case where any statement of objections to the issue thereof has been furnished, until-

- (a) the time-limit for appeals expires; or
- (b) where an appeal is preferred, until the Minister confirms the order.

Revocation of licenses.

- 8.** (1) The proper authority may, upon just and reasonable grounds, make order revoking the licence granted to any person to carry on the trade of a butcher. The order shall contain a statement of the grounds upon which it is made and the proper authority shall cause a copy thereof to be served on such person.
- (2) Any person on whom an order revoking a licence is served under subsection (1) may, within ten days from the date of the service on him of the order, appeal against the order to the Minister in the manner set out in section 9.
- (3) An order revoking a licence shall have no force or effect until-
- (a) the time-limit for appeals expires; or
 - (b) where an appeal is preferred, until the Minister confirms the order.

Appeals.

- 9.**(1) Every appeal under section 7 or section 8 shall be preferred by a written statement setting out the grounds of such appeal. Every such statement shall bear a stamp or stamps of the value of one rupee.
- (2) Every appeal shall be forwarded to the Minister through the proper authority-
- (3) The decision of the Minister on any appeal, whether confirming or setting aside the order of the proper authority, shall be final and conclusive and shall not be subject to question or review in any court of law.
- (4) The Minister may, when he disposes of any appeal, make order for the refund of the value of the stamp or stamps affixed to the statement of appeal, and where such order is made the amount shall be refunded to the appellant by the proper authority.

Licences voided on breach of bond.

- 10.** On any judgment being recovered against any licensed butcher for breach of any of the conditions of the bond entered into by him, the licence held by such butcher shall be deemed to be null and void from the date of such judgment.

Fees for licences. **11.** Every annual licence issued to a licensed butcher shall bear a stamp of five rupees, or of such higher amount not exceeding twenty-five rupees as may be determined by the proper authority, which shall be supplied to the proper authority by the butcher before the issue of the licence. In this section, 'proper authority' has the same meaning as in subsection (2) of section 27 of this Ordinance.

Temporary licences. **12.** (1) The proper authority may issue to any person a temporary licence to carry on the trade of a butcher-

- (a) in any case where an appeal in respect of an application by such person for a licence to carry on the trade of a butcher has been duly made to the Minister under subsection (4) of section 7 ; or
- (b) on written application made to the proper authority by such person for such temporary licence for the purposes of any festival, carnival or other special event;

such application shall be signed by the applicant and shall state his name and the premises at which he intends to carry on such trade.

(2) Every such temporary licence shall-

- (a) come into force on such date as shall be specified in the licence ; and

- (b) bear a stamp of five rupees, to be supplied to the proper authority by the licensed butcher before the issue of the licence.

(3)

- (a) Every temporary licence issued under paragraph (a) of subsection (1) shall, unless earlier revoked, cease to be in force on the date on which the Minister makes a decision on the appeal confirming or setting aside the order of the proper authority.

- (b) Every temporary licence issued under paragraph (b) of subsection (1) shall, unless earlier revoked, be in force for such period not exceeding fourteen days as shall be specified in the licence.

(4) The proper authority may in his discretion make order revoking any such temporary licence; any licence so revoked shall cease to be in force on the date of such order or on such

later date as may be specified in the order.

(5) Nothing in sections 5 to 11 shall apply to or in relation to an application for or the issue of, any such temporary licence, or to any butcher to whom such temporary licence is issued.

Slaughtered cattle to be registered **13.** Every licensed butcher shall, on or before the seventh day of every month, register in the office of the proper authority a true and accurate report (as nearly as possible) of the age, sex, colour, marks, and description of all cattle slaughtered by him in the preceding month, and the names and places of abode of the persons from whom the same were purchased or obtained, which said report shall be in the form C in the Schedule.

No flesh of animals to be sold, exposed, c, except in certain buildings. **13A.** (1) No person shall sell or expose for sale or cause to be sold or exposed for sale the flesh of any animal at any place other than in a building constructed in conformity with a plan approved by the Secretary to the Ministry charged with the subject of Local Government.

