PARLIAMENT OF THE DEMOCRATIC

SOCIALIST REPUBLIC OF

SRI LANKA

 ANIMAL FEED (AMENDMENT)

ACT, No. 15 OF 2016

[Certified on 07th September, 2016]

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Act, No. 15 of 2016

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L.D.—O. 69/2006.

AN ACT TO AMEND THE ANIMAL FEED ACT, NO. 15 OF 1986

BE it enacted by the Parliament of the Democratic Socialist

Republic of Sri Lanka as follows:—

1. This Act may be cited as the Animal Feed Short title.

(Amendment) Act, No. 15 of 2016.

2. Long title of the Animal Feed Act, No. 15 of 1986 Amendment of

the long title of

(hereinafter referred to as the “principal enactment”) Act, No. 15 of

is hereby amended by the substitution for the words 1986.

“MANUFACTURE, SALE AND DISTRIBUTION OF

ANIMAL FEED” of the words “MANUFACTURE, SALE,

IMPORTATION FOR SALE, DISTRIBUTION AND USE OF

ANIMAL FEED”.

3. Section 2 of the principal enactment is hereby Replacement of

repealed and the following section is substituted therefor:— section 2 of the

principal

enactment.

“Director - 2. (1) The Director-General of Animal

General of Production and Health (hereinafter referred to

Animal

as the “the Director-General”) shall be

Production

and Health. responsible for the general administration of

this Act.

(2) There may be appointed such number of

Directors, Deputy Directors, Assistant Directors

of Animal Production and Health and such

other officers as may be necessary for the

purpose of assisting the Director-General in

carrying out or giving effect to the provisions

of this Act.

(3) Any power, duty or function of the

Director-General under this Act may be

exercised, performed or discharged by any

2—PL 010066—2,961 (07/2016)

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Director, Deputy Director, Assistant Director

of Animal Production and Health under the

direction of the Director-General or by such

other officer who is authorized to do so by the

Director-General in writing.”.

Insertion of new 4. The following new section is hereby inserted

section 2A in the immediately after section 2 of the principal enactment and

principal

enactment. shall have effect as section 2A of that enactment.

“Licensing 2A. (1) There shall be appointed an officer

authority for belonging to the Grade I of the Sri Lanka

animal feed.

Animal Production and Health Service having

not less than three years of active service in

that Grade to be or to act as the Registrar of

Animal Feed (hereinafter referred to as “the

Registrar”) who shall be the licensing authority

for the purposes of this Act.

(2) The Registrar shall exercise, perform and

discharge any power, duty and function

assigned to him under this Act, subject to the

direction and control of the Director-General.”.

Replacement of 5. Section 3 of the principal enactment is hereby

section 3 of the repealed and the following section is substituted therefor:—

principal

enactment.

“Licensing. 3. No person shall manufacture or import

any animal feed except under the authority of

a licence issued by the Registrar under this

Act.”.

Amendment of 6. Section 4 of the principal enactment is hereby

section 4 of the amended as follows:—

principal

enactment.

(1) in subsection (1) thereof, by the substitution for the

words “Every person desirous of obtaining a licence

to manufacture” of the words “Every person desirous

of obtaining a licence to manufacture or import”;

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(2) in subsection (2) thereof —

(a) by the deletion of paragraph (d); and

(b) in paragrph (e) by the substitution for the

words “a statement of the composition of

such animal feed,” of the words “a statement

of the nutrient composition of such animal

feed,”.

7. Section 6 of the principal enactment is hereby Amendment of

amended by the repeal of subsection (1) of that section, and section 6 of the

principal

the substitution therefor of the following subsection:— enactment.

“(1) The Registrar shall declare any animal

feed manufactured or imported for sale on a

licence issued under section 5 of this Act to be

an approved animal feed (hereinafter referred

to as “approved animal feed”) and assign a

number in respect of such approved animal

feed.”.

8. Section 7 of the principal enactment is hereby Replacement of

repealed and the following section is substituted therefor:— section 7 of the

principal

enactment.

“Sale of 7. No person shall sell, expose for sale, offer

approved for sale or distribute any animal feed other than

animal feed.

an approved animal feed declared under

section 6.”.

9. The following new section is hereby inserted Insertion of new

immediately after section 7 of the principal enactment and section 7A in the

principal

shall have effect as section 7A of that enactment. enactment.

