

ANNEXURE 1

ANIMAL WELFARE BILL

- The objective of this Bill is to replace the antiquated Prevention of Cruelty to Animals Ordinance enacted over a century ago in 1907, thereby addressing the current challenges in better protecting animals and promoting their welfare.
- This Bill was drafted by the Law Commission of Sri Lanka over a period of several years after wide consultation with the public.
- The Bill was thereafter submitted to HE the then President in 2006.
- However, as it appeared that there was no political will to pursue the enactment of this Bill, Hon. Ven. Athureliya Ratana Thero, M.P., in 2010, presented this Bill as a Private Member's Bill, but with the dissolution of Parliament in the same year, the Bill lapsed.
- In 2010, a group of religious and animal welfare organizations filed a writ application in the Court of Appeal seeking a court order to direct the relevant authorities to take action to fully implement the laws pertaining to animal welfare and to amend the laws for the better protection of animals..
- Through this writ application, the petitioners were able to draw the attention of the Government to the Bill.
- However, it was only in March 2015 that the Bill was submitted to Cabinet by the then Minister of Social Services, Welfare and Livestock Development (Hon. P. Harrison), under HE President Maithripala Sirisena's "100 Days Work Programme."
- We understand that the Cabinet then directed the Hon. P. Harrison to discuss the provisions of the Bill with the Treasury, call for public representations on the Bill and thereafter submit his report to Cabinet.
- Subsequent to discussion with the Treasury the Ministry of Social Services, Welfare and Livestock Development had amended the Bill to provide for the National Welfare Authority (which is one of the most important provisions in the Bill) to function as a Division of the Department of Animal Production and Health (DAPH), the reason to our knowledge being the reluctance of the Treasury to allocate funds to set up the Authority as a separate entity.

A group representing the petitioners in the above writ application had also met Hon. Ravi Karunanayake, Minister of Finance and explained to him the importance of setting up the Authority as an independent entity, but had not received a positive response.

- The reasons for urging the setting up of the Authority as a separate entity and not as a mere division in the DAPH was that if the Authority which was being set up by the Bill as an incorporated independent body was to function under a mere department, the independence expected would be severely affected. Further, the animals coming within the purview of the

DAPH are species of livestock only, whereas all species of animals come within the scope of the Bill. Since the DAPH is a department which is under a Ministry also concerned with animal slaughter, there is also the possibility of a conflict of interest which would not be in the best interest of the welfare of animals.

- Therefore a group, including representatives of the petitioners in the above writ application, met the Secretary to the President on 10th July 2015 and explained to him the need for an independent Authority. At that meeting the Ministry of Social Services, Welfare and Livestock Development was also represented. At that meeting there was agreement that the Bill will be amended for the Authority to function under the said Ministry and not as a division of the DAPH.
- We believe that in terms of the Cabinet decision referred to above, the Minister in charge of Livestock will now be submitting his report to Cabinet.