[5, 12 of 2005]
[2, 31 of 1976]

(2) Any person who contravenes the provisions of subsection (1) shall be guilty of an offence, and shall on conviction by a Magistrate be liable to a fine not less than one thousand rupees and not exceeding two thousand rupees, and in default of payment to imprisonment of either description for a term not exceeding six months.

Where and when animals to be slaughtered. **14.** No licensed butcher shall slaughter any animal at any place other than-

- (a) the place appointed by the proper authority; or
- (b) any public slaughterhouse as hereinafter provided;

Cattle to be exposed before slaughter,

15. (1) No licensed butcher shall slaughter any cattle unless he shall have previously exposed the same to public view in some convenient spot appointed by the proper authority for a period of not less than twenty- four hours immediately preceding the time of slaughter.

Butcher not to slaughter diseased

(2) No licensed butcher shall slaughter any animal suffering from any disease, or expose for sale or cause to be exposed for sale the flesh of any such animal.

cattle.

Unlawful
to blow
meal.

(3) No licensed butcher shall inflate with air or blow into or cause to be inflated with air any carcase or any part of the carcase of any animal by means of the human breath or by means of bellows or any other artificial mode whatever, nor shall he sell or expose for sale or cause to be sold or exposed for sale the flesh of any animal that has been so inflated.

Penalty on
butchers.
[5, 12 of 2005]

16. Every licensed butcher who commits a breach of any of the provisions of the four preceding sections shall, upon conviction, be liable to a fine not less than two thousand rupees and not exceeding five thousand rupees, and in default of payment to imprisonment, either rigorous or simple, for a term not exceeding six calendar months.

(* Primary Court has exclusive jurisdiction in respect of all offence under this Ordinance except an offence under section 24 thereof. See section 3.1 of the Judicature Act. read with Gazette Extraordinary No. 43.4 of 1979-07-02.)

Power to Prohibit
slaughter of
animals.
[5, 12 of 2005]

17.(1) The proper authority for any area may, from time to time, by Order published in the Gazette, prohibit the slaughter of animals in that area or any specified part thereof during any specified period; Provided, however, that the proper authority may, for the purpose of permitting the slaughter of animals on the occasion of any religious festival or other special event, by notice exhibited at the office of the proper authority, declare that the Order shall not apply on such day or days as may be specified-in such notice.

*(2) Every person (notwithstanding that he may be a licensed butcher or the holder of a permit issued under section 18) who slaughters or causes or permits any other person on his behalf to slaughter any animal in contravention of an Order under subsection (1), shall be guilty of an offence and liable to a fine not less than one thousand rupees and not exceeding three thousand rupees.

CHAPTER II

PERMITS TO SLAUGHTER CATTLE

Permits.
[2, 13 of 2008]

18.(1) It shall not be lawful for any person (not a licensed butcher) to slaughter any cattle without a permit from the proper authority:

Provided that no pregnant or lactating cows shall be slaughtered whether under the authority of a permit or not.

(2) Every person who desires to obtain a permit shall make an application in writing in that behalf to the proper authority. The application shall be signed by the applicant and shall state his name, the number of cattle to be slaughtered and the place where such slaughter is to take place.

(3) The proper authority may, in his discretion, issue or refuse to issue a permit to any applicant therefor.

(4) Every permit shall be substantially in the form D set out in the Schedule and shall bear a stamp or stamps of the value of twenty-five cents. Such stamp or stamps shall be supplied by the person to whom the permit is to be issued.

Conditions of
permit,

19. No person obtaining such permit shall slaughter cattle at any place other than the place named in such permit or in breach of any condition therein set forth.

Penalty.
[3, 13 of 2008]
[5, 12 of 2005]
[2, 60 of 1981]

20.(1) Every person (not a licensed butcher) who shall slaughter cattle without a permit, or having obtained a permit shall slaughter cattle at a place other than a place named in such permit, or in breach of any condition therein set forth, shall, upon conviction, be liable to a fine not less than two thousand rupees and not exceeding twenty thousand rupees or to imprisonment of either description for a term not exceeding six months, or to both such fine and imprisonment.