“Registering 7A. No person shall sell, expose for sale, offer

of premisses.

for sale, store, supply or distribute any approved

animal feed at or from any premises unless auch

premises has been registered in the manner

prescribed by the Registrar and a Certificate of

Registration is obtained in that behalf.”.

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Amendment of 10. Section 8 of the principal enactment is amended as

section 8 of the

principal follows:—

enactment.

(1) by the repeal of paragraph (a) of subsection (1) and

substitution therefor of the following:—

“(a) the Director-General or a person nominated

by him; and”;

(2) in subparagraph (ii) of pargraph (b) of subsection

(1) by the substitution for the word “three” of the

word “five”;

(3) in subsection (2) of that section by the substitution

for the words “three members.” of the words “four

members.”;

(4) by the insertion immediately after subsection (3) of

that section of the following new subsection which

shall have effect as subsection (3A):—

“(3A) The Registrar shall be the Secretary of the

Committee.”.

Amendment of 11. Section 10 of the principal enactment is hereby

section 10 of the

amended as follows:—

principal

enactment.

(1) in paragraph (i) by the substitution for the words

“manufacture, storage and prepartion of animal feed

for sale” of the words “manufacture, importation,

storage and preparation of animal feed for sale or

for use”;

(2) in paragraph (ii) by the substitution for the words

“of any approved animal feed;” of the words “of

any approved animal feed or any other raw material

suitable of being used as animal feed,”;

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(3) in paragraph (iii) by the substitution for the words

“fix the maximum level of deleterious” of the words

“specify the maximum level, and prohibit where

required, the use of deleterious”;

(4) by the insertion immediately after paragraph (iii)

of that section of the following paragraph which

shall have effect as paragraph (iiiA):—

“(iiiA) recommend to the Minister on matters

relating to the quality of animal feed and

raw materials;”.

12. Section 11 of the principal enactment is hereby Amendment of

section 11 of the

amended in paragraph (c) by the substitution for the word

principal

“composition” of the words “nutrient composition”. enactment.

13. Section 12 of the principal enactment is hereby Replacement of

repealed and the following section is substituted thererfor:— section 12 of the

principal

enactment.

“Committee 12. The Committee shall —

to make

continuing

(a) study and keep under review

studies and

reports. matters relating to —

(i) the production, importation,

manufacture, sale, processing,

distribution and use of

animal feed;

(ii) preparation of animal feed;

(b) report on matters relating to

subparagraphs (i) or (ii) of

paragraph (a) from time to time to

the Minister; and

(c) recommend to the Minister such

proposals as it considers necessary

or advisable for the control,

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supervision, use, marketing and

distribution of approved animal

feed in the interest of national

economy.”.

Amendment of 14. Section 13 of the principal enactment is hereby

section 13 of the amended in subsection (1) by the substiution for the words

principal

enactment. “the production, manufacture, processing, distribution and

sale of approved animal feed” of the words “the production,

manufacture, importation, processing, distribution, use and

sale of animal feed”.

Amendment of 15. Section 16 of the principal enactment is hereby

section 16 of the amended by the substitution for the words “No alteration in

principal

enactment. the container, print or the label or” of the words “Where any

approved animal feed is intended to be sold, no alteration in

the container, print or the label or”.

Amendment of 16. Section 17 of the principal enactment is hereby

section 17 of the amended by the repeal of subsection (2).

principal

enactment.

Amendment of 17. Section 18 of the principal enactment is hereby

section 18 of the amended by the substitution for the words “manufacture,

principal

enactment. prepare or store any approved animal feed for sale” of the

words “manufacture, import, prepare or store any approved

animal feed for sale”.

Amendment of 18. Section 21 of the principal enactment is hereby

section 21 of the amended by the substitution for the words “no person shall

principal

enactment. manufacture, any approved animal feed for sale or sell” of

the words “no person shall manufacture or import any

approved animal feed for sale, use or sell”.

Amendment of 19. Section 22 of the principal enactment is hereby

section 22 of the amended as follows:—

principal

enactment.

(1) in subsection (1) by the substitution for the words

“No manufacturer or a distributor or a commission

agent or a dealer of any approved animal feed shall

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sell such approved animal feed” of the words “No

manufacturer or an importer or a distributor or a

commission agent or a dealer of any approved

animal feed shall sell such approved animal feed”;

(2) in subsection (2) by the substitution for the words

“Where any manufacturer or a distributor or a

commission agent or a dealer of any approved

animal feed” of the words “Where any manufacturer

or an importer or a distributor or a commission agent

or a dealer of any approved animal feed”.

