



PARLIAMENT OF THE DEMOCRATIC
SOCIALIST REPUBLIC OF
SRI LANKA

NATIONAL ZOOLOGICAL GARDENS
ACT, No. 41 OF 1982

[Certified on 24th November, 1982]

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L.D.—O. 46/75

AN ACT TO PROVIDE FOR THE ADMINISTRATION AND MANAGEMENT OF THE NATIONAL ZOOLOGICAL GARDENS, TO PROVIDE FOR THE ESTABLISHMENT OF THE ZOO DEVELOPMENT AND WELFARE FUND; AND FOR MATTERS CONNECTED THEREWITH OR INCIDENTAL THERETO.

BE it enacted by the Parliament of the Democratic Socialist Republic of Sri Lanka as follows :—

1. This Act may be cited as the National Zoological Gardens Act, No. 41 of 1982.

Short title.

2. (1) For the purposes of the administration of the National Zoological Gardens there shall be appointed—

Administration of the National Zoological Gardens.

(a) a person to be or to act as the Director of the National Zoological Gardens ;

(b) persons to be or to act as Deputy Directors and Assistant Directors of the National Zoological Gardens ; and

(c) such other officers and servants as may be necessary for the purposes of this Act.

(2) All officers and servants appointed for the purposes of this Act shall be deemed to be public servants within the meaning and for the purposes of the Penal Code.

PART I

GENERAL DUTIES AND POWERS OF THE DIRECTOR OF THE
NATIONAL ZOOLOGICAL GARDENS

3. (1) The Director of the National Zoological Gardens (hereinafter referred to as the "Director") shall be responsible for the supervision, control and administration of the affairs and business of the National Zoological Gardens (hereinafter referred to as the "Zoo").

General administration of the Zoo.

(2) The Director may, for the purposes of subsection (1), delegate any of his powers to a Deputy or Assistant Director or to any other officer of the Zoo.

4. The Director may take steps within the Zoo—

Duties of the Director.

(a) to construct enclosures, roads, buildings and fences, to provide water supplies and to carry out such other works as he may consider necessary for the management of the Zoo ;

(b) to ensure the safety of the animals in the Zoo ;

(c) to regulate and control vehicular traffic ;

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- (d) to provide special areas for the parking of vehicles ;
- (e) to ensure the safety of the visitors to the Zoo ; and
- (f) to protect any farm maintained by the Zoo and the produce thereof.

Offences
and
penal-
ties.

5. (1) Any person who—

- (a) enters the Zoo without a valid ticket issued at the entrance of the Zoo, on payment of the appropriate fee ;
- (b) refuses or fails to produce his ticket when requested to do so by the Director or any Deputy or any Assistant Director or any person authorized by the Director ;
- (c) sells or transfers or attempts to sell or transfer a ticket issued to him in order to enable any other person to enter the Zoo ;
- (d) engages in feeding any animal in any area within the Zoo where such feeding is prohibited by a notice ;
- (e) uses any radio or other sound equipment in any area within the Zoo where the use of such equipment is prohibited by a notice ;
- (f) uses photographic equipment within the Zoo without the prior approval of the Director ;
- (g) leads any animal into the Zoo without the prior approval of the Director ;
- (h) within the Zoo carries or has in his possession or under his control any gun, cartridge, firearm or other explosive of any description ;
- (i) discharges or attempts to discharge any gun or uses any explosives ;
- (j) enters any area within the Zoo into which entry is prohibited by a notice ;
- (k) within the Zoo teases, annoys, disturbs, harasses or injures any animal or acts in any other manner which is in any way detrimental to the safety or health of any animal on exhibition ;
- (l) within the Zoo obstructs, threatens or hinders any employee of the Zoo ;
- (m) removes or damages any property belonging to the Zoo ;

- (n) parks a vehicle outside the parking areas provided by the Director ;
- (o) within the Zoo, distributes or exhibits any hand bill, placard, poster, notice or any such document, without the prior approval of the Director ;
- (p) drives a motor vehicle in any area within the Zoo, where driving of motor vehicles is prohibited ; and
- (q) sells or exhibits for sale any article within the Zoo, without the prior approval of the Director,

shall be guilty of an offence under this Act.

(2) Every person who is found guilty of an offence under subsection (1) shall, on conviction, be liable to a fine not exceeding one hundred rupees.