(* Primary Court has exclusive jurisdiction in respect of all offences under this Ordinance except an offence under section 24 thereof. See section 33 of the Judicature Act, read with Gazette Extraordinary No, 43:4 of 1979-07-02.)

(2) Any person who slaughters a pregnant cow or a lactating cow in contravention of the provisions of subsection (1) of section 18. shall be guilty of an offence and shall be liable to a fine of rupees fifty thousand and to imprisonment of either description for a period not exceeding three years.

Notice of slaughter. **21.**

(1) No person shall slaughter cattle without giving forty-eight hours' previous notice of his intention
so

to do to the proper authority or to the person duly authorized by the proper authority to receive such notice.

Contents
of such
notice

(2) Every such notice shall be in writing, and shall state, as nearly as possible, the age, sex, colour, marks, and description of each head of cattle, and shall be signed by the owner of the cattle intended to be slaughtered, and shall have attached to it a voucher or certificate of its ownership signed by some person duly authorized thereto by the proper authority.

Authorized person
to inquire into truth
of notice.

[5, 12 of 2005]

22. The duly authorized person on receiving the notice required by section 21 shall make inquiry into the truth thereof, and, if correct, shall certify its correctness on the back thereof under his signature, which shall be a sufficient warrant for the slaughter of the cattle therein mentioned; and any duly authorized person who shall falsely certify or shall neglect or refuse duly to certify such notice, shall, upon conviction, be liable to a fine not less than one thousand rupees and not exceeding two thousand rupees, or to imprisonment, either rigorous or simple, for any period not exceeding three months.

Penalty.

[5, 12 of 2005]

23. Every person who shall slaughter cattle without giving the notice required by section 21, or who shall attach to such notice a voucher or certificate which is false, and every person who, having given such notice, shall slaughter cattle without having obtained from the duly authorized person the certificate required by section 22, shall, upon conviction, be liable to a fine not less than one thousand rupees and not exceeding two thousand rupees, and in default of payment to imprisonment, rigorous or simple, for a term not exceeding three months.

(* Primary Court has exclusive jurisdiction in respect of all offences under this Ordinance except an offence under section 24 thereof. See section 33 of the Judicature Act, read with Gazette Extraordinary No, 43:4 of 1979-07-02.)

Unlawful
Possession of beef
and fresh hides.

[5, 12 of 2005]

[3, 60 of 1981]

24.(1) Any person who is found in possession of any beef or of any fresh hides for which he shall not be able to account to the satisfaction of a Magistrate shall be guilty of an offence notwithstanding that no owner shall appear to prosecute or claim the same as his property, and shall be liable on conviction thereof to a fine not less than one

thousand rupees and not exceeding two thousand rupees or to imprisonment of either description for a term not exceeding two years, or to both such fine and imprisonment.

(2) In this section the word 'beef' includes the flesh of any of the animals which in this Ordinance are denoted by the term 'cattle'. and the word 'hide' means the hide of any such animal and includes any part of a hide.

Application of this Chapter to animals other than cattle. 25. The Minister may by Order published in the Gazette declare that the provisions of all or any of the sections 18 to 24 of this Ordinance shall, in such area as may be specified in the Order, and on and after such date, or during such period, as may be so specified, apply in relation to any specified animals (other than cattle) in like manner as those provisions apply in relation to cattle; and for the purposes of the application of those provisions in such area-

(a) every reference in any of those provisions to 'cattle' shall be deemed to include a reference to the animals so specified; and

(b) the reference in section 24 to 'beef' shall be deemed to include reference to the flesh of such animals.

CHAPTER III PUBLIC SLAUGHTERHOUSES

Public slaughterhouse to be proclaimed. 26. Whenever a building shall have been erected for the purposes of a public slaughterhouse, and such building shall have been certified to the Minister by the proper authority as sufficient for the purposes of a public slaughterhouse, the Minister may declare and proclaim such building to be a public slaughterhouse.