20. Section 23 of the principal enactment is hereby Amendment of

amended as follows:— section 23 of the

principal

enactment.

(1) by the repeal of subsection (1) and substitution

therefor of the following:—

“(1) The Director-General may nominate any

public officer by name or by office to be an

authorized officer to carry out the provisions of

this Act and any regulation made thereunder.”;

(2) by the insertion immediatly after subsection (1) of

that section of the following subsection which shall

have effect as subsection (1A):—

“(1A) Every authorized officer nominated

under subsection (1) shall be deemed to be a

peace officer within the meaning and for the

purposes of the Code of Criminal Procedure Act,

No. 15 of 1979.”;

(3) in paragrah (b) of subsection (2) of that section by

the substitution for the words “any approved animal

feed, from any person who has such animal feed in

his possession for the purpose of sale;” of the words

“any approved animal feed, from any person who

has such animal feed in his possession for the

purpose of sale or for any other use;”.

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Amendment of 21. Section 25 of the principal enactment is hereby

section 25 of the amended as follows:—

principal

enactment.

(1) in subsection (1) by the substitution for the words

“the referee analyst” of the words “the authorized

analyst or the referee analyst”;

(2) in subsection (2) by the substitution for the words

“the referee analyst” of the words “the authorized

analyst or the referee analyst”;

(3) in subsection (3) by the substitution for the words

“the referee analyst” of the words “the authorized

analyst or the referee analyst”.

Amendment of 22. Section 28 of the principal enactment is hereby

section 28 of the amended in subsecion (1) by the substitution for the words

principal

enactment. “to a fine not exceeding one thousand rupees” of the words

“to a fine not less than fifty thousand rupees and not

exceeding two hundred and fifty thousand rupees”.

Amendment of 23. Section 31 of the principal enactment is hereby

section 31 of the amended in subsection (2) by the insertion immediately after

principal

enactment. paragraph (a) of that section of the following paragraph which

shall have effect as paragraph (aa):—

“(aa) prescribing the standards for the manufacture of

self mixed animal feed;”.

Amendment of 24. Section 32 of the principal enactment is hereby

section 32 of the amended as follows:—

principal

enactment.

(1) by the insertion immediately before the definition

of the expression “animal feed” of the following

new definition:—

““animal” shall have the same meaning as in the

Animal Diseases Act, No. 59 of 1992;”;

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(2) by the insertion immediately after the definition of

the expression “compounded feeds” of the

following new definition:—

““Controller of Imports and Exports” means the

Controller of Imports and Exports appointed

under section 2 of the Imports and Exports

(Control) Act, No. 1 of 1969;

“Director-General” means the Director-General of

the Department of Animal Production and

Health;

“Distributor” means a person who distributes

animal feed obtained from a manufacturer,

importer or a dealer to a retailer, a seller or a

user respectively;”;

(3) by the insertion immediately after the definition of

the expression “referee analyst” of the following

new definition:—

““self mixed animal feed” means a feed obtained

by mixing two or more feed stuffs to be used

as a feed by any person for animal or poultry

in his custody;”;

(4) by the repeal of the definition of “seller” and

substitution therefor of the following new

definition:—

““seller” means any person to whom any approved

animal feed is sold or delivered by the

manufacturer or importer, for the purpose of

sale by retail, and includes any person who

barters or supply any approved animal feed

under the integrated contract farming

arrangement, and the word “sell” shall be

construed accordingly;”;

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(5) by the insertion immediately after the definition of

the expression “simple feed” of the following new

definition:—

““user” means any person who has any animal

feed in his possession to be used as a feed for

animal or poultry in his custody or for the

manufacture of feed;”.

The “Director of 25. (1) In the principal enactment and in any other

Animal

written law wherever the words “Director of Animal

Production and

Health” and Production and Health” and “Director” occur there shall be

“Director” to be substituted the words “Director-General of Animal

known as the Production and Health” and “Director-General” respectively.

“Director

-General of

Animal (2) Every reference to the “Director of Animal Production

Production and and Health” and “Director” in any notice, notification,

Health” and contract, communication or other document under this Act

“Director-

General”. shall be read and construed as a reference respectively to the

“Director-General of Animal Production and Health” and

“Director-General”.

Sinhala text to 26. In the event of any inconsistency between the

prevail in case Sinhala and Tamil texts of this Act, the Sinhala text shall

of any

inconsistency. prevail.

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