6. (1) The Director may, at any time, compound any offence under subsection (1) of section 5, by accepting a sum of one hundred rupees by way of composition for the offence committed, and where a prosecution has been entered against any person for any such offence, the Director may with the consent of the court before which prosecution is pending, compound such offence at any time before judgment and may withdraw such prosecution.

Power to compound offences.

(2) The sum of money accepted by the Director under subsection (1), shall be credited to the Zoo Development and Welfare Fund established under this Act.

7. It shall be lawful for the court before which an offender is convicted of an offence to direct in respect of any fine that may be imposed for such offence that any share not exceeding one-half thereof or of so much as shall actually be recovered be awarded to the Zoo Development and Welfare Fund established under this Act.

Share of fines to the Zoo Development and Welfare Fund.

PART II

ZOO DEVELOPMENT AND WELFARE FUND

8. (1) A Fund to be called the Zoo Development and Welfare Fund (hereinafter referred to as the "Fund") shall be established for the purposes of this Act.

The Zoo Development and Welfare Fund.

(2) There shall be paid into the Fund—

- (a) all such sums of money as may be received by way of donations from any source whatsoever ;

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- (b) all such sums of money as may be recovered by the Director under section 6 ;
 - (c) all such sums of money as may be recovered by way of fines ;
 - (d) all such sums of money as may be received by the sale of garden produce ; and
 - (e) all other sums of money received by the Zoo by way of any income from any source whatsoever.
- (3) The following sums of money shall, subject to the prior approval of the Secretary to the Ministry of the Minister in charge of the subject of Finance, be paid out of the Fund—
- (a) all such sums of money as may be necessary to provide ancillary services to the visitors to the Zoo ;
 - (b) all such sums of money as may be necessary to provide welfare and incentive schemes to the employees of the Zoo ; and
 - (c) all expenditure required for the purposes of this Act unless otherwise specifically provided for.
- (4) The Director shall be responsible for the administration of the Fund.
- (5) The accounts of the Fund shall be audited by the Auditor-General.

PART III

MISCELLANEOUS

Advisory
Com-
mittee.

9. (1) The Minister may appoint an Advisory Committee which shall consist of the Director as Chairman and of eleven other persons, for the purposes of advising the Director and making recommendations to the Minister on all matters and questions relating to the Zoo.
- (2) Meetings of the Advisory Committee shall be held at least twice every year.
- (3) The Advisory Committee shall be entitled to determine its own procedure in any matter of procedure for which no provision is prescribed.

10. (1) Where the Director has reasonable grounds to believe that any animal purported to be the property of the Zoo, is in the custody or possession of any person, it shall be lawful for the Director or any person authorized in writing in that behalf to—

Power of
entry and
recovery.

(a) enter and inspect any premises or vehicle in which he has reasonable grounds to believe that such animal may be found ; and

(b) recover possession of such animal.

(2) If the person, from whose possession or custody any animal was removed in terms of subsection (1), desires to regain possession of such animal, the burden of proving that such animal belongs to him, shall be on such person.

11. No suit or prosecution shall lie against any public officer for any act which in good faith is done or purported to be done under this Act.

Protec-
tion
for
public
officers.

12. Every person who assaults, obstructs, threatens, intimidates, abuses or insults any person exercising the powers, or discharging the duties conferred on him by this Act, shall be guilty of an offence and shall on conviction be liable to a fine not exceeding one hundred rupees.

Obstruc-
tions
and preven-
tion

13. (1) The Minister may make regulations in respect of any matter required by this Act to be prescribed or in respect of which regulations are authorized by this Act to be made.

Regula-
tions.

(2) Every regulation made by the Minister shall be published in the *Gazette* and shall come into operation on the date of such publication or on such later date as may be specified in the regulation.

(3) Every regulation shall, as soon as convenient after publication in the *Gazette*, be brought before Parliament for approval. Any regulation which is not so approved shall be deemed to be rescinded as from the date of its disapproval, but without prejudice to anything done thereunder.

(4) Notification of the date on which any regulation made by the Minister is so deemed to be rescinded shall be published in the *Gazette*.

14. In this Act, unless the context otherwise requires—

“animal” means any animal vertebrate, invertebrate and includes all categories of birds, fish or reptile ; and

Inter-
preta-
tion.

“National Zoological Gardens” includes the public aquarium, the Zoo farm at Ratmalana and the elephant orphanage at Pinnawela, Rambukkana.

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