Proper authority may make regulations. 27. (1) It shall be lawful for the proper authority to make, alter, amend, or revoke regulations in reference to public slaughterhouses and to places appointed for the slaughtering of cattle as follows:-
(a) as to the establishment, regulation, management, and general discipline thereof;
(b) as to the fees to be charged for the use of the slaughterhouse or for slaughtering;

(c) as to the inspection of animals and as to the destroying or other disposal of diseased animals brought to a slaughterhouse, or to a place appointed for the slaughtering of cattle by the proper authority;

Provided that such regulations shall not be contrary to any of the provisions of this Ordinance;

Provided also that no regulations, or alterations, amendments, or revocations of any regulation shall have any effect until the same are confirmed by the Minister, and that notice of such confirmation shall be published in the Gazette, in the Sinhala, Tamil and English languages respectively, and such regulations when so confirmed and published shall be as valid and effectual as if they had been herein enacted.

(2) For the purposes of this section, the expression to proper authority -

(a) in relation to any area within the administrative limits of a Municipal Council, Urban Council, Town Council, or Village Council means such Council;

(b) in relation to any other area, means the Assistant Commissioner of Local Government for the administrative region within which such area is situated.

Diseased animals to be seized and destroyed. 28. It shall be lawful for the person having the charge and control of a public slaughterhouse to seize or cause to be seized all unhealthy and diseased animals, and to have the same destroyed or otherwise disposed of as may be directed by regulation.

Penalty for breach of regulation. [5, 12 of 2005] 29. Any person guilty of any breach of any regulation made in pursuance of this Ordinance shall be liable to a fine not less than one thousand rupees and not exceeding two thousand rupees, or, in default of payment, to imprisonment, simple or rigorous, for any period not exceeding three months.

(* Primary Court has exclusive jurisdiction in respect of all offences under this Ordinance except an offence under section 24 thereof.-See section 33 of the Judicature Act read with Gazette Extraordinary No. 43/4 of 1979-07-02.)

Application of sums recovered by way of fees and 30. All sums recovered under this Ordinance by way of fees and stamp duties from the inhabitants of any area within the administrative limits of a Municipal Council, Urban Council, Town Council, or

stamp duties.

Village Council, shall be paid into the fund of such Council.

SCHEDULE

[Section 5.]

Form A

..... has permission to slaughter animals and carry on the trade at of a butcher, conforming himself to the Butchers Ordinance.

This licence is to be in force (ill the 31st day of December, 19.....

Form B

[Section 6.]

BOND

Know all men by these presents that.....of.....and....., of..... and....., of.....are jointly and severally held and firmly bound unto the Republic of Sri Lanka in the penal sum of.....of lawful money of Sri Lanka, to be paid to the said Republic, for which payment well and truly to be bind ourselves, jointly and severally, our heirs, executors, administrators , and assigns firmly by these presents.

Dated the.....day of.....,19.....

Whereas the said.....has been duly licensed butcher by....., under the butchers Ordinance :

Now the condition of the above obligation is such that if the said....., as long as he shall hold a licence, shall carry on and occupy the trade of a butcher within the.....in accordance and conformity with the.....in accordance and conformity with the enactment and provision of the said Ordinance and of the by-laws made thereunder, then the above-written bond or obligation shall be void, otherwise shall remain in full force and virtue.

Form C

[Section 13.]

Date of purchase	Description	Colour	Age	Brand Marks	From Whom purchased	Sellers Place of Residence	Date of Slaughter	Remarks
------------------	-------------	--------	-----	-------------	---------------------	----------------------------	-------------------	---------

I,..... do hereby declare that the above is a correct report of cattle slaughtered by me during the month of, 19.....

.....19.....

.....
Signature.

Form D

[Section 18.]

PERMIT TO SLAUGHTER CATTLE

The bearer,....., has permission to slaughter the undermentionedat.....on the, conforming himself to the Butchers Ordinance.

Description	Colour	Age	Brand marks	Remarks or Conditions
-------------	--------	-----	-------------	-----------------------

The spaces occupied by the words in italics are to be filled up as the case may be.
.....